SECTION 2.

COMPARISON OF STATE POLICIES

	Twenties Chief Deals Twenties Chief Deals												
							2002						
State	Category	Facilities	Units/Beds	Facilities	Units/Beds	Facilities	Units/Beds	CON					
AL	Assisted living facilities	307	9,509	335	9,876	327	9,738	N*					
AK	Assisted living homes	229	1,912	162	1,650	143	1,497	N					
AR	Residential long-term care facilities	92	3,616	111	4,369	122	4,647	Y					
	Assisted living facilities	27	1,402	6	275	NA	NA	Y					
AZ	Assisted living facilities	1,951	27,000	1,509	24,500	1,524	24,002	N					
CA	Residential care facilities for elderly	7,471	161,586	6,543	154,830	6,207	147,580	N					
CO	Assisted living residences	495	14,237	525	13,799	538	14,291	N					
CT	Assisted living service agencies	63*	NA	65	NA	63	NA	N					
	Residential care homes	100	2,808	101	2,753	109	2,949	Y					
DC	Community residence facilities	22*	509*	200	1,866	NR	NR	N					
DE	Rest residential homes	3	NR	3	NR	6	160	N					
	Assisted living	29	1,804	29	1,738	27	1,300	N					
FL	Assisted living facilities standard		ĺ		,		,						
	Limited nursing services	2,400	75,450	2,250	74,762	2,328	78,348	N					
	Assisted living extended congregate					·							
GA	Personal care homes	1,860	26,500	1,687	25,434	1,648	25,563	Y/M					
HI	Assisted living facilities	10	1,744	7	1,008	3	354						
	Adult residential care home	480	2,540	542	2,882	545	2,882	N					
ID	Residential and assisted living facilities	278	6,819	266	6,160	253	5,815	N					
IL	Assisted living facilities	184	8,988	120	5,830	24	1,667	N					
	Shared housing	25	202	13	92	NR	NR	N					
	Shelter care facilities	137	7,610	149	8,484	156	8,240	N					
IN	Residential care facilities	190	14,665	147	11,767	140	11,555	N					
IA	Assisted living programs	209	10,332	184	8,246	154	6,199	N					
	Assisted living dementia programs	18	468	NA	NA	NA	NA						
KS	Assisted living	120	5,539	101	7.071	129	5,658	N					
	Residential health care facility	49	1,647	191	7,971	98	2,918	N					
KY	Assisted living communities	97	NA	83	NA	73	NA	N					
	Personal care homes	192	6,802	204	7,389	204	7,792	N					
LA	Personal care homes	30	189	44	286	29	176	N					
	Assisted living	75	4,700	67	4,157	66	3,906	N					
ME	Assisted living programs	34	1,624	30	1,429	24	1,133	N					
	Residential care facilities: I (I-IV 2004)		,		,	473	1,711	N					
	Residential care facilities: II-IV	647	7,079	711	7,593	192	5,220	N					
MD	Assisted living programs	1,366	20,093	1,248	17,148	2,000	14,273	N					
MA	Assisted living residences	190	11,900	171	10,585	139	9,796	Y					

		TABL	E 2-1 (continue					
		2	007	20	004	2	2002	
State	Category	Facilities	Units/Beds	Facilities	Units/Beds	Facilities	Units/Beds	CON
MI*	Homes for the aged	190	14,653	190	14,588	191	14,656	N
	Adult foster care: family group homes	1,201	5,663	1,247	5,825	1,266	5,913	N
	Adult foster care: small group homes	2,809	18,967	2,527	17,610	2,529	17,727	N
	Adult foster care: large group homes	495	6,414	485	9,001	477	8,839	N
	Adult foster care: congregate homes	11	398	13	491	13	491	N
MN	Housing with services establishments	1,239	NA	931	NA	600	NA	N
MO	Residential care facilities	502	15,661	280	6,363	285	6,533	Y
	Assisted living facilities	114	5,505	363	15,434	363	15,106	Y
MS	Personal care homes	185	5,133	194	4,197	207	5,137	Y
MT	Personal care facilities	184	4,351	177	3,730	149	3,276	N
NE	Assisted living facilities	276	10,063	259	9,187	227	8,369	N
NV	Residential care facilities for groups	258	3,941	300	4,021	374	NR	N
NH	Assisted living residence: supported residential health care facilities	142	4,283	137	4,013	148	3,936	N
	Assisted living residence: residential care facilities							N
NJ	Assisted living residences	170	15,571	152	13,696	129	11,645	Y
	Assisted living programs	14	NA	13	NA	17	NA	Y
	Comprehensive personal care homes	38	2,190	43	2,388	41	2,642	Y
NM	Adult residential care	284	NR	346	NR	305	NR	N
NY	Adult care homes	389		431	32,859	449	34,805	N
	Enriched housing programs	105	39,170	90	7,227	83	5,308	N
	Residences for adults	6		6	200	8	345	N
NC	Adult care homes	635	36,294	629	35,247	631	34,776	Y
	Family care homes	647	3,612	648	3,642	682	3,816	N
	Multi-unit housing with services	25	1,736	23	1,053	20	1,538	N
ND	Basic care facilities	55	1,529	46	1,490	47	1,490	N
	Assisted living facilities	56	1,943	42	1,361	NA	NA	N
OH	Adult care facilities (3-16)	658	5,213	712	5,666	805	5,783	N
	Residential care facilities (17+)	547	38,792	510	36,255	462	31,937	N
OK	Residential care home	91	2,809	103	3,358	210	8,620	N
	Assisted living centers	115	6,493	115	6,308	8	1,253	N
OR	Assisted living facilities	202	13,589	190	12,566	180	11,998	M
	Residential care facilities	227	8,541	236	8,504	220	8,227	M
PA	Personal care homes	1,550	71,831	1,718	76,385	1,786	79,929	N
RI	Assisted living facilities	63	3,574	73	3,676	68	3,270	N
SC	Community residential care facilities	480	16,279	504	16,641	545	17,761	N
SD	Assisted living centers	157	3,578	162	3,360	153	3,084	N

