



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

275 East Main Street, 5E-A
Frankfort, Kentucky 40621

Phone: (502) 564-7963

Fax: (502) 564-6546

<https://chfs.ky.gov/agencies/os/oig>

David T. Lovely
ACTING INSPECTOR GENERAL

April 29, 2024

Dear Personal Care Home Provider:

As you may be aware Assisted Living Community (ALC) licensing is transitioning to the Office of Inspector General, Division of Health Care for regulatory oversight. The purpose of this letter is to inform personal care home providers of the upcoming changes. **No action is required at this time.**

Pursuant to the 2022 passage of SB 1, this regulation merged personal care homes — the current basic health services model — with ALCs into a broader ALC licensure category. **Please note, your facility may not be included in this transition.** Please see below regarding Personal Care Home (PCH) transition requirements.

Licensure Categories		
In accordance with KRS 194A.710(2), the three (3) licensure categories are as follows:		
<p>Assisted Living Community License (ALC)</p> <p>License for any facility that provides assisted living services, excluding basic health and health-related services.</p> <ul style="list-style-type: none"> Commonly referred to as a "social model" ALC. 	<p>Assisted Living Community with Basic Health Care License (ALC-BH)</p> <p>License for any facility that:</p> <ul style="list-style-type: none"> Provides assisted living services, including basic health and health-related services directly to its residents; and Does not have a secured dementia care unit. 	<p>Assisted Living Community with Dementia Care License (ALC-DC)</p> <p>License for any facility that provides assisted living services and dementia care services in a secured dementia care unit.</p> <ul style="list-style-type: none"> As a condition of licensure, an ALC-DC must provide basic health and health-related services. [KRS 194A.7052(1)(e)]

Apartment-style personal care homes that meet assisted living building standards are required to convert to licensure as an ALC and all state-certified ALCs are required to transition to a licensure model in one of three (3) categories.

Once the ALC transition occurs, apartment style Personal Care Homes (PCH's) must apply for licensure as an Assisted Living Community.

The following page lists some frequently asked questions with answers which may help guide you in this process.

- My freestanding facility is currently licensed as a personal care home (PCH). Does my licensure status change?

State law ([KRS 194A.704](#)) only requires apartment-style PCHs to convert to ALC licensure.

Additionally, an apartment-style PCH must apply for ALC licensure by submitting the Form OIG – 20:480, accompanying documentation, and applicable licensing fee at least 60 days prior to the date of annual renewal of the facility's personal care home license.

- What qualifies as an apartment-style PCH for purposes of ALC licensure?

(1) In accordance with [KRS 194A.703](#), each living unit shall:

- (a) Be at least two hundred (200) square feet for single occupancy, or for double occupancy if the room is shared with a spouse or another individual by mutual agreement;
- (b) Include at least one (1) unfurnished room, a lockable entry door unless in a secured dementia care unit, a private bathroom with a tub or shower, provisions for emergency response, a window to the outdoors, and a telephone jack;
- (c) Unless living units are in a secured dementia care unit, have an individual thermostat control if the assisted living community has more than twenty (20) units; and
- (d) Have temperatures that are not under a resident's direct control at a minimum of seventy-one (71) degrees Fahrenheit in winter conditions and a maximum of eighty-one (81) degrees Fahrenheit in summer conditions if the assisted living community has twenty (20) or fewer units, or the living units are in a secured dementia care unit.

(2) Each resident shall be provided access to central dining, a laundry facility, and a central living room.

(3) Each assisted living community shall comply with applicable building and life safety codes as determined by the building code or life safety code enforcement authority with jurisdiction.

- My personal care home is considered a Specialized Personal Care Home. Does my licensure status change?

Personal care homes will continue to exist as “Specialized Personal Care Homes (SPCH)” defined by KRS 216.597 as PCH’s that:

- Participate in the MI/ID supplement program established by 921 KAR 2:015; or
- Have a resident population in which more than 35% of the residents have a serious mental illness (SMI). Most of the SMI residents receive State Supplementation benefits.

SPCHs are not eligible to convert to an ALC.

If your facility meets the requirements above and is providing dementia/memory care, you must apply for both the Assisted Living Community, or Assisted Living Community - Basic Health (depending on the acuity level you will offer your residents who live outside of the dementia unit) and the Assisted Living Community – Dementia Care licenses.

Currently, we do not have an actual transition date. As we move closer to the transition, we will send additional communications and further instructions to apply for appropriate licensure.

Sincerely,



David T. Lovely
Acting Inspector General