

KENTUCKY

Overview			
<p>Adult day care and adult day health care (ADHC) are regulated by the state Cabinet for Health and Family Services. The Division of Aging Services certifies facilities for the Adult Day Care and Alzheimer's Respite program, which is governed under Kentucky <i>Administrative Regulations</i> 910 KAR 1:160 and 1:230.</p> <p>The Office of Inspector General licenses adult day health care providers under the Department for Medicaid Services' Home and Community-Based Waiver Program, governed under Kentucky <i>Administrative Regulations</i> 907 KAR 1:160 and 170.</p>			
Licensure and Certification Requirements			
Licensure Only <input type="checkbox"/>	Certification Only <input type="checkbox"/>	Both Required <input checked="" type="checkbox"/> adult day health care is licensed; adult day care is certified	Other <input type="checkbox"/>
Definitions			
<p>Adult day care means a supportive and therapeutic social program of supervision and care: (1) provided to an eligible adult during a part of the day, but for less than 24 hours and (2) for self-administration of medications, personal care services, self-care training, social activities, and recreational opportunities.</p> <p>Adult day center means a community-based facility in which adult day supervision is provided in a group setting.</p> <p>Adult day health care means a licensed program to provide continuous supervision of the participant's medical and health needs.</p> <p>An adult day health care center is licensed to provide nursing services and is certified for Medicaid participation by the department.</p> <p>Adult day health care program means a program licensed by the Cabinet for Health and Family Services, Office of Inspector General, that provides organized health care for its clients during specified daytime hours, that may include continuous supervision to assure that health care needs are being met, supervision of self-administration of medications, and provision of nursing services, personal care services, self-care training, and social and recreational activities for individuals of all ages.</p>			
Parameters for Who Can Be Served			
<p>Adult day care. Participation criteria for adult day care programs indicate the parameters for who may be served. Participants must be 60 years of age or older and be able to respond and share in program activities without health and safety problems to self or others. Providers may serve individuals who are physically disabled or frail as a result of medical condition or age; are mentally confused; need supervision to prevent injury and assure proper nutrition and medication use; who, due to emotional or social needs, may benefit from the individualized attention and social structure these services offer, which are not otherwise available; and who have a diagnosis of dementia. No discharge requirements were identified.</p> <p>Adult day health care. These programs may serve aged persons or disabled persons over the age of 21 who meet the eligibility criteria for waiver services, and who without these services, would be admitted to a nursing facility. The eligibility groups include the mandatory categorically needy and optional categorically needy. No discharge requirements were identified.</p>			

Inspection and Monitoring				
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		
Compliance with the health, safety, and treatment standards established in this administrative regulation shall be documented. Documented compliance shall be confirmed by unannounced inspections by the office. Agents of the Cabinet for Health and Family Services may enter any certified adult day care center at any time for the purpose of inspection or investigation. All inspections of adult day care centers by the cabinet shall be unannounced.				
Required and Optional Services				
	Adult Day Care		Adult Day Health Care	
	Required	Optional	Required	Optional
Activities of Daily Living (ADL) Assistance	X		X	
Health Education and Counseling				
Health Monitoring/Health-Related Services			X	
Medication Administration			X	
Nursing Services			X	
Physical Therapy, Occupational Therapy, or Speech Therapy			X	
Skilled Nursing Services			X	
Social Services	X			
Transportation		X		X
*ADHC transportation is required only for physician's appointments and medical emergencies. Providers of adult day care are required to assist the family in arranging transportation.				
Provisions Regarding Medications				
<p>Adult day care. A service provider may allow staff to assist participants in medication usage if those staff members have received training in medication assistance and the participants have care plans including this service. The provider will set a daily medication schedule, assure that the correct medication is given, assure that the correct method of taking the medication is followed, explain to the client the importance of taking the medication as directed, place certain medications within the client's reach so that the client can place the tablet under the tongue the moment chest pain occurs, put away sleep and pain medications after each use, review the evening medication schedule with the client if no assistance can be given at that time, and encourage the client to consult a doctor with questions.</p> <p>Adult day health care. Basic services include monitoring and supervision of self-administered medications. Drugs and treatments shall be administered by ADHC staff only as ordered by the physician. ADHC staff shall evaluate and monitor all patient medications for possible adverse reactions, significant side effects, drug allergies, and contraindicated medication.</p>				
Provisions for Groups with Special Needs				
Dementia <input checked="" type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input checked="" type="checkbox"/>		Other <input type="checkbox"/>	
Staffing Requirements				
<p>Adult Day Care Type of staff. Trained and experienced staff shall be present each day of operation.</p> <p>Staffing ratios. Staffing ratios shall be one staff for each five participants. There shall be at least two responsible persons, one of whom shall be a paid staff member, at the center at times when there is</p>				

more than one participant in attendance. At least one staff member who has completed first aid training shall be present at times that participants are in attendance. There shall be at least one staff member present who is currently certified in cardiopulmonary resuscitation (CPR) by the American Heart Association or the American Red Cross whenever clients are at the center.

