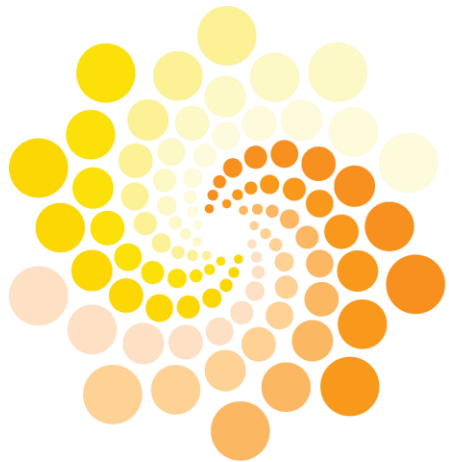


Foundations for Success: Launching Your Social Adult Day Care Program

Presenters:

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NYSADSA
New York State Adult Day Services Association Inc.

Training Objectives:

Understanding the SADC Landscape: Gain an in-depth overview of what SADC programs entail, including the types of services typically offered and the needs they address.

Regulatory Compliance: Explore key regulations that govern SADC operations in New York State, focusing on registration, funding, and compliance with local and state standards.

Facility Setup and Safety: Learn how to choose a suitable location, design your space for safety and efficiency, and consider all necessary building and safety codes.

Program Planning: Develop robust operational, staffing, and emergency preparedness plans that align with state requirements and best practices.

Financial Planning and Management: Understand the financial aspects of running an SADC, including budgeting, pricing, funding sources, and insurance needs.

Key Topics:

Certification: Detailed guidance on the process of certification with the New York State Office of the Medicaid Inspector General (OMIG) and other relevant authorities.

Staffing Essentials: How to hire qualified staff, understand staff-to-participant ratios, and develop training programs to ensure quality care.

Program Development: Crafting a participant-centered approach that includes eligibility assessments, personalized care plans, and engaging activity schedules.

Marketing and Community Engagement: Strategies to effectively market your SADC to the community and build partnerships with local health care providers and other stakeholders.

Understanding the SADC Landscape

Gain an in-depth overview of what social adult day care programs entail, including the types of services typically offered and the needs they address.

Introduction to Social Adult Day Care (SADC) Programs

Program Description

Social Adult Day Services is a structured, comprehensive program that provides functionally impaired adults (those who need help with everyday tasks) with an array of services in a protective setting for any part of the day, but for less than a 24-hour period. Each participant receives services in accordance with an individualized service plan that is based on an assessment of the individual.

About Social Adult Day Services Programs:

Programs are required to follow the NYSOFA regulations for social adult day care.

Services MUST include socialization (planned activities based on the needs and capabilities of the participants), monitoring and supervision (whereabouts of participants at all times, observing for behavioral and physical conditions), personal care (some assistance with mobility, toileting, transfers, and eating), and nutrition (meals, snacks, and hydration, as appropriate and in accordance with NYSOFA or Child and Adult Care Food Program (CACFP) requirements).

Services:

Services may include total assistance in personal care (including continence and bathing assistance, assistance with self-administration of medication, simple dressings, routine skin care, and assistance with adaptive equipment)

Optional services include maintenance and enhancement of daily living skills (assisting participants to learn or relearn self-care skills and instrumental activities of daily living), case assistance, caregiver services, transportation coordination, directly provided transportation, and other services as identified in the participant care plan

Eligibility

A person who needs the assistance of another person in at least one of the following activities of daily living: toileting, mobility, transferring, or eating; or who needs supervision due to cognitive and/or psycho-social impairment.

Note : Different funding sources may have different eligibility requirements. It is important to review contract requirements.

Ensuring Compliance in Social Adult Day Care

Registration and Certification

- 1. No State License Required:** No state-level license is necessary to operate an SADC.
- 2. NYC Registration:** Mandatory registration with the NYC Department for the Aging since 2015, per Local Law 9.
- 3. OMIG Certification:** Compliance with standards set by the Office of the Medicaid Inspector General before contracting with Managed Long-Term Care plans.

