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## HOUSE JOINT RESOLUTION NO. 352

Offered February 2, 1998

*Recognizing the special needs of small adult care residences.*

Patron—Hall

Consent to introduce

Referred to Committee on Health, Welfare and Institutions

WHEREAS, adult care residences provide compassionate and quality-oriented care primarily in a home-like environment for the Commonwealth's elderly and disabled citizens, thus enabling them to enjoy the quality of life they deserve; and

WHEREAS, Virginia's adult care residences have made significant contributions since 1974 toward providing the citizens of the Commonwealth with the best and most cost-effective residential care; and

WHEREAS, Virginia has more than 615 licensed adult residence facilities which provide care to over 26,000 residents, including 7,000 auxiliary grant recipients; and

WHEREAS, while health care may be a component of their services, adult care residences in the Commonwealth help people to live independently within the community, with as much freedom of choice as possible; and

WHEREAS, adult care residences are settings which permit the frail adult to age in place with dignity; and

WHEREAS, the adult care residence industry exhibits a diversity in the delivery of care unparalleled in the long term care sector, thus giving residents greater choice; and

WHEREAS, regulations and increasing competition from larger operators and long term care chain providers pose a threat to the small, traditional adult care residences which serve a population that is ambulatory and needs very limited assistance with basic activities; and

WHEREAS, new regulations which became effective February 1, 1996, have had an impact on small adult care residences which has not received accurate recognition; and

WHEREAS, these new regulations have denied small adult residences the ability to maintain their traditional residential approach to providing care; and

WHEREAS, the regulations ignore the population that requires only basic care by focusing on medical needs, thereby threatening the survival of small adult care residences; and

WHEREAS, governmental micromanagement, which has been accommodated by these regulations, has compromised the administrative rights of small home operators; and

WHEREAS, the new regulations and assessment procedures also infringe on residents' rights; and

WHEREAS, government funding through the auxiliary grant program has resulted in the development of two levels of regulations, creating a two-tier class structure among residents; and

WHEREAS, by challenging requests for temporary detention orders (TDOs), the new regulations have infringed upon the operators' ability to protect their entire population of residents; and

WHEREAS, given the unique nature of small adult care residences, no effort has been made to evaluate the cost impact of the new regulations; and

WHEREAS when carrying out their duties, governmental oversight agencies need to exercise common courtesies and maintain professional relationships with the operators of small adult care residences; and

WHEREAS, small adult care residences do not have a pool of trained staff and administrators to comply with the new regulations; and

WHEREAS, the Commonwealth has not made an effort to use adult care residences as training opportunities for recipients of public assistance; and

WHEREAS, small adult care residences have become the training ground for other, larger providers of long term care; and

WHEREAS, state regulations do not realistically permit enough time to train the direct care staff of small adult care residences; and

WHEREAS, cross-training is not being accommodated for small adult care residences; and

WHEREAS, adult care residences' staffs are not permitted to train their own direct staff; and

WHEREAS, regulations are pushing small adult care residences into a medical model; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the complaints of the small adult care residences be recognized and that the appropriate governing bodies develop measures to

INTRODUCED

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**60** address these concerns.