		TABL	E 2-1 (continue	<i>d</i>)				
		20	007	20	004	2	2002	
State	Category	Facilities	Units/Beds	Facilities	Units/Beds	Facilities	Units/Beds	CON
TN	Assisted care facilities	201	13,769	184	10,699	178	10,495	N
	Homes for the aged	127	2,520	155	3,230	166	3,307	N
TX	Assisted living facilities	1,433	45,853	1,378	42,245	1,324	41,424	N
UT	Assisted living facilities type I	87	1,733	92	1,678	108	1,886	Y
	Assisted living facilities type II	64	3,523	49	2,800	43	2,460	Y
VA	Assisted living facilities	577	31,964	636	34,598	669	34,200	N
VT	Residential care facilities	112	2,317	110	2,302	109	2,213	N
	Assisted living residences	6	293	3	108	NA	NA	N
WA	Boarding homes	551	26,829	538	24,498	525	23,830	N
WV	Personal care homes	NA	NA	NA	NA	50	2,310	N
	Residential board and care homes	NA	NA	NA	NA	82	1,498	N
	Residential care communities	3	130	3	88	3	88	N
	Assisted living residences	117	3,380	113	3,197	NA	NA	N
WI	Residential care apartment complexes	220	9,229	151	6,001	122	4,452	N
	Community-based residential facilities	1,379	22,553	1,359	21,374	1,350	21,242	N
WY	Assisted living facilities	15	286	15	970	14	1,005	N
	Boarding homes	20	1,150	17	315	NR	NR	
TOTAL		38,373	974,585	36,218 ¹	935,364 ²	36,278 ¹	908,488 ²	

M = Moratorium; NR = Not reported; NA = Not applicable.

Units/Beds = the licensed capacity reported by the state.

- 1. The totals reflect revisions reported by Michigan for 2004 and 2002 and other adjustments.
- 2. Totals for 2004 and 202 were adjusted to include the capacity of Iowa's units and other adjustments.

- AL: A CON is required for specialty care facilities.
 AZ: Figures represent combined supply for three categories.
- CT: Not included in total.
- DC: Previous reports included facilities and beds serving individuals with developmental disabilities. The 2007 report only includes facilities serving older adults.
- GA: CON applies to facilities serving more than 24 residents.
- IA: Previous reports included the number of units rather than the capacity.
- MI: The number of licensed facilities and capacity was revised by the reporting agency for 2004 and 2002 from what was included in the previous report.
- NM: Previous information reported may have included ADC providers.

	TABLE 2-2. Compari	son of State Resi	dential and A	ssisted Living	g Regulations	: Characte	ristics		
State	Category	Size Definition ¹	Apt Required	Sharing by Choice? ²	Max # Occupants	Sq Foot Single	Sq Foot 2+3	#/Toilet	#/Bath
AL	Assisted living facilities	2	N	N	2	80*	130*	6	8
AK	Assisted living homes	3	N	Y	2	80	140	NS	NS
AR	Residential long-term care facilities	3	N	Y	2	100	160	6	10
	Assisted living facilities	3	Y*	Y	2	150	230	2	2
AZ	Assisted living facilities	<10,>10	N	Y	2	80/220*	120/320	8	8
CA	Residential care facilities for elderly	NS	N	Y*	2	*	*	6	10
CO	Assisted living residences	3	N	N	2	100	120	6	6
CT	Assisted living service agencies	NS*	Y	Y	*	*	*	*	*
	Residential care homes	2	N	Y	2	150	250	4	8
DE	Rest residential homes	NS	N	N	4	100	80	4	4
	Assisted living	NS	N	Y	2	NS	NS	NA	NA
FL	Assisted living facilities (standard)			N	2*			6	8
	Limited nursing services	1	N	N	2*	80	60*	6	8
	Assisted living extended congregate care			Y	2	1		4	4
GA	Personal care homes	2	N	N	4	80	60	4	8
	Community living arrangements	2	N	N	2	NS	NS	4	4
HI	Assisted living facilities	NS	Y	Y	NS	220	NA	1	1
	Adult residential care home	<6,>6	N	N	4	90	70	8	14
ID	Residential and assisted living facilities	3	N	N	2	100	80	6	8
IL	Assisted living facilities	3	N*	Y	NS	NS	NS	1	NS
	Shelter care facilities	NS	NS	NS	4	70	60	10	15
	Shared housing	<12	N	NS	NS	NS	NS	4	6
IN	Residential care facilities	NS	N	N	4	100	80	8	8
IA	Assisted living programs	6	N	Y	2	240/70*	340/70	1	1
KS	Assisted living	6	Y	Y	NS	200	NS	1	1
KY	Assisted living communities	5	N	Y	2	200	200	N.	A
	Personal care homes	NS	N	N	4	NS	NS	8	12
LA	Personal care homes	2-8	N	N	2	100	70	NS	NS
	Assisted living	2	Y	Y	2	250	250*	1	1
ME	Assisted living programs	NS	Y	Y	NA	NA	NA	NA	NA
	Assisted living residential care I-IV	NS	N	N	2	100	160	6	10
MD	Assisted living programs	NS	N	N	2	80	120	4	8
MA	Assisted living residences	3	**	NS	2	NS	NS	**	**
MI	Homes for the aged	>20	N	N	4	100	160	8	15
	Adult foster care: small group homes	<12	N	N	2	80	170	8	8
	Adult foster care: larger group homes	13-20	111	IN	۷	00	170	0	0
MN	Housing with services establishments	1	**	**	**	**	**	10	20