Funding Sources

- 1. State and Local Funding:** Programs receiving funds from local Office for the Aging or NYSOFA must adhere to specific regulations.
- 2. Other Funding Streams:**
 1. Medicaid (through MLTC plans)
 2. Private pay and insurance
 3. Medicaid Waiver programs

Operational Standards

- 1. Policies and Procedures:** Development of comprehensive policies covering participant eligibility, services, and emergency preparedness.
- 2. Staffing Requirements:** Minimum staffing ratios (general: 1:7, dementia care: 1:5), and required training and qualifications for staff.
- 3. Facility Requirements:** Must meet safety and accessibility standards, including fire safety and ADA compliance.
- 4. Nutrition and Health Safety:** Compliance with NYC Health Code and NYS Sanitary Code for food services.
- 5. Participant Rights:** Obligation to inform participants of their rights and available grievance procedures.

Ongoing Compliance

- 1. Self-Evaluation:** Annual program self-evaluation.
- 2. Health and Safety Inspections:** Regular checks and updates to ensure continuous compliance with health, safety, and operational standards.

Resources and Assistance

Support from NYSADSA: Best practices and technical support from the New York State Adult Day Services Association.

Staffing Essentials:

How to hire qualified staff, understand staff-to-participant ratios, and develop training programs to ensure quality care.

Orientation Training:

Orientation Training:

- 1. Program Introduction:** Orientation to the program and the provider community. This helps new hires understand the overall mission, policies, and procedures of the SADC.
- 2. Working with Older Adults:** Training on the unique needs and care practices specific to older adults.
- 3. Participant Rights:** Educating staff on the rights of the participants to ensure respectful and legal treatment.
- 4. Safety and Accident Prevention:** Essential training to manage emergencies and prevent accidents within the facility.

Specialized Training Modules:

Personal Care and Body Mechanics: Orientation on personal care techniques and body mechanics to safely assist participants.

Behavior Management: Training on managing diverse behaviors exhibited by older adults, especially those with cognitive impairments like dementia.

Health Insurance Portability and Accountability Act (HIPAA) Training: Ensuring staff understand and comply with HIPAA regulations to protect participant information.

Fraud, Waste, and Abuse Compliance Training: Educating staff on identifying and preventing fraud, waste, and abuse in health care settings.

Initial and Ongoing Training:

20 Hours of Training in the First 3 Months:

Includes 6 hours of personal care training taught by a Registered Nurse (RN) for those who are not Home Health Aide (HHA) or Personal Care Aide (PCA) certified.

Annual In-Service Training:

6 hours yearly focusing on working with older adults, use of fire extinguishers, and CPR certification.

