

# PENNSYLVANIA

## Overview

The Pennsylvania Department of Aging licenses older adult daily living centers under the Commonwealth Older Adult Daily Living Centers Licensing Act, whose provisions are cited in this profile. Medicaid covers adult daily living services under the 1915(c) Home and Community-Based waiver for individuals age 60 and over.

## Definitions

**Older adult daily living services** are services provided or arranged to assist in meeting participants' needs, including personal care, social, nutritional, health and educational needs. These services are provided, as appropriate for each participant, through a planned program of social, educational, recreational, therapeutic, and rehabilitative activities. They do not include services provided for persons whose needs are such that they can only be met in a long-term care facility on an inpatient basis, receiving professionally supervised nursing care and related medical and other health services.

**Older Adult Daily Living Center.** Premises operated for profit or not for profit in which older adult daily living services are simultaneously provided for part of a 24-hour day for four or more participants who are not relatives of the operator.

## Parameters for Who Can Be Served

Providers may serve individuals with functional impairments caused by conditions such as a post-stroke dementia, Parkinson's disease, or dementia-related disease such as Alzheimer's or other organic brain syndrome--or who require assistance to meet personal needs and perform basic daily activities--and who are in need of a structured program of activities or services, as determined by an intake screening process. Participants must be capable of being transported to and from the service site. Providers may limit admissions to individuals who can be served in a manner consistent with the center's goals.

Individuals may not be admitted or retained if they are bedfast; have a communicable disease; have emotional or behavioral disorders; are habitually addicted to alcohol or drugs and, as a consequence of the addiction, are disruptive in a group setting; or do not need the activities and services provided in the older adult daily living center and need referral to other, more appropriate programs, such as a senior center or nutrition site.

Providers may involuntarily discharge participants for one or more of the following reasons: (1) a participant experiences a sudden change in level of functioning that the center determines to be a threat to the participant or others; (2) a participant is no longer capable of being transported to the center; (3) a participant does not have a functional impairment and is not in need of the structured program of activities or services offered by the center; or (4) a participant no longer meets the admission criteria.

## **Inspection and Monitoring**

Centers are subject to announced and unannounced on-site inspections to determine:

- the suitability of the applicants;
- the suitability of the premises;
- whether or not the premises qualify as a center;
- the continuing conformity of licensees to regulatory requirements; and
- whether or not the center is violating laws and regulations under which it is licensed.

An authorized agent of the department conducts an on-site inspection of a center 6 months after approval for an initial license (to give providers time to enroll participants), and then at least once every 12 months for providers with a full license. The center is advised in advance of the date of the annual inspection, which is an announced inspection and occurs during normal business hours.

Unannounced inspections not based on a complaint will occur during normal business hours. Unannounced inspections based on a complaint may, as determined by the department in accordance with the nature of the complaint, occur at any time.

## **Required and Optional Services**

All adult day services programs furnish socialization, social activities, nutrition services, and supervision to ensure safety. They also monitor participants' health and functioning at a basic level to determine if the program can continue to meet participants' health and functional needs. The table below lists additional required and optional services.

Required and Optional Services	Older Adult Daily Living Services	
	Required	Optional
ADL Assistance	X	
Health Education and Counseling	X	
Health Monitoring	X	
Medication Administration	X	
Nursing Services	X	
Physical Therapy, Occupational Therapy, or Speech Therapy		X
Skilled Nursing Services	X	
Social Services	X	
Transportation		X

## Medication Provisions

A center must provide participants with assistance, as needed, with medications prescribed for self-administration. This assistance includes helping the participant remember the schedule for taking the medication, storing the medication in a secure place, and making the medication available at the prescribed times. If a participant refuses to take a prescribed medication, the refusal must be promptly reported to the responsible party or practitioner, or both, and documented in the participant's record.

To be considered capable of self-administration of medications, a participant must be able to identify the medication, acknowledge the amount of medication to be taken and the schedule for taking it, remember to take the medication on schedule with infrequent reminders from staff persons, and obtain medication from its container without assistance or with minimal assistance.