		TA	BLE 2-2 (con	ntinued)					
State	Category	Size Definition ¹	Apt Required	Sharing by Choice? ²	Max # Occupants	Sq Foot Single	Sq Foot 2+3	#/Toilet	#/Bath
MO	Residential care facilities I & II	3	N	N	4	70	70	6	20
MS	Personal care homes	NS	N	N	4	80	80	6	12
MT	Personal care facilities	NS	N	N	4	100	80	4	12
	Assisted living facilities	4	N	N	2	100	80	1*	8*
NV	Residential care facilities for groups	3	N	N	3	80	60	4	6
NH	Assisted living residences/supported residential health care	2	N	N	2	100	160	6	6
	Residential care home facilities	2	N	N	2	80	140	6	6
NJ	Assisted living residences	4	Y	Y	2	150	230	1	1
	Assisted living programs	NS*	NA	Y	NA	NA	NA	NA	NA
	Comprehensive personal care homes	4	N	Y	2	80	130	NS	NS
NM	Adult residential care	2	N	N	2	100	80	8	8
NY	Adult care homes	5	N	N	2	100	160	6	10
	Enriched housing programs	5	Y	Y	NS	NS	NS	3	3
	Residences for adults	NS	N	N	2	100	160	6	10
	Assisted living programs	5	Y/N	Y/N	**	**	**	**	**
NC	Adult care homes	7	N	N	4	100	80	5	10
ND	Basic care facility	5	N	N	NS	100	80*	4	15
	Assisted living facilities	5	**	**	2	**	**	**	**
	Adult care facilities	3-16	N	N	2	80	60	8	8
ОН	Residential care facilities	17+	N	N	3	100	80	8	8
OK	Residential care home	NS	N	N	NS	80	60	6	10
	Assisted living centers	2	N	N	2	**	**	4	4
OR	Assisted living facilities	6	Y	Y	1	220	NA	1	1
	Residential care facilities	6	N	N	2	70	120	6	10
PA	Personal care homes	4	N	N	4	80	60	6	10
RI	Assisted living facilities	2	N	N	2	100	80	8	10
SC	Community residential care facilities	2	N	N	4	80	60	8	10
SD	Assisted living centers	2	N	N	2	120	220	1	1
TN	Assisted living facilities	NS	N	N	2	80	160	6	6
	Homes for the aged	1	N	N	2	80	80	6	6
TX	Assisted living facilities	4	N	Y	4	100*	80*	6	6
UT	Assisted living facilities type I	2	N	N	2	100	160	6	10
	Assisted living facilities type II	2	N	Y	2	120	200	4	10
VA	Assisted living facilities	4	N	N	4	100	80	7	10
VT	Residential care facilities	3	N	N	2	100	80	8	8
	Assisted living facilities	NS	Y	Y	2	225	NA	1	1
WA	Boarding homes	7	N	N	2	80	70	8	12
	Assisted living facilities (Medicaid)	7	Y	NA	1	220	NA	1	1

		TA	BLE 2-2 (con	ntinued)					
State	Category	Size Definition ¹	Apt Required	Sharing by Choice? ²	Max # Occupants	Sq Foot Single	Sq Foot 2+3	#/Toilet	#/Bath
WV	Assisted living residences	4			2	100	180	6	10
	Residential care communities	17	Y	Y	2	300	*	NS	NS
WI	Residential care apartment complexes	NS	Y	Y*	2	250	NA	NS	NS
	Community-based residential facilities	5	N	N	2	100	80	8	8
WY	Assisted living facilities	NS	N	N	2	120	80	2	10
	Boarding homes	IND.	1N	IN.	2	120	80	2	10

NR = Not reported; NA = Not applicable; NS = Not specified.

- 1. This column presents the number of units/beds included in the definition of the licensing category (e.g., serving four or more individuals).
- 2. Indicates whether residents share units by choice.
- 3. Square footage in shared units is total square footage for two residents or square footage per resident in rooms for two or more.

