

VERMONT

Overview			
<p>In order for an adult day center to become certified to provide services through Department of Aging and Independent Living (DAIL)-administered programs, the center shall meet the <i>Standards for Adult Day Services in Vermont</i>. Certification by the Department also fulfills the Centers for Medicare & Medicaid Services (CMS) requirement that providers be “state certified” to be eligible for Medicare reimbursement. Medicaid Home and Community-Based Waiver adult day service providers must comply with these certification standards in addition to other waiver requirements specific to adult day services providers found in the <i>Medicaid Home and Community-Based Services Waiver--Policies and Procedures Manual</i>. Medicaid state plan adult day services providers also have to follow the certification standards. Technically, an adult day services provider does not need certification to open a center if services are not provided through DAIL-administered programs; however, the state is not aware of any such providers.</p>			
Licensure and Certification Requirements			
Licensure Only <input type="checkbox"/>	Certification Only <input checked="" type="checkbox"/>	Both Required <input type="checkbox"/>	Other <input type="checkbox"/>
Definitions			
<p>Adult day services are community-based nonresidential services designed to assist adults with physical and/or cognitive impairments to remain as active in their communities as possible by maximizing their level of health and independence and ensuring their optimal functioning. Adult day services also provide respite, support, and education to family members, caregivers, and legal representatives.</p> <p>Adult day centers provide a safe, supportive environment where participants can receive a range of professional health, social, and therapeutic services.</p>			
Parameters for Who Can Be Served			
<p>Adult day centers shall make every reasonable effort to serve first those applicants most at risk of institutionalization, while balancing the needs of other participants and the ability of the center to meet the applicant’s needs.</p> <p>An involuntary discharge may occur only when:</p> <ol style="list-style-type: none"> 1. the participant’s care needs exceed those which an adult day center is certified to provide; 2. an adult day center is unable to meet the participant’s assessed needs; 3. the participant presents a threat to self or to other participants or staff; or 4. the participant has failed to pay for services in accordance with his/her signed billing agreement. 			
Inspection and Monitoring			
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>	
<p>New adult day centers shall contact the Department to schedule an initial certification visit. The Department shall complete a site certification assessment form after the visit, citing standards as “met” or “unmet.” An adult day center must continue to comply with the standards for certification to remain in effect for up to 1 year from the effective date or until the time of the next state certification review. The Department may perform an unannounced site visit at any time to verify that the center is in compliance with the standards.</p>			

Required and Optional Services		
	Adult Day Services	
	Required	Optional
Activities of Daily Living (ADL) Assistance		X
Health Education and Counseling		X
Health Monitoring/Health-Related Services	X	
Medication Administration	X	
Nursing Services	X	
Physical Therapy, Occupational Therapy, or Speech Therapy		
Skilled Nursing Services		X
Social Services	X	
Transportation		X
Provisions Regarding Medications		
<p>An adult day center shall have the capacity to administer medications to its participants. A medication management policy shall describe a center's medication management practices with due regard for state requirements including the Vermont State Nurse Practice Act. An adult day center shall provide medication management under the supervision of a registered nurse (RN) or a licensed practical nurse (LPN) under the direction of an RN. A participant may self-administer medication; however, the medication must be stored by the adult day center. If a participant requires medication administration, unlicensed staff may administer medications under certain conditions (e.g., a registered nurse or a licensed practical nurse under the direction of a registered nurse has delegated administration of specific medications to designated staff for designated participants).</p>		
Provisions for Groups with Special Needs		
Dementia <input type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input type="checkbox"/>	Other <input type="checkbox"/>
Staffing Requirements		
<p>Type of staff. An adult day center shall have a qualified <i>administrator</i> and/or <i>program coordinator</i> who is responsible for meeting and maintaining continual compliance with the standards and all relevant federal, state, local, or municipal laws, regulations, policies, and/or procedures.</p> <p>The staff member(s) providing health coordination services (e.g., health assessments) shall have a current Vermont RN license and a minimum of 1 year applicable experience. It is preferable that the experience is with elders and/or persons with chronic impairments.</p> <p>Staffing ratios. During hours of operation, there shall be a sufficient number of responsible persons to safely meet the needs of those participants present, including one full or part-time direct service staff member. The direct services staff-participant ratio shall be a minimum of one-to-seven. As the number of participants with functional or cognitive impairments increases or the severity of the impairment increases, the direct services staff-participant ratio shall be adjusted accordingly to meet the needs of the participants. Paid program consultants and contractors, persons working under agency contract, and volunteers may be included in the direct staff-participant ratio only when they are performing the direct service job tasks and responsibilities defined in a job description and meet the qualifications necessary to fill that position.</p>		