Medications and injections of substances that are not self-administered by participants must be administered by one of the following qualified professionals: a licensed physician, licensed dentist, certified physician's assistant, certified registered nurse (RN) practitioner, RN, or licensed practical nurse (LPN); a graduate of an approved nursing program functioning under the direct supervision of a professional nurse who is present in the center; or a student nurse of an approved nursing program functioning under the direct supervision of a member of the nursing school faculty who is present in the center.

Oral, topical, and eye and ear drop prescription medications may be administered by center staff persons who have completed the Department of Public Welfare's Medications Administration course and otherwise meet requirements for medication administration training set forth in the requirements for adult training facilities.<sup>1</sup>

<sup>1</sup> Adult training facilities serve individuals with developmental needs, such as those with a physical disability such as blindness, visual impairment, deafness, hearing impairment, speech or language impairment, or a physical handicap; a mental illness; a neurological disability such as cerebral palsy, autism, or epilepsy; an intellectual disability; or a traumatic brain injury.

## Staffing Requirements

**Type of Staff.** A *program director/administrator* must be responsible for the center's administration and general management.

The center must obtain the services of either a *registered nurse* or a currently *licensed practical nurse*. The nurse may be a full-time or part-time staff member or a consultant, or may serve through some other arrangement that meets participants' needs.

Center staff must include an *activities coordinator* and a *program assistant/aide*. Program assistants/aides provide personal care and assistance to participants, work with other staff members as required to implement services and activities to meet participants' needs, and assist with transportation or escorting clients to, from, and within the center, if appropriate.

A staff person may simultaneously perform the duties and responsibilities of more than one of the positions if he or she meets the licensure and minimum education or equivalent experience requirements for each of the positions held.

A sufficient number of staff persons must be trained, certified, and recertified in cardiovascular pulmonary resuscitation and in first-aid so that at least one staff person who is accordingly trained, certified, and recertified is present in the center at all times.

Volunteer duties are mutually determined by volunteers and staff persons. Duties, to be performed under the supervision of a staff member, must either supplement the staff in established activities or provide additional services for which the volunteer has special talents.

**Staffing Ratios.** Program staff are center employees who directly assist participants with activities of daily living or provide older adult daily living services, or both. The term does not include a person whose totality or majority of time involves the provision of housekeeping, maintenance, accounting/bookkeeping or clerical services. The term also does not include a nurse or social worker retained by the center as an independent contractor to give advice, guidance or other assistance in accordance with the standards of the nursing or social work profession. The program staff-to-participant ratio must be a minimum of 1:7 at all times.

Staff members must be physically located close enough to participants to monitor their condition at all times and be able to respond immediately to an emergency.

## Training Requirements

Providers--using center staff members, outside resources, or both--must provide program staff with the following:

- A general orientation in the following areas, within 3 months of employment: (1) the purpose and goals of older adult daily living services; (2) the roles and responsibilities of staff members; (3) positive approach methods to manage challenging behaviors; (4) health and safety precautions, including infection control; (5) information on fire and safety measures/codes; (6) the program's philosophy, and, if applicable, the parent organization; (7) confidentiality; (8) interdisciplinary team approach; (9) participants' rights; (10) the population served; (11) the center's policies and regulations; (12) communication skills; and (13) the center's emergency procedures.
- Training in the following areas, within 3 months of employment and annually thereafter: (1) the needs of the participants in the center's target population; (2) body mechanics/transfer techniques; (3) reporting laws regarding abuse, neglect, and exploitation; and (4) positive approach methods to manage challenging behaviors.
- At least two training sessions, totaling at least 8 hours of training a year, to enhance quality of care and job performance, in addition to the general orientation and annual training.

When protective devices--such as helmets, mitts, and muffs are used to prevent self-injury--at least one staff person who has completed training in the use of protective devices, including the use of alternative positive approaches--must be available. Staff persons applying protective devices must be trained in the use of the specific techniques or procedures

To assist centers in complying with provisions relating to program staff orientation and training, and to ensure that they provide general orientation, annual and enhancement training designed to ensure basic skills and knowledge, to introduce new skills and knowledge, and to enhance professional competencies, the regulations state that centers should consider using numerous training topics for each type of staff--program assistants/aide, activities coordinator, nurse, and program director/administrator.

