

TENNESSEE

Overview			
The Tennessee Department of Human Services licenses adult day care centers and promulgates rules that set the standards for adult day care services. The state does not cover adult day care services under Medicaid HCBS waivers or under its state plan but has an 1115 Demonstration Medicaid Waiver for a PACE program, which covers adult day care.			
Licensure and Certification Requirements			
Licensure Only <input checked="" type="checkbox"/>	Certification Only <input type="checkbox"/>	Both Required <input type="checkbox"/>	Other <input type="checkbox"/>
Definitions			
An adult day care center is a facility that provides adult day care services.			
Adult day care services are services provided to ten or more adult recipients, for more than 3 hours but less than 24 hours a day, by a provider of such services who is not related to such adult, pursuant to an individualized plan of care designed to maintain or restore each adult's optimal capacity for self-care through medical or social services.			
Parameters for Who Can Be Served			
Individuals who require a structured program of organized activities, which provides personal care, self enhancement, and personal growth and development, are appropriate for adult day care services. Individuals who present a significant threat to themselves or others, or whose intellectual, emotional, or behavioral level prevents them from benefiting from a center's plan of care, are not appropriate for adult day care services.			
Inspection and Monitoring			
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>	
When an application for a license, and when the necessary fire, safety, environmental, and food service establishment approvals have been received, the Department shall conduct an initial inspection and any further inspections necessary to make a determination regarding the issuance of the license. The Department shall have the right of inspection at all times, and upon proper identification may enter and inspect any licensed or suspected adult day care center at any time, with or without advance notice for the purpose of conducting its licensing responsibilities.			

Required and Optional Services		
	Adult Day Care	
	Required	Optional
Activities of Daily Living (ADL) Assistance	X	
Health Education and Counseling		X
Health Monitoring/Health-Related Services		
Medication Administration		X
Nursing Services		X*
Physical Therapy, Occupational Therapy, or Speech Therapy		X
Skilled Nursing Services		X
Social Services		X
Transportation		X
*Those in need of skilled nursing are not appropriate for adult day care services.		
Provisions Regarding Medications		
<p>The center must have a written policy that allows a participant to self-medicate or that allows staff to provide assistance to the participant for this purpose. Self-administration of medication permits staff assistance to participants for reading labels, opening bottles, reminding participants of their medication, checking the self-administered dose against the dosage shown on the prescription, observing the participant while taking medication, reassuring participants that they are taking the correct dosage and reporting any noticeable changes in the condition of a participant to a physician and to the responsible party.</p> <p>Under no circumstances shall an employee or volunteer administer prescribed and nonprescribed, internal and external medication to a participant unless the employee is licensed to do so.</p>		
Provisions for Groups with Special Needs		
Dementia <input checked="" type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input type="checkbox"/>	Other <input checked="" type="checkbox"/> disabling diseases
Staffing Requirements		
<p>Type of staff. Staff of the center shall be adequate in number and skill to ensure the safety and proper supervision of the participants and to carry out the objectives of the center. At least one direct staff member trained in cardiopulmonary resuscitation (CPR), first aid, fire safety, and the Heimlich maneuver shall be present at all times.</p> <p>Staffing ratios. The direct staff ratio shall consist of at least one direct care staff person for every eight participants. <i>Direct care staff</i> are individuals whose regular job responsibilities place them in face-to-face contact with participants. Volunteers may be considered in determining direct care staff-to-participant ratios, provided that the volunteers' education and training meet the minimum requirements of the staff positions being filled. Volunteers who do not meet these minimum requirements may not be counted in the required ratio but may assist staff and other qualified volunteers. One responsible paid direct care staff member must, however, be present at all times if volunteers are used. Volunteers who do not meet the minimum qualifications must always be supervised by a direct care staff member.</p> <p>For activities conducted inside the facility that involve all participants, such as viewing movies, watching special presentations, or observing performances, it may not be necessary to have a one-to-eight staff-to-participant ratio, and a smaller number of staff may be used. There can, however, never be fewer</p>		

than two direct care staff present when there are nine or more participants. For activities outside the facility such as field trips, staff numbers exceeding the one-to-eight staff ratio may need to be used as necessary to provide adequate supervision for the participants because of the physical or mental status of the participants.

Training Requirements

Staff shall be provided with orientation and ongoing training/education to perform their duties. Staff development training shall be provided to all employees on a regular basis for at least 8 hours a year. This training may include consultation, workshops, or conferences as well as in-service education provided by the agency. Training must include education to enable staff to recognize the signs and symptoms of abuse, neglect, or exploitation of an adult as well as the duty to report abuse, neglect, or exploitation of an adult to the Department. All staff responsible for transporting adults shall receive adequate training regarding the transportation rules no less frequently than every 6 months.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

The state has an 1115 Demonstration Medicaid Waiver for a PACE program that includes adult day care. PACE is a single program operated by an entity of the Catholic Church. The agency has a mini health clinic on site and is required to be licensed. Participants must agree to receive all their health care from PACE staff.

Location of Licensing, Certification, or Other Requirements

1. <http://www.state.tn.us/sos/rules/1240/1240-07/1240-07-10.pdf>

Citations

1. *Rules of the Tennessee Department of Human Services* (Chapter 1240, 7-10.01 through 7-10.15, Adult Day Care Services Standards). Division of Community and Field Services. [Last modified 10/16/02]

Additional Information

The adult day care program, regardless of its location or affiliation, must comply with the program content requirements as described in the Rules, and with the regulations for adult day care services. Multiple-use facilities (e.g., hospital, nursing home, assisted care living facility, and church) must have a written agreement regarding the center's operation that addresses such items as security, fiscal, and personnel services, and other shared services. If a center markets itself as a specific Alzheimer's program, then it is subject to *TCA Title 68, Chapter 11, Part 14*, relative to the disclosure of treatment for Alzheimer's disease.

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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