

Let's Talk: Assisted Living

Department for Aging
and Independent Living

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Special Points of Interest:

- The ALC's legal name must be used on applications
- The parameters of Hand over Hand assistance
- Medication must be accessible to the client
- Courtesy review of documents cease

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What's In a Name: Using the ALC's Legal Name

The Department has several communities that have submitted an application for certification with the name of the community being different from what was submitted in the past. Please be advised that the information submitted on the application must be the correct

legal name of the community, as registered with the Secretary of the State. The certificate is based on the name and address as submitted on the application. We realize that managers get in a hurry and may abbreviate the name but it is vital that the information

submitted be correct. From this point forward when a discrepancy is found on the application the department will return the application to the community for correction and may require documentation from the Secretary of the State verifying the legal operating name of the community.

Hand over Hand Assistance, what's allowed

Hand-over-hand assistance with medication is a slippery slope, indeed. Assisted living communities that allow staff to provide hand-over-hand assistance need to provide training and supervision to staff to reduce the risk of being cited for administering medication.

Assistance with self administration of medication is the most defined portion of the assisted-living statutes and hand-

over-hand assistance is not included in that definition. The department has allowed assisted-living communities to provide hand over hand assistance only to steady a shaky hand. *Staff is not to move, manipulate or guide the client's hand.* The department has allowed ALC's to provide this assistance under the condition that the clients hand is not manipulated or guided by the staff

person. There is a very fine line between appropriate hand-over-hand assistance and administering medications. Please make it very clear with staff which clients receive this type of assistance, and provide on-going training and supervision to ensure that staff does not begin to cross the line into administration of medications.

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(Is this the correct address)?

Storing Client's Medication

Assisted living communities are allowed to provide assistance with self administration of medication. KRS 194A.700 (2) (e) allows for "storing the medication in a manner that is accessible to the client". This means that the client and not the family member or assisted-living is to have access to the

medications. There are several communities that provide lock boxes within each living unit for storing medications. In this situation, the client must have a key to the lock box that is accessible to them. The key can not be hidden from the client within the room but must be where they can locate the key

and access their own medications when needed or wanted. In situations where the family or the assisted-living believe that the client having access to their own medications would be harmful to the client then they need to assess the client to determine if they continue to meet the basic criteria under KRS 194A.711(2) not be a danger.

How about what the Family wants

We all know that the family usually has the best interest of their loved one at the forefront of their requests. However, the client that resides in the assisted-living and the community is under a lease agreement and not the daughter, son,

nephew, grandchild or any other interested party. The family does not have the right to limit the rights of the client by limiting who is allowed to visit the client, the family can not dictate what the client chooses to eat and the family can not

remove the client's key to the medication lock box from the client's possession. Only a court appointed legal guardian would be able to legally make decisions for the client.

Courtesy Reviews

In the past the Department has conducted courtesy reviews of documents for new and existing assisted-living communities to provide recommendations for changes or corrections. With notice of this newsletter, the Department will no longer be able to provide the indepth reviews of your documents outside of the certification review for existing communities. We will, however, continue to answer questions and assist with wording if asked specific questions. The Courtesy Review will still be available for, new assisted-living communities. New assisted living communities who wish to access this option, must complete a Courtesy Review Form. The form should be completed and sent back to DAIL with your documents. The courtesy review form is available upon request by contacting us at the department.