The recommended topics are intentionally stated in broad terms so that they may include many specific subtopics, chosen by a particular center to meet its own needs. Topics recommended for a specific job function are not necessarily unique to that function, and may also be appropriately chosen for program staff persons performing other job functions. Suitable training topics are not limited to those recommended under each older adult day living center's staff function. Centers may appropriately choose other topics.

## **Location of Licensing, Certification, or Other Requirements**

*Pennsylvania Code*, Chapter 11, Subchapter A: Older Adult Daily Living Centers, Licensure and Operating Requirements.

<http://www.pacode.com/secure/data/006/chapter11/chap11toc.html>

## **Information Sources**

Dianne Theal  
Bureau of Quality Assurance  
Division of Licensing  
Pennsylvania Department of Aging

# REGULATORY REVIEW OF ADULT DAY SERVICES: FINAL REPORT, 2014 EDITION

## Files Available for This Report

### FULL REPORT

Executive Summary <http://aspe.hhs.gov/daltcp/reports/2014/adultday14es.cfm>  
HTML <http://aspe.hhs.gov/daltcp/reports/2014/adultday14.cfm>  
PDF <http://aspe.hhs.gov/daltcp/reports/2014/adultday14.pdf>

### SEPARATE STATE PROFILES

[**NOTE:** These profiles are available in the full HTML and PDF versions, as well as each state available as a separate PDF listed below.]

Alabama <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-AL.pdf>  
Alaska <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-AK.pdf>  
Arizona <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-AZ.pdf>  
Arkansas <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-AR.pdf>

California <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-CA.pdf>  
Colorado <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-CO.pdf>  
Connecticut <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-CT.pdf>

Delaware <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-DE.pdf>  
District of Columbia <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-DC.pdf>

Florida <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-FL.pdf>

Georgia <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-GA.pdf>

Hawaii <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-HI.pdf>

Idaho <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-ID.pdf>  
Illinois <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-IL.pdf>  
Indiana <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-IN.pdf>  
Iowa <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-IA.pdf>

Kansas <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-KS.pdf>  
Kentucky <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-KY.pdf>

Louisiana <http://aspe.hhs.gov/daltcp/reports/2014/adultday14-LA.pdf>

Maine	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-ME.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-ME.pdf</a>
Maryland	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MD.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MD.pdf</a>
Massachusetts	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MA.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MA.pdf</a>
Michigan	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MI.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MI.pdf</a>
Minnesota	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MN.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MN.pdf</a>
Mississippi	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MS.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MS.pdf</a>
Missouri	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MO.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MO.pdf</a>
Montana	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MT.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-MT.pdf</a>
Nebraska	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NE.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NE.pdf</a>
Nevada	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NV.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NV.pdf</a>
New Hampshire	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NH.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NH.pdf</a>
New Jersey	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NJ.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NJ.pdf</a>
New Mexico	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NM.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NM.pdf</a>
New York	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NY.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NY.pdf</a>
North Carolina	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NC.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-NC.pdf</a>
North Dakota	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-ND.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-ND.pdf</a>
Ohio	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OH.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OH.pdf</a>
Oklahoma	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OK.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OK.pdf</a>
Oregon	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OR.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-OR.pdf</a>
Pennsylvania	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-PA.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-PA.pdf</a>
Rhode Island	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-RI.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-RI.pdf</a>
South Carolina	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-SC.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-SC.pdf</a>
South Dakota	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-SD.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-SD.pdf</a>
Tennessee	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-TN.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-TN.pdf</a>
Texas	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-TX.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-TX.pdf</a>
Utah	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-UT.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-UT.pdf</a>
Vermont	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-VT.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-VT.pdf</a>
Virginia	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-VA.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-VA.pdf</a>
Washington	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WA.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WA.pdf</a>
West Virginia	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WV.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WV.pdf</a>
Wisconsin	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WI.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WI.pdf</a>
Wyoming	<a href="http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WY.pdf">http://aspe.hhs.gov/daltcp/reports/2014/adultday14-WY.pdf</a>