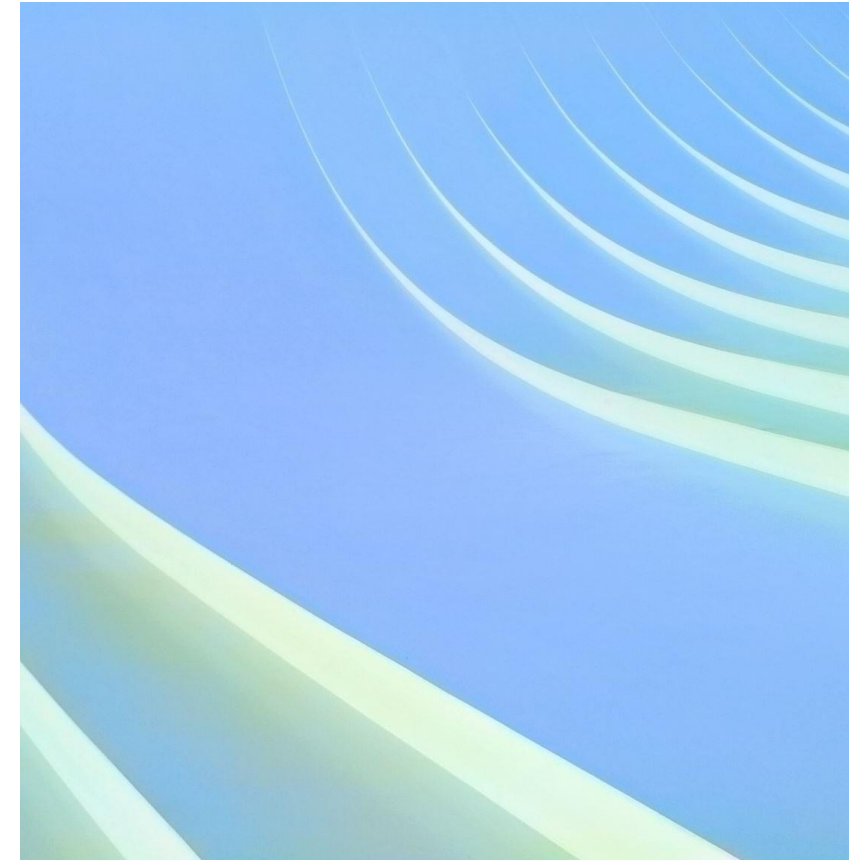
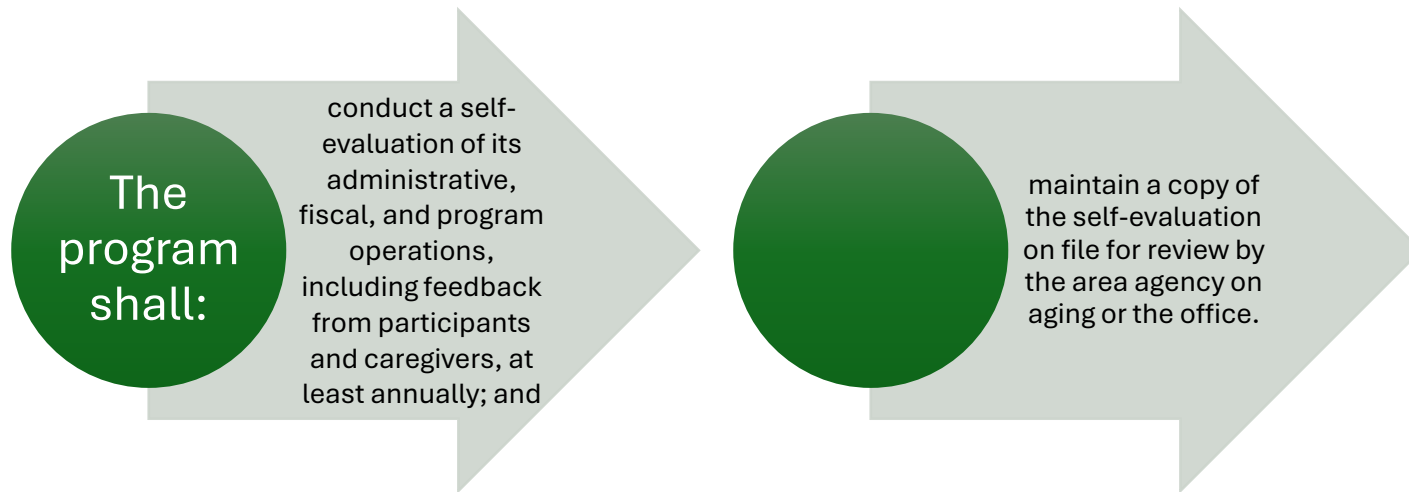
Periodic On-the-Job Training:

Conducted as considered necessary by the program director or supervisor, focusing on evaluating job performance and ensuring staff can function competently and safely.

Home and Community-Based Services Training:

Focused on person-centered care planning, integrating the preferences and needs of participants into the care provided.

Program Self-Evaluation



SADS Self-Monitoring

The Self-Monitoring Tool Guide is designed to provide step-by-step instructions on conducting program monitoring of social adult day services programs (SADS). The Social Adult Day Services Self-Monitoring Tool (referred to as the self-monitoring tool) and accompanying worksheets are designed to determine whether SADS are in compliance with the standards set forth in New York State Office for the Aging Social Adult Day Care regulations.

