

KDADS Types of Adult Care Facilities

KDADS PRESENTATION TO THE SENIOR CARE TASK FORCE

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KDADS Types of Adult Care Facilities

Adult Care Homes

Adult Care Home

All of the below are classifications of adult care homes and are required to be licensed by the secretary for aging and disability services:

- Any nursing facility
- Nursing facility for mental health
- Intermediate care facility for people with intellectual disability
- Assisted living facility
- Residential health care facility
- Home plus
- Boarding care home
- Adult day care facility



KDADS Types of Adult Care Facilities

Nursing Facilities

Characteristics: Any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care to compensate for activities of daily living limitations.

Level of care: Must have a skilled nursing need.

Differences: Some Facilities only provide skilled long term-care, others also provide post acute care and can be located on a campus providing other levels of care to include adult day care, assisted living and independent living.

Oversight: State and Federal (CMS).

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Assisted Living Facilities

Characteristics: Any place or facility caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living. Limitations on the place or facility include a place or facility that includes apartments for residents and provides or coordinates a range of services including personal care or supervised nursing care available 24 hours a day, seven days a week, for the support of resident independence. *The provision of skilled nursing procedures to a resident in an assisted living facility is not prohibited by this act. Generally, the skilled services provided in an assisted living facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.*

Level of care: No minimum or maximum level of care regulatory required for this facility type.

Differences: All levels of care can be provided but facilities must provide a sufficient number of qualified personnel to provide each resident with services and care in accordance with that resident's functional capacity screening, health care service plan, and negotiated service agreement.

Oversight: State as well as some oversight from MCO's for those that participate in the delivery of HCBS services within their facility.

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Residential Health Care Facilities

Characteristics: Any place or facility, or a contiguous portion of a place or facility, caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of resident independence. The provision of skilled nursing procedures to a resident in a residential health care facility is not prohibited by this act. *Generally, the skilled services provided in a residential health care facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.*

Level of care: No minimum or maximum level of care regulatory required for this facility type.

Differences: All levels of care can be provided but facilities must provide a sufficient number of qualified personnel to provide each resident with services and care in accordance with that resident's functional capacity screening, health care service plan, and negotiated service agreement.

Oversight: State as well as some oversight from MCO's for those that participate in the delivery of HCBS services within their facility.

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Home Plus

Characteristics: Any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary for children and families, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the Kansas department for aging and disability services. An adult care home may convert a portion of one wing of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

Level of care: All levels of care can be provided but facilities must provide a sufficient number of qualified personnel to provide each resident with services and care in accordance with that resident's functional capacity screening, health care service plan, and negotiated service agreement.

Differences: Typical found in a residential area in the form of a single-family home.

Oversight: State as well as some oversight from MCO's for those that participate in the delivery of HCBS services within their facility.

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Adult Day Care Facilities

Characteristics: any place or facility operating *less than 24 hours a day* caring for individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of or assistance with activities of daily living.

Level of care: No minimum or maximum level of care regulatory required for this facility type.

Differences: Many adult day services are provided at adult care homes that also provide 24 residential services in some capacity.

Oversight: State as well as some oversight from MCO's for those that participate in the delivery of HCBS services within their facility.

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Adult Day Care Facilities

Q: Location of Senior Day Care Facilities (is there a map?)

KDADS does not track adult day care services provided within another adult care home type, which is where a large majority of these services take place. There are only 4 adult care homes licensed only as an adult day care.

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Right to Appeal

Q: Address how the level of care available in a facility might interplay with Charlie's law (2021 HB 2004, which would have created the right to appeal an involuntary discharge or transfer from an adult residential care facility)

The level of care provided would not ensure a resident an appeal right for an involuntary transfer or discharge. This right is afforded to resident who reside in a federally certified nursing facility and found under the resident rights sections of 42 CFR 483.10. There is not state statute or regulation that affords residents of an adult care home this same right.

Currently resident's rights for individuals residing in an adult care home can be found at K.A.R. Common to All Adult Care Homes 26-39-103.

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QUESTIONS?