- AL: Private room with sitting areas, 160 square feet. Double room with sitting area, 200 square feet.
- AR: Rules for assisted living require apartments.
- AZ: Unit size figures are for rooms/apartment units. Apartments are required in centers that contract with the ALTCS (Medicaid) Program.
- CA: Choice whenever possible. No requirements for size of bedrooms.
- CT: Rules only address requirements for ALSAs. Unit requirements are specified by the housing funding source.
- DE: Space requirements are not specified.
- FL: Facilities licensed after October 1999. Four persons may share a room in standard facilities licensed prior to 1999.
- IA: Additional habitable rooms in any unit must be at least 70 square feet.
- IL: Nursing homes converting a portion of a facility to supportive living must offer apartments with 160 square feet for single occupancy and 320 square feet for units shared by two persons.
- LA: Rules require 250 square feet of living space. Units with two bedrooms must have 190 square feet of living/dining/kitchen space and 120 square feet for each bedroom.
- MA: New construction requires private bathroom and kitchenette or access to cooking capacity. Existing construction requires private half bathroom. Full bathrooms may be shared by up to three residents. Bedrooms may be shared.
- MN: Licensing rules apply to service providers. Local codes apply to the building based on its use.
- NE: New construction facilities must have a toilet and sink adjoining each bedroom. Existing or new facilities may have shared toilet rooms provided the following: one toilet for every six beds in existing facilities; one toilet per four beds in new facilities. Facilities must provide a bathing facility consisting of a tub and/or shower adjacent to each room or provide a central bathing room. In existing facilities, rooms must have 80 square feet and in multiple occupancy rooms 60 square feet per bed with no more than four persons occupying a room. In new construction, apartments must have 150 square feet for one resident and 110 square feet for each additional resident. In existing facilities, apartments must have 120 square feet for one resident and 100 square feet for each additional resident.
- NJ: ALPs operate in conventional publicly subsidized senior housing complexes.
- NH: Apply to units in facilities serving 17 or more residents; smaller facilities must offer 80 and 160 square feet for single and semi-private occupancy respectively.
- NY: ALPs comply with the relevant requirements under which the contracting facility is licensed (i.e., adult home or enriched housing program (EHP)).
- ND: Rooms for three or more, 70 square feet per bed. There are no unit requirements for ALFs. New rules define a living unit as a portion of an ALF occupied as the living quarters of an individual who has entered into a lease agreement with an ALF.

TABLE 2-2 (continued)

*/** STATE NOTES (continued):

TX: Type A facilities require 80 square feet for single occupancy and 60 square feet per resident in multiple occupancy rooms.

UT: A single occupant unit without additional living space shall be a minimum of 120 square feet. A double occupant unit without additional living space shall be a minimum of 200 square feet. A single occupant bedroom in a unit with additional living space shall be a minimum of 100 square feet. A double occupant bedroom in a unit with additional living space shall be a minimum of 160 square feet.

WV: Multi-occupancy apartments must have at least 80 square feet of bedroom space per resident and no more than two residents may occupy an apartment.

WI: Allows sharing with a spouse or a roommate chosen by the tenant.

			Т	ABLE	2-3. Rec	quireme	ents for l	Facilities	Serving	Residen	ts with l	Dement	tia				
	AL	AK	AZ	AR	CA	CT	CO	DE*	FL	GA	HI	ID	IL	IN	IA*	KS	KY*
Training	X		X	X	X		X		X			X	X	X	X	X	
Staffing	X			X					X				X		X		
Activities	X		X		X				X			X	X				
Environment			X	X	X		X		X				X		X	X	
Disclosure				X	X		X	X	X	X			X	X			X
Other	X			X				X					X		X		X
	LA	ME	MD*	MA	MI	MN	MS	MO	MT*	NE*	NV*	NH	NJ	NM	NY*	NC	ND
Training		X	X	X	X	X	X	X	X	X	X				X	X	X
Staffing			X	X			X		X	X	X				X	X	
Activities		X	X	X			X				X					X	
Environment		X	X				X	X	X	X	X				X	X	
Disclosure		X	X		X	X		X	X	X		X				X	
Other			X	X			X	X	X	X	X				X		
	ОН	OK	OR	PA	RI*	SC	SD*	TN*	TX	UT	VA	VT	WA	WV	WI	WY*	
Training	X		X	X	X	X	X		X	X	X	X	X	X	X		
Staffing	X	X	X	X	X				X		X			X			
Activities	X		X	X			X		X		X		X	X			
Environment	X		X	X	X		X				X		X	X			
Disclosure	X	X	X	X	X	X			X			X	X	X			
Other	X		X	X	X		X	X		X	X		X		X	X	

- CA: Some provisions are included in the disclosure statement.
- DE: Facilities must develop policies to prevent wandering and safe storage of medications.
- IA: Resident agreements includes a description of the services and programming that is available.
- IL: Manager qualifications, minimum service hours and others.
- KY: Lease agreements contain a description of special programming, staffing or training for serving clients with special needs.
- MD: Training, staffing, activities and environment provisions are included in the disclosure statement.
- MA: Must have a plan to operate the residence that covers specified areas.
- MT: Requirements for administrators.
- NE: Admission and discharge criteria.
- NV: Administrators have three years experience serving people with Alzheimer's disease or equivalent education and training.
- NY: See state summary. May not operate dementia units without a special needs assisted living certificate. Must submit a special needs plan that includes staffing, training, and environmental modifications.
- NC: Must develop policies that address specific features of a SCU.
- OH: Must describe specific features of the SCU in the application.