[Guide - SADS Self-Monitoring](#)

- [Table of Contents](#)
- [SADS Regulations](#)
- [Policy and Procedure for SADS Monitoring](#)
- [SADS Program Personal Care Worksheet](#)
- [SADS Training and Health Status Worksheet](#)
- [SADS HCBS Final Rule Compliant PCSP Template](#) (Replaces Attachment H 12/14/24)
- [Participants File Review Form](#)
- [Compass Form 2023](#)
- [Self-Monitoring Tool](#)
- [Sample Activity Calendars](#)
- [SADS Nutrition Requirements](#)
- [Adequate Staffing in SADS](#)
- [Equal Access](#)

Social Adult Day Care Certification



<https://apps.omig.ny.gov/sadc/sadccertification.aspx>

Social Adult Day Care Certification Directions:

- In order to assure the health and safety of Managed Long Term Care Plan Enrollees, all providers of Social Adult Day Care Services that contract with a Managed Long Term Care (MLTC) Plan must meet the standards and requirements set forth in Title 9 NYCRR §6654.20, and complete this certification form. If you have any questions regarding this form, please email SADCcertification@omig.ny.gov.
1. Title 9 - [Title 9 NYCRR - 6654.20 Social adult day care programs](#)
 2. MLTC Contract - [Managed Care Model Contracts](#)
 3. DOH Policy Documents (MRT # 90 PAGE) - [MRT 90: Mandatory Enrollment Managed Long Term Care](#)
 4. NYS Office for the Aging - Annual Self-Monitoring Process to be Completed Prior to Certification - [NYS Office for the Aging](#)
 5. DOH Frequently Asked Questions about the [SADC Certification process](#)

Note: A separate SADC certification form must be submitted for each location.

- For SADC entities that are new and/or are not yet contracting with a MLTC plan, Certification may be completed at any time.
- Certification is required to be completed on annual basis, 12 months after prior Certification.
- Prior policy and guidance documents remain in effect, and we strongly encourage you to review them. They may be found at: http://www.health.ny.gov/health_care/medicaid/redesign/mrt90/mltc_policies.htm
- Should you have any questions regarding this policy, please send an email to the following address: SADCCertification@omig.ny.gov.

MLTC Policy 15.01(a)

Facility Setup and Safety:

How to choose a suitable location, design your space for safety and efficiency, and consider all necessary building and safety codes.

OMIG Certification: Physical Environment and Safety

- The SADC has a current, valid certificate of occupancy (CO) approved for a Social Adult Day Care (SADC) facility for the premises?
- The SADC meets all appropriate Fire Safety Codes?
- The SADC meets all relevant Department of Health Codes?

What are the regulations for program environment?

Physical environment and safety. The program shall:

- Use a facility which has sufficient space to accommodate program activities and services.

(b) Maintain and operate buildings and equipment so as to prevent fire and other hazards to personal safety.

(c) Notify in writing the local fire jurisdiction in which the program exists of its presence and hours of operation.

Design Principles for Adult Day Programs

Overview:

Introduce the focus on safety, support, and stimulation.

Objective:

Ensure environments meet the diverse needs of adults with various physical and cognitive abilities.

Prioritizing Safety and Accessibility

Physical Environment:

Non-slip floors, adequate lighting, wheelchair-accessible furniture.

Emergency Preparedness:

Accessible exits, clear emergency plans, responsive systems.

Creating a Comfortable and Aesthetic Environment

Home-like Atmosphere:

Soothing colors, natural lighting, comfortable furniture to reduce institutional feel.

Noise Control: Sound-absorbent materials, strategic layout to minimize noise pollution.

Enhancing Social and Recreational Engagement

Activity Areas: Flexible spaces for group and individual activities, tailored to participant interests.

Outdoor Spaces: Secure, accessible outdoor areas for relaxation and recreational activities.

Ensuring Functional and Intuitive Design

Ease of Navigation: Intuitive layout with clear signage and minimal barriers.

Multipurpose Spaces: Adaptable areas for dining, activities, and social interactions.

Quiet Areas: Areas for privacy and relaxation.

Designing for Specialized Needs

Personal Care: Private, well-equipped areas for personal care.

Dementia Care: Orientation aids to support cognitive functioning and reduce confusion.