Adult Day Health Care

Type of staff. An ADHC program shall have an *administrator* who shall be responsible for the operation of the facility and shall delegate such responsibility in his absence. An ADHC program shall employ or have access to a sufficient number of qualified personnel as may be required to provide the services required by this administrative regulation and indicated by the need of the program's patients. The ADHC may provide required therapy services through a contractual arrangement with a qualified *therapist*.

Staffing ratios. None identified.

Training Requirements

Adult day care. Staff training shall be provided by appropriate qualified professionals. Prior to assuming duties, paid and volunteer personnel shall receive orientation to the program and center including: (1) program objectives; (2) center policies and procedures; (3) health, sanitation, emergency and safety codes and procedures; (4) client confidentiality; and (5) personnel policies and procedures. Policies and procedures shall be explained verbally and provided in writing.

Within 1 month of employment, staff shall become certified in CPR. Within 3 months of employment, personnel shall be provided a minimum of 34 hours basic training that includes: (1) the aging process; (2) interpersonal communication; (3) personal care; (4) first aid; (5) identifying and reporting health problems; (6) stress management; (7) recognizing and reporting suspected adult abuse, neglect, or exploitation; and (8) universal blood and body fluid precautions.

A minimum of 8 hours of annual training to review and update knowledge and skills shall be provided.

In addition to basic training, Alzheimer's respite personnel shall be provided training in: (1) dementia, (2) causes and manifestations of dementia, (3) managing the participant with dementia, (4) crisis intervention with combative participants, and (5) effects of dementia on the caregiver.

Adult day health care. An ADHC program shall conduct an orientation for new employees. The administrator shall attend educational programs appropriate to the responsibilities of the position and arrange for other professional personnel to attend appropriate educational programs on supervision and subjects related to personal care, activities, nutrition, and other pertinent subjects.

ADHC providers shall ensure agency staff are trained in the prevention, identification, and reporting of abuse, neglect, and exploitation. A planned in-service training program shall be provided to employees covering policies and procedures pertinent to their roles within the program.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

Kentucky provides ADHC under the Home and Community-Based Waiver. Requirements are noted under *Adult Day Health Care* above.

Location of Licensing, Certification or Other Requirements

1. <http://lrc.ky.gov/kar/910/001/230.htm>
2. <http://www.lrc.state.ky.us/kar/910/001/160.htm>
3. <http://www.lrc.state.ky.us/KRS/205-00/950.PDF>
4. <http://lrc.ky.gov/KRS/205-00/955.PDF>
5. http://www.khha.org/publicinfo/day_health_manual.pdf
6. <http://lrc.ky.gov/kar/907/001/170.htm>
7. <http://www.lrc.state.ky.us/kar/902/020/066.htm>
8. <http://www.lrc.state.ky.us/krs/205-00/635.PDF>

9. <http://www.lrc.state.ky.us/KRS/216B00/0441.PDF>
10. <http://lrc.ky.gov/kar/907/001/160.htm>
11. <http://www.lrc.state.ky.us/kar/910/001/220.htm>

Citations

1. *Adult Day Care Center Certification. Kentucky Administrative Regulations 910 KAR 1:230. [7/8/99]*
2. *Adult day and Alzheimer's respite program. Kentucky Administrative Regulations 910 KAR 1:160. [7/8/99]*
3. *Certification of Adult Day Care Centers. Kentucky Revised Statutes 205.950. [7/14/00]*
4. *Unannounced Inspection of Adult Day Care Centers. Kentucky Revised Statutes 205.955. [7/14/92]*
5. *Adult Day Health Care Services Manual. Department for Medicaid Services. Transmittal #1. [March 2003]*
6. *Technical Amendment. Reimbursement for Home And Community-Based Waiver Services. Kentucky Administrative Regulations 907 KAR 1:170. [10/28/04].*
7. *Operation and Services; Adult Day Health Care Programs. Kentucky Administrative Regulations 902 KAR 20:066. [Undated]*
8. *Skilled Nursing Services Provided to Medicaid Recipients by Adult Day Health Care Programs. Kentucky Revised Statutes 205.635. [4/9/02]*
9. *Cabinet to License and Regulate Adult Day Care Health Programs. Kentucky Revised Statutes 216B.0441. [7/14/00]*
10. *Home and Community Based Waiver Services. Kentucky Administrative Regulations 907 KAR 1:160. [7/9/2004]*
11. *General Administration, Programs for the Elderly. Kentucky Administrative Regulations 910 KAR 1:220. [7/8/99]*

REGULATORY REVIEW OF ADULT DAY SERVICES: Final Report

PDF Files Available for This Report

Cover, Table of Contents, Acknowledgments and Introduction

<http://aspe.hhs.gov/daltcp/reports/adultday.pdf>

SECTION 1. Overview of Adult Day Services Regulations

<http://aspe.hhs.gov/daltcp/reports/adultday1.pdf>

SECTION 2. State Regulatory Profiles

<http://aspe.hhs.gov/daltcp/reports/adultday2.pdf>

Each state can also be viewed separately at:

Alabama <http://aspe.hhs.gov/daltcp/reports/adultdayAL.pdf>

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North Dakota <http://aspe.hhs.gov/daltcp/reports/adultdayND.pdf>

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