TABLE 2-3 (continued)

* STATE NOTES (continued):

SD: Also have fire safety/evacuation provisions.

TN: An interdisciplinary team must review residents with early stage Alzheimer's disease to examine appropriateness of placement on a quarterly basis.

UT: See state summary.

WI: RCACs must have training. Other licensed facilities offering dementia special care must complete a disclosure form.

WY: Facilities must provide cuing with guidance for ADLs for people who are intermittently confused and/or agitated and require occasional reminders to time, place, and person.

		T	ABLE	2-4. Re	quiren	nents fo	or Resi	dent A	greem	ents							
	AL	AK	AZ	AR	CA	CT	CO	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY
Services included in the basic rate	X	X	X	X	X	х	Х	х	X	Х	X	Х	х	Х	X	х	X
Cost of the basic service package	X	X	X	X	X		X	X	X	X	X		X	X	X		X
Accommodations included		X							X								
Terms of occupancy						x		X					x				X
Period covered	X			X									X				
Services beyond basic rate	X		X	X	X			X	X	X	X		X	X	X		X
Cost of additional services	X			X	X	X		X	X	X			X		X		
Services not available/not covered							X										
Temporary absence policy			X				x	X	X				X				
Payment/billing provisions				х	X	Х		х					х		X		
Statement of resident's rights		х				X	X	х	Х				X				X
Admission/discharge criteria						Х	Х		х				Х	X	X		
Refund policy	X	х	Х	х	X		х		X	X		Х	х				Х
Provisions for changing rates			Х	х	X	Х		х	X	х			х	Х			X
Termination provisions	Х	Х	Х	Х	X							Х	Х				X
Purpose of deposits/advance payments		X					Х		х								
Grievance process			Х			х	х	х					х		Х		X
Other	X	х		х	X		X	х	Х	X		X	X		X	X	X
	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND
Services included in the basic rate	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Cost of the basic service package	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Accommodations included		X		X											X		X
Terms of occupancy			X	X						X							
Period covered				X		X	X					X			X		
Services beyond basic rate	X			X		X	X	X			X	X			X		
Cost of additional services	X	X		X		X	X	X			X	X	X		X		
Services not available/not covered		X	X	X								X					
Temporary absence policy			X									X		Х	X		
Payment/billing provisions	X		X	X		X			X	X	X			х	X		X
Statement of resident's rights		X	X	X	X				X	X			X			X	
Admission/discharge criteria	X	Х	X	X	X	х	X	х	X				х	Х	X	Х	X
Refund policy	X	X	X	X	X		X		X		X		_		X	Х	X
Provisions for changing rates	X	X	X		X	х	X		X			X		Х	X	Х	X

				T	ABLE	2-4 (ce	ontinue	ed)									
	LA	ME	MD	MA	MI	MN	MS	MO	MT	NE	NV	NH	NJ	NM	NY	NC	ND
Termination provisions				X						X		X			X	X	X
Purpose of deposits/advance payments		X							X			X			X		
Grievance process		X	X	X		X			X						X	X	
Other	X		X	X	X			X	X			X	X	X		X	
	ОН	OK	OR	PA	RI	SC	SD	TN	TX	UT	VA	VT	WA	WV	WI	WY	
Services included in the basic rate	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Cost of the basic service package	X		X	X	X	X	X	*	X	X	X	X	X	X	X	X	
Accommodations included					X		X				X	X					
Terms of occupancy	X		X		X							X		X			
Period covered	X	X	X														
Services beyond basic rate			X		X		X			X		X	X		X		
Cost of additional services			X	X	X		X			X		X	X	X	X	*	
Services not available/not covered			X									X					
Temporary absence policy				X			X						X			*	
Payment/billing provisions	X		X	X							x	X					
Statement of resident's rights	X		X	X	X	X			*					X			
Admission/discharge criteria	x*	X	X		X	X		x*	X	X				X		*	
Refund policy	X		X	X					X	X	X			X	X		
Provisions for changing rates			X	X	X	X				X	X			X	X		
Termination provisions	X	X	X	X						X				X		*	
Purpose of deposits/advance payments			X		X						X				X		
Grievance process		X	X		X	X	X							X		X	
Other		х	X	X	X	X	X		х	X	X		X	X	X		

- AL: A statement that the facility is not staffed to provide skilled nursing or care for residents with severe cognitive impairments.
- AK: Duties and obligations of the resident.
- AR: Health care services available through home health agencies; parameters for pets; policy on acceptance of responsibility for personal funds and valuables; responsibility for medication; a copy of facility rules; and provisions for emergency transfers.
- CA: A monthly statement of services and charges; a statement acknowledging the acceptance or refusal to purchase the additional services shall be signed and dated by the resident or the resident's representative and attached to the admission agreement; an explanation of the use of third-party services within the facility that are related to the resident's service plan, including, but not limited to, ancillary, health, and medical services, how they may be arranged, accessed, and monitored, any restrictions on third-party services, and who is financially responsible for the third-party services; the facility's policy concerning family visits and other communication with residents; refund policy; conditions under which the agreement may be terminated; and an explanation of the resident's right to notice prior to an involuntary transfer, discharge, or eviction, the process by which the resident may appeal the decision and a description of the relocation assistance offered by the facility.