Training Requirements

An orientation policy shall be developed and implemented for persons employed full-time or part-time; paid consultants or contractors; persons working under agency contract; and volunteers who provide unsupervised direct participant services. A training policy shall be developed and implemented for all persons employed full-time or part-time by the adult day center. For each direct service staff, a center shall provide a minimum of 12 hours of training per year that will build his/her capacity to provide quality adult day services. For administrative staff, a center shall provide training as necessary. For each dual-role staff, a center shall provide a minimum of 12 hours of training per year and additional administrative training as necessary.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

The *Medicaid Home and Community-Based Services Waiver--Policies and Procedures Manual--Adult Day Services* contains several relevant contracting requirements specific to adult day services providers:

Definition. "Adult day services" are community-based nonresidential services designed to assist impaired or isolated adults to remain as active in their communities as possible, maximizing their level of health and independence and ensuring the optimal functioning of the participant. Services include a range of health and social services for participants and provide daytime respite to primary caregivers. Services are furnished for a specified number of hours per day on a regularly scheduled basis, for 1 or more days per week.

Provider qualifications. An organization must be approved by the Vermont Department of Aging and Disabilities as an adult day services provider and must meet all standards and qualifications for these services. All provider agencies shall:

1. comply with the service definition, provider qualifications, and service standards;
2. comply with other applicable statutes, regulations, standards, policies, and procedures;
3. implement effective formal mechanisms of significant and direct consumer involvement within the agency (for example, 50 percent representation on the governing board or other formal advisory mechanism);
4. implement structured internal complaint and appeals procedures;
5. fully inform individuals of their rights and responsibilities in working with the agency, including both internal and formal waiver complaint and appeal procedures;
6. abide by the local/regional waiver protocol;
7. implement policies and procedures which will be used to supervise and/or monitor waiver services;
8. implement policies and procedures which will be used in service documentation and billing; and
9. demonstrate to the Department of Aging and Disabilities that they have sufficient expertise and capacity to meet the needs of the target population, including effective working relationships with other local or regional providers and agencies.

Limitations on adult day services

1. Adult day services are limited to a maximum of 12 hours per day.
2. Meals provided as part of these services shall not constitute a 'full nutritional regimen' for the day.
3. Transportation services are not included in this service, and are not reimbursed as part of this service. The costs of transporting Medicaid Waiver participants to and from the adult day services site may be eligible for reimbursement under the Medicaid State Plan, as a transportation service.
4. Medicaid Waiver adult day services shall not be furnished to individuals who are inpatients of a hospital or nursing home.

Standards of performance

1. The adult day service provider shall comply with the current *Standards for Adult Day Services in Vermont*.
2. The adult day service provider shall develop individual and specific adult day service plans for the participant based on an assessment of need. Adult day services shall be provided in accordance

<p>with the individualized service plan. Changes in the participant's functional and cognitive ability shall be monitored on a regular basis.</p> <ol style="list-style-type: none"> 3. The adult day service provider shall provide respite, support, and education to the family and caregivers. The adult day service provider staff shall have the skills and/or training required to meet the needs of the participant. 4. The adult day service provider staff shall be familiar with and abide by adult day program standards; applicable Medicaid statutes, regulations, policies, and procedures; applicable Medicaid Waiver statutes, regulations, policies, and procedures; and the regional Medicaid Waiver protocol. 5. The adult day service provider and staff shall assist the state in assuring that waiver services are provided in compliance with the standards, policies, and procedures established by the state. This includes participating in structured evaluation activities developed by the state.
<p>Location of Licensing, Certification, or Other Requirements</p>
<ol style="list-style-type: none"> 1. http://www.dad.state.vt.us/Regulations/ADSSStandards201.pdf 2. http://www.dad.state.vt.us/dail/Manuals/HBmanual/SectionPages/SECII1AdultDay.pdf
<p>Citations</p>
<ol style="list-style-type: none"> 1. <i>Standards for Adult Day Services in Vermont</i>. State of Vermont Agency of Human Services, Department of Aging and Independent Living. Effective January 1, 2004. [Updated March 11, 2004] 2. <i>Medicaid Home and Community-Based Services Waiver--Policies and Procedures Manual--Adult Day Services</i> (Section II.1.). State of Vermont Agency of Human Services, Department of Aging and Independent Living, Division of Advocacy and Independent Living. [March 2001]
<p>Additional Information</p>
<p>In addition to the required and optional services noted above, nutrition and food services and activities coordination are required services. Additional optional services include planned individual and group activities, community resources education and training, and coordination of community services.</p>

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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