Supporting Staff and Operational Efficiency

Staff Facilities: Adequate spaces for breaks, administrative duties, and operational needs.

Efficient Administration Areas: Well-designed administrative areas to oversee activities and manage care effectively.

Overview: Place of Assembly

New York City Building and Administrative Code Compliance

Definition and Importance

Purpose: Designated spaces where large groups gather (e.g., restaurants, theaters, museums).

Requirement: Certificate of Operation is mandatory for legal operation.

Key Requirements

1. Occupancy Limits:

1. Indoor or roof terraces: 75 or more people.
2. Outdoors: 200 or more people.

2. Safety Regulations:

1. Strict guidelines on exits, seating arrangements, fire safety, and accessibility.

3. Documentation:

1. Capacity sign and Certificate of Operation must be posted visibly.
2. Annual Fire Department inspections require approved PA Plans on-site.

Overview: Place of Assembly

Application Process

Initial Steps: Must comply with the latest or more stringent Building Codes during application.

Documentation Needed:

- Layout plans, location diagrams, and occupancy details.
- Compliance with fire protection and emergency egress standards.

Special Considerations for Large Venues

Venues with a capacity of 300+ must file a Fire Protection Plan separately.

Regulatory Oversight

Regular inspections by NYC Fire Department to ensure compliance with Fire Code.

Conclusion

Compliance with NYC Building and Administrative Codes is crucial for the safety and legality of assembly spaces.

Emergency Preparedness

The program shall:

(a) have current, written procedures for handling emergencies (such as a flood or fire or when a participant is choking or has fainted);

(b) have an easily located file on each participant, listing identifiable information, including physician's name and telephone number and family member's name and telephone numbers, needed in emergencies; and

(c) conduct fire drills at least twice a year and document those drills.

(viii) Insurance. The social adult day care program shall have in effect sufficient insurance coverage, including but not limited to personal and professional liability.

Developing an Emergency and Disaster Plan

If You Must Evacuate

Post maps of your building's escape routes in your business. Identify and label entry/exit points on the maps and throughout the building. Plan two different ways out of the building.

Pick two places to meet: one near your business, and one outside of the immediate area. Make sure employees know where the meeting places are, and practice by having evacuation drills.

If You Have to Stay: Shelter in Place Preparedness

What Does It Mean to Shelter in Place?

- Stay where you are during an emergency when it's unsafe to evacuate.
- Follow instructions from emergency officials, which might involve staying in your office or store.

Creating a Shelter-in-Place Plan:

- Understand and plan the safest areas to stay within your building.
- Familiarize yourself and your employees with all possible exits and emergency protocols.

Essential Supplies Kit:

- **Water:** At least one gallon per person, per day, for at least three days.
- **Food:** Non-perishable, easy-to-prepare items for at least three days.
- **Communication:** Battery-powered or hand-crank radio and extra batteries.
- **Lighting:** Flashlights and extra batteries.
- **First Aid Kit:** Include basic supplies to handle minor injuries.

Storage and Accessibility:

- Store supplies in a designated, easily accessible area.
- Regularly check and replenish supplies to ensure they are ready when needed.

Learn More:

- Visit your [county Office of Emergency Management](#).

Mastering Financial Aspects of Social Adult Day Care Operations

Budgeting:

- 1. Initial Budgeting:** Determine startup costs, including facility, equipment, and initial staffing.
- 2. Operational Budgeting:** Monthly and annual budgets for ongoing expenses such as salaries, utilities, supplies, and food.
- 3. Contingency Funds:** Set aside funds for unexpected costs or emergencies.

Remember: If your plan is to contract with Medicaid Managed Long Term Care plans, you could be operating for a long period before credentialing is complete.



Pricing Strategy:

Cost Analysis: Calculate the cost per participant to ensure all expenses are covered.

- Consider Value-Based Payment arrangements when discussing MLTC contracts.

Funding Sources:

Public Funding: Explore eligibility for state and federal programs like Medicaid Managed Long Term Plans, PACE, and Medicaid Waivers.

Private Pay: Structure packages for clients who pay out of pocket and ensure that prices are aligned with Medicaid rates.