TABLE 2-4 (continued)

* **STATE NOTES** (continued):

- CO: Transportation services; therapeutic diets; and whether the facility will be responsible for providing bed and linens, furnishing and supplies. There must also be written evidence that the facility has disclosed the policies and procedures (admissions; discharges; emergency plan and fire escape procedures; illness, injury or death; smoking; management of residents' funds; investigation of abuse and neglect allegations; and restrictive egress devices); method of determining staffing levels and the extent to which certified or licensed health professionals are available on-site; whether the facility has an automatic sprinkler systems; if the facility uses restrictive egress alert devices and the types of individual behaviors exhibited by persons needing such devices.
- DE: Transfer procedures, security, staff's right to enter a resident's room, resident rights and obligations, temporary absence policy, interim service arrangement during an emergency, obligations of the facility, and a listing of the resident's personal belongings. The financial areas include the party responsible for handling finances, obtaining equipment and supplies, arranging services not covered by the contract, disposing of belongings.
- FL: Statement of any religious affiliation; notice of transfer if the facility is not able to serve the resident.
- GA: Copy of house rules; provisions for on-going resident assessments; provisions for transportation services; authorization to release medical records.
- ID: Staffing patterns and qualifications; liability insurance carried; the resident's and facility's role and responsibilities for assistance with medication administration; statement regarding managing personal funds; conditions for emergency transfers; permission to transfer information.
- IL: Statement of the annual licensing on-site review process; statement that Medicaid is not available for payment of services; description of the process for terminating or modifying the contract; the admission, risk management, and termination procedures; and policy concerning notification of relatives of changes in the resident's condition.
- IA: Statement regarding the impact of the fee structure on third-party payments and whether they are accepted; emergency response policy; staffing policy and whether staff are available 24-hours-a-day; whether nurse delegation will be used and staffing will be adapted to meet changing needs.
- KS: Negotiated service agreement; provider of services; agreement supports individual dignity, choice, privacy, etc.; addresses services refused by resident and resident's acceptance of risk.
- KY: ALRs: 30-day notice of move-out for nonpayment, assistance finding appropriate housing, other community rights, practices and procedures, policy concerning the ability to contract directly with outside agents, professionals, providers, or other individuals.
- LA: Authority of the licensing agency to review records; responsibilities for overseeing medical care; purchasing supplies and equipment. Must allow review by an attorney.
- MD: Includes a clear and complete reflection of commitments and actual practices; LOC for which the facility is licensed; obligations of all parties for arranging for medical care and other provisions (see summary).
- MA: Sponsor's covenant to comply with applicable laws; reasonable rules for staff, management, and resident behavior, and limits on what the residence will as well as policy on self-administration of medication.
- MI: AFC: Assurance of provision of care, supervision, and protection; agreement to provide necessary intake information and current health appraisal; statement of how funds and valuables are handled; statement that the home is licensed to provide care.
- MO: Some provisions are included in the resident's rights section -- right to make treatment decisions; provisions in a medical emergency; state laws relating to advance directives.
- MT: Availability of skilled nursing and other professional services from third-party payers; policies concerning pets and smoking.
- NE: Included in the terms of occupancy requirement.
- NH: Responsibility for discharge planning; information about nursing, supplies and other health care services not included in the core services (availability of services; the facility's responsibility for arranging services; and the fee and payment for services if known); policies and procedures regarding arranging/providing transportation, arranging for third-party services (i.e., television, hairdresser); handling resident funds, bed hold, storage and smoking; medication management services; and the list of grooming and personal hygiene supplies providing as part of the basic rate.
- NJ: Some information is provided during admission interviews.
- NC: Policy on smoking, alcohol consumption, and visitation.
- OH: A statement is included about discharge of residents when skilled nursing needs exceed their capacity.
- OK: Conformity with state law.
- OR: Uniform disclosure form and other topics -- see summary.
- PA: Amount of PNA; method of payment for long distance calls; financial management arrangements; explanation of annual screening and medical evaluation requirements.

TABLE 2-4 (continued)

* **STATE NOTES** (continued):

- RI: Also includes shared space and facilities, special care provisions, resident responsibilities and house rules, and evaluation and service plan. A general provision called financial terms would cover cost of services, additional charges, and refunds.
- SC: Transportation policy.
- SD: Policies for protection of personal funds; list of names, addresses, and numbers of client advocates; how to contact the resident's physician; how to apply for Medicare/Medicaid.
- TN: Information on the cost of services is provided to residents but it is not part of the agreement. The agreement includes the procedure for handling transfers and discharges.
- TX: See summary. Some provisions are part of the disclosure requirement or part of the written policies of the facility.
- UT: Notice that the state has the authority to examine resident records.
- VT: See state summary.
- VA: Stipulation about the transfer of ownership of any property, real estate, or money to the facility; description of the type of staff, services available and the hours of service.
- WA: Rules of operation.
- WV: (1) PCHs: house rules; how emergencies are addressed; arrangement for transportation; procurement and payment for medications; storage and administration of medications. (2) Residential board and care homes: how health care will be provided; provide copies of all inspection reports; how to access activities and assurances that the home offers services to meet identified needs. (3) Residential care communities: procurement and payment for medications; storage and administration of medications; assurance that the resident is not liable for undisclosed costs; assurance that the individual's needs will be met.
- WI: (1) CBRFs: bed hold fee. (2) RCAC: Some of the requirements are posted and others are included in a service agreement. Activity and social connections the resident will be assisted in maintaining.
- WY: Managers are required to establish policies in the specified areas that are available to residents and staff on items that are normally specified in resident agreements.

