



N.C. Department of Health  
and Human Services

# Division of Health Service Regulation Adult Care Licensure Section

## 2019 Update

# ACLS UPDATES

- ACL Section Changes & New Additions
- Legislative and Rulemaking Updates
- Important Information & Reminders
- Top 10 Cited Deficiencies & Violations

# ACL Section Changes & New Additions

Tichina Hamer	Director of Programs
Kim Ruppel	Western Branch Manager
Eva Oakley	Central Branch Manager
Dai Tworek	Eastern Branch Manager
Tameka Riggsbee	County Liaison
Warren Wilson	Administrator Program Consultant & Star Rating

ACLS staff contacts and regional map:

<https://info.ncdhhs.gov/dhsr/acls/index.html#contact>

# Legislative & Rulemaking Updates

# Session Law 2019-180 (Senate Bill 302)

“Authorize adult care homes to use service plans completed for MCD PCS assessment for ADL portion of service plans or care plans.”

- Applies to MCD PCS beneficiaries only
- All other resident assessments/care plans must be completed in accordance with 13F/G .0801/.0802
- Provides an additional 5 days for facility to obtain PCS service plan/care plan for ADL needs
- Applies only to the ADL portion of the assessment/care plan -- other portions must still be completed by the facility within 30 days.

# “Amend Assisted Living Administrator Qualifications”

- Provides that AL administrator applicants cannot have substantiated findings on the HCPR
- Amends provision related to education and experience requirements for applicant administrators to include individuals who have at least 60 months of supervisory experience but may not have two years of college credit
- Defines “supervisory experience”

# Rule Readoptions 13F & 13G

- Periodic Review of Existing Rules  
G.S. 150B-21.3A - Agencies must review their rules once every 10 years or they will expire.
- Reviews for 13F & 13G complete. Now in the “readoption” phase.
- Rule readoption workgroup convened
- Readoption in “phases”
  - Phase 1: Licensing rules
  - Phase 2: Admission, Assessment, Care Plans

# How Can You Participate and Stay Informed About Rule Readoptions?

- Belong to a provider association, read information sent, and give feedback
- Respond to ACLS questionnaires and surveys
- Sign up on listservs –
  - DHSR Rule Actions Listserv  
<https://info.ncdhhs.gov/dhsr/rules/listserv.html>
  - ACLS News Listserv  
<https://info.ncdhhs.gov/dhsr/acls/listserv.html>



# Other News & Reminders

- License Renewal Applications & Administrator Certification renewals are due
- Cost Reports due September 30<sup>th</sup> – Suspension of Admissions if delinquent
- Need IDR panel members—Please contact your Association if you are interested in serving.
- Communicable Disease Outbreaks (Norovirus, Flu, etc.) – please inform survey team if they are in your facility

# ABCMS: Automated Background Check Management System

- Live on October 1<sup>st</sup>!
- In addition to criminal background checks, the electronic system automatically checks:
  - NC Health Care Personnel Registry
  - NC Medication Aide Registry
  - NC Geriatric Aide Registry
  - NC Nurse Aide I Registry
  - OIG List of Excluded Individuals/Entities
- Providers can manually check:
  - NC Sex Offender Registry
  - National Sex Offender Public Website
  - National Practitioner Database

- No additional cost – (providers will still incur the cost of conducting criminal background checks)
- If a finding is discovered on the HCPR or NAR, the system will not automatically perform a criminal background check.
- Enables providers to have a current roster of applicants and employees along with status updates on current background checks and automatic registry checks every 30 days.
- Providers are not required to use ABCMS.
- More information and training is forthcoming.

# ACH Top 10 Deficiencies

(07/01/2018-06/30/2019)

1. Medication Administration-- Meds administered as ordered
2. Health Care Referral and Follow-up
3. Medication Administration- Inaccurate MARs
4. Health Care – Implementation of orders
5. Therapeutic Diets served as ordered
6. Personal Care and Supervision – Supervision
7. Food Service – Kitchen, dining and food storage areas clean and protected from contamination
8. Housekeeping/Furnishings- Facility kept clean and good repair
9. G.S. 131D-21(4) Residents' Rights –Abuse, neglect, exploitation
10. Management of Facilities

# FCH Top 10 Deficiencies

(07/01/2018-06/30/2019)

1. Medication administration – administered as ordered
2. Medication Administration- inaccurate MARs
3. TB Test for Staff
4. HCPR Checks for staff
5. Criminal Background Checks for staff
6. Housekeeping/Furnishings - facility kept clean and in good repair
7. G.S.131D-4.5B(b) – Medication Aide Training and Competency
8. G.S. 131D-45 – Drug screening for staff
9. Health Care Referral and Follow-up
10. TB Test for Residents

# Top 7 Type A Violations (A1&A2)

(07/01/2018-06/30/2019)

1. Health Care Referral and Follow-up
2. Personal Care and Supervision – Supervision
3. Medication Administration -- Administered as ordered
4. Management of Facilities
5. Residents' Rights – Abuse and Neglect
6. Staffing – Insufficient staff
7. Personal Care & Supervision – Personal Care

# Resources

## **DHSR Adult Care Licensure Website**

<http://www2.ncdhhs.gov/dhsr/acls>

## **ACH & FCH Rules and Statutes**

<http://www2.ncdhhs.gov/dhsr/acls/rules>

## **Mailing address for all correspondence:**

2708 Mail Service Center

Raleigh, NC 27699

Phone: (919) 855-3765

Fax: (919) 733-9379