

CCS HCS SCS SB 616 -- ASSISTED LIVING FACILITIES

This bill changes the laws regarding assisted living facilities. In its main provisions, the bill:

- (1) Changes the terms "residential care facility I" as it applies to long-term care provided to the elderly and disabled to "residential care facility" and "residential care facility II" to "assisted living facility";
- (2) Defines "assisted living facility" as any premises other than a residential care facility, intermediate care facility, or skilled nursing facility that provides or coordinates 24-hour care and protective oversight to three or more residents. Care may include the provision of shelter, board, and assistance with any activities of daily living or supervision of health care under the direction of a licensed physician;
- (3) Defines "community based assessment," "dementia," "activities of daily living," "instrumental activities of daily living," "appropriately trained and qualified individual," and "social model of care";
- (4) Allows any residential care facility licensed as a residential care facility II immediately prior to the effective date of these provisions and for the purpose of receiving supplemental welfare assistance payments under Section 208.030, RSMo, to continue to receive the payment amount allocated for a residential care facility II;
- (5) Requires an assisted living facility to provide for or coordinate oversight and services to meet the needs of a resident as specified in a written contract signed by the resident or other responsible party;
- (6) Prohibits an assisted living facility from accepting an individual who is a danger to self or others, requires physical or chemical restraint, requires more than one person to simultaneously assist the resident in daily activities, or is bed-bound;
- (7) Requires an assisted living facility to provide staff in appropriate numbers and with appropriate skills to provide 24-hour care to residents;
- (8) Requires multilevel facilities or facilities accepting residents with cognitive or physical impairments to be in compliance with National Fire Protection Association Code 13 and the 1997 Life Safety Codes for Existing Health Care Occupancy;

(9) Requires an assisted living facility to keep a written plan for the protection of all residents in the event of a disaster;

(10) Allows an existing residential care facility II to be licensed as an assisted living facility as long as the facility continues to meet all laws, rules, and regulations that were in place the day before the provisions of the bill become effective. The provision does not exempt a residential care facility II from the 24-hour staff, written plan protection, screening, and assessment requirements;

(11) Requires an assisted living facility to complete at least semi-annually a resident assessment upon admission and whenever a significant change has occurred in the resident's condition;

(12) Requires the use of a personal electronic monitoring device for any resident of an assisted living facility whose physician recommends its use;

(13) Prohibits any facility from naming or advertising itself as an assisted living facility without obtaining a license from the Department of Health and Senior Services;

(14) Requires the department to develop rules to ensure the compliance of the provisions of the bill; and

(15) Requires the departments of Social Services and Health and Senior Services to jointly prepare by January 1, 2008, a report to the Governor and General Assembly on the differences found in the evaluation of the requirements for inspectors or surveyors of facilities and the performance of the inspectors.