			TA	BLE 2-5. Staff Train	ing Requirements ¹			
State	Initial	Annual	State	Initial	Annual	State	Initial	Annual
AL	Topics	Topics	KY	Topics	Not specified	ND	Topics	Topics
AK	Topics	12 hours	LA	Topics	Annual plan	OH	Training course	6 hours/topics
AZ	Topics/hours*	12 hours	ME	Complete course	8 hours/2 years	OK*	8 hours	8 hours
AR	Topics	6 hours	MD	Topics*	Topics	OR	Topics	Not specified
CA	10 hours/Topics	4 hours/topics	MA	7 hours/topics	10 hours/topics	PA	Topics	12 hours
CO	Topics	Topics	MI	Topics	Not specified	RI*	10 hours/topics	Not specified
CT	10 hours/topics*	6 hours	MN	Competency test	Not specified	SC	Topics	General
DE	Topics	12 hours	MS	Topics	Quarterly	SD	Topics	Topics
DC	40 hours	12 hours	MO*	1 hour/topics	Not specified	TN	Not specified	Not specified
FL	26 hours*	Not specified	MT	Topics/16 hours*	Not specified	TX	16 hours	6 hours/topics
GA	Topics	16 hours	NE	4 hours	12 hours	UT	Topics	Topics
HI	Topics	6 hours	NV	4 hours	8 hours	VT*	Topics	20 hours
ID	16 hours	8 hours	NH	Topics	Topics	VA	Topics	8 hours
IL	Topics	8 hours	NJ	Complete course	20 hours/2 years*	WA	Topics/competency test	Not specified
IN	Topics	Topics/hours*	NM	Complete course	Topics	WV	Topics	Topics
IA	Plan on file	Not specified	NY	40 hours*	12 hours	WI	Topics	Not specified
KS	Topics	Topics	NC	80 hour course	Not specified	WY	Topics	Not specified

^{1.} Rules specifying a number of hours also include topics that are covered. Rules listing topics only do not specify how many hours of training are needed.

- AZ: Hours/topics vary by level of licensing.
- CT: Aides must pass a competency exam.
- FL: Core training for staff is 26 hours. Additional hours are required for specific tasks or settings (e.g., medication assistance (4) and ECC (2)).
- IN: Nursing staff, eight hours per year; non-nursing staff, four hours per year.
- MD: For Medicaid waiver programs, 8 hours on medication administration is also required.
- MO: Complete course for medication administration. Additional topics required for ALF staff.
- MT: Topics are listed for category A and 16 hours of training in services provided by category B facilities.
- NV: Three hours additional training every three years for staff who assist with medications.
- NJ: 20 hours every two years; medication aides, ten hours every two years.
- NY: Topics are specified in the Department's curriculum.
- OK: For residential care homes (RCHs).
- RI: Medicaid waiver: one hour orientation; 12 hours annual.
- VT: For RCHs.