Donations and Grants: Pursue funding from non-profits, charities, and community grants.

Insurance Needs:

Liability Insurance: Essential to protect against claims related to accidents and injuries.

Property Insurance: Cover the facility and equipment from damage.

Workers' Compensation: Mandatory for employee protection against work-related injuries.

Accounting Software: Utilize robust software to manage finances and ensure compliance with financial reporting.

Financial Audits: Regular audits to ensure financial integrity and transparency.

Employees and Independent Contractors

Employee :

NYS Labor Laws

Pay Rate Notice

Overtime Pay

State and Local required trainings

Independent Contractors :

Freelancers

- A written contract
- Timely and full payment
- Protection from retaliation
- Non-compete – Not allowed

Employees or Independent Contractors ?

Common law rules

- Facts that provide evidence of the degree of control and independence fall into three categories:
 1. Behavioral: Does the company control or have the right to control what the worker does and how the worker does his or her job?
 2. Financial: Are the business aspects of the worker's job controlled by the payer? (these include things like how worker is paid, whether expenses are reimbursed, who provides tools/supplies, etc.)
 3. Type of relationship: Are there written contracts or employee type benefits (that is, pension plan, insurance, vacation pay, etc.)? Will the relationship continue and is the work performed a key aspect of the business?

What about Medicaid Billing?

What is Fraud, Waste, and Abuse?

What is Antikickback?

Can I give free services?

Can I pay Medicaid enrollees to attend?

Can I give free items for Marketing Purposes?

Can I refer participants to a Medicaid Managed Long Term Care plan that gives me a higher rate?

Necessity of Compliance Programs for Medicaid and MLTC Providers

Necessity of Compliance Programs for Medicaid and MLTC Providers

Mandate for Compliance:

- Providers receiving substantial funds from Medicaid are legally required to establish and maintain effective compliance programs.
- This includes providers contracted with MLTC plans, who must adhere to stringent compliance and reporting standards.

Key Components of Compliance Programs:

Written Policies and Procedures: Establishing clear guidelines on Medicaid billing, fraud prevention, and quality of care.

Compliance Officer and Committee: Ensuring dedicated oversight and regular review of compliance practices.

Training and Education: Mandatory for all staff to understand and implement compliance-related policies effectively.

Purpose of Compliance:

To detect and prevent fraud, waste, and abuse within the Medicaid program.

To organize provider resources for quick and efficient resolution of compliance issues.

To ensure systemic checks and balances to prevent future occurrences.

Benefits of Effective Compliance:

Mitigates risks related to unlawful or improper conduct.

- Enhances operational effectiveness and efficiency.
- Demonstrates a provider's commitment to lawful and ethical business practices.

What Else?

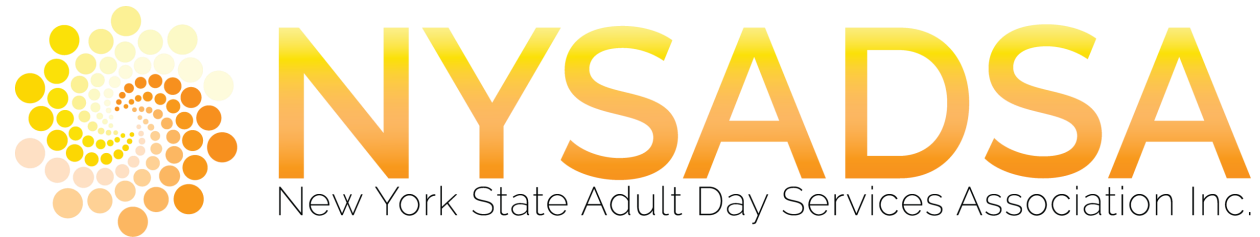
Consequences of Non- Compliance:

- May include monetary penalties, recoupment of payments, and possible exclusion from Medicaid.
- Increased risk of operational and reputational damage.

Continuous Improvement:

- Regular auditing and monitoring are essential to adapt and improve compliance measures continuously.
- Providers must periodically validate the effectiveness of their compliance program and make necessary adjustments.

Thank You for Joining Us!



New York State Adult Day Services Association

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