			TABLE 2	-6. Comparison of S	tate Reimbi	ursement Policy	y		
	Со	verage			Rates Include		Family	Personal Needs	SSI Payment
State	Date	Method	Payment Method	Rates	R&B	R&B Limits	Supplement	Allowance	Standard ¹
AL	NA	Withdrawn						\$30.00	\$623.00
AK	1993	Waiver	Tiered	\$70.54 - \$93.70	N	No	No policy	\$100.00	\$654.00
AZ	1989	Waiver	Tiered	\$41.23-\$143.78*	Y	\$512.55	Y	\$90.45	\$623.00
AR	1993	State plan	Care plan	\$885.76 cap	N	No	No policy	\$30.00	\$623.00
	2003	Waiver	Tiered	\$43.19-\$54.61	N	\$566.00	110 poney	\$57.00	\$623.00
CA	2006	Waiver	Tiered	\$52-\$82/day with add-ons	N	\$936.00		\$119.00	\$1,035.00
СО	1984 1987	Waiver State funds	Flat	\$47.58/day	N	\$571.00	Y	\$97.00	\$668.00
CT	2003 NR	Waiver State funds	Tiered	\$27.33-\$73.19/day	N	% of income*	Y	\$164.10	\$1869 cap*
DE	1999	Waiver	Tiered	\$1,034-\$1,154	N	\$598.00	N	\$114.00	\$763.00
DC	Approved	Waiver	Flat	\$60/day	TBD	TBD	No policy	\$70.00	\$623.00
FL	1997 2001	Waiver State funds	Flat Flat	\$32.20/day \$9.28/day	N	No	Y	\$54.00	\$691.40
GA	1981	Waiver	Flat	\$35.04/day	N	\$528.00	Y	\$95.00	\$623.00
HI	2000	Waiver	AL-Flat EARCH-Tiered	\$66.77/day \$24.98-\$66.77	N	\$418.00	No policy	\$50.00	623.00
ID	1999 2000	Waiver State plan	Care plan Tiered	Capped/NF cost \$125.30-\$225.54	N N	\$542.00* \$542.00*	Y	\$67.00	\$623.00
IL	1999	Waiver	Regional variations	\$50.76-\$66.92	N	\$533.00*	N	\$90.00	\$623.00
IN	2001	Waiver	Tiered	\$45.86-\$61.68	N	\$512.00	No policy	\$52.00	\$623.00
IA	1990	Waiver	Care plan	Cap of \$1,083	N	No	Y	\$50.00	\$623.00
KS	1997	Waiver	Care plan	Varies	N	No	Y	\$30.00	\$623.00
ME	1990	State plan	Cost-based/ case-mix	Varies	Y	% income	Y	\$50.00	\$623.00
MD	1993 1986	Waiver State funds	Tiered	\$1,672-\$2,109 [*]	N	\$420.00	N	\$64.00	\$623.00
MA	1992	State plan	Flat	\$37.75 per day	N	N	No policy	NS	\$1077.00
MI	1983	State plan	Flat	\$184.50	N	N	Y	\$44.00	\$802.30* \$780.50
MN	1988 1991	Waiver State funds	Case-mix	\$1,086-\$2,524*	N	\$737.00	Y	\$82.00	\$811.00
MS	2001	Waiver	Flat	\$33.18/day	N	\$520.00	No policy	\$44.00	\$623.00
МО	1993 1973	State plan State funds	Care plan	Varies/capped at NF cost	N	N	Y	\$25.00	\$779.00 \$875.00

				TABLE 2-6	(continued)				
GL 4		overage	D (Mal)	D.	Rates Include	DODI' '	Family	Personal Needs	SSI Payment
State	Date	Method	Payment Method	Rates	R&B	R&B Limits	Supplement	Allowance	Standard ¹
MT	1994	Waiver	Care plan	\$63.35 per day cap*	N	\$495.00	Y	\$100.00	\$717.00
NE	1998	Waiver	Flat (rural/urban variations)	\$1,641-\$2,310*	Y	\$563.00	N	\$60.00	\$623.00
NV	1993	Waiver	Tiered	\$20, \$45, \$60/day	N	N	No policy	\$102.00	\$1014.00
NH	1999	Waiver	Flat	\$50/day \$1,250/month*	N Y	N Y	Y	\$56.00	\$817.00
NJ	1997	Waiver	Flat by setting*	\$50-\$70/ day	Y	\$680.55	Y	\$92.50	\$773.05
NM	1996	Waiver	Flat	\$49.99/day	N	\$1,024.00	No policy	\$30.00	\$664.00
NY	NA	State plan	Case-mix	Varies by county and case-mix	N	N	Y	\$200.00	\$1,264.00
NC	1995	State plan	Case-mix	Varies	N	\$1,083.00	Y	\$65.00	\$1,148.00
ND	NA	Waiver State funds	Care plan Care plan	\$80/day cap \$49.23/day cap	N N	\$375.00 NR	Y Y	\$60.00 NS	\$623.00
ОН	2006	Waiver	Tiered	\$49.98-\$69.98/day	N	\$573.00	N	\$50.00	\$850.00*
OR	1990	Waiver	Tiered	\$1,195-\$2,493	Y	\$483.70	N	\$110.00	\$624.70
PA		Waiver authorized					\$60.00	\$1,062.30	
RI	1999	Waiver Waiver	Flat Flat	\$36.32/day* \$1800	N Y	N N	N	\$100.00	\$1,218.00
SC	2002	State plan	Flat	\$14.80/day	N	\$1,003.00	N	\$53.00	\$1,056.00
SD	1988	State funds Waiver	Flat Flat	\$1,212 \$30.64/day	Y N	\$583.00	Y N	\$60.00	\$1,212.00 \$623.00
TX	1994 1985	Waiver State funds	Tiered	\$25.13-\$67.76/day	N	\$538.00	N	\$85.00	\$623.00
UT	2006*	1915(c)	Flat	\$69.75	Y	NA	Y	NS	\$623.00
VT	1996 1999	Waiver State plan	Tiered Flat	\$48.76-\$67.44 \$34.25*	N	\$623.00	N	\$47.76	\$670.76 III \$794.66 IV
WA	1991	Waiver	Tiered	See summary	Y	\$562.22	N	\$60.78	\$623.00
WI	1997	Waiver	Care plan	Cap \$88.02*	N	\$626.77	Y	\$65.00*	\$802.77*
WY	2001	Waiver	Tiered	\$42-50/day	N	N	No policy	NS	\$623.00

TBD = To be determined; NR = Not reported; NA = Not applicable; NS = Not specified.

^{1.} SSI payment standard includes a state supplement, if available. The standards include an amount retained by the beneficiary as a PNA. The PNA varies by state.

AK: Figures include an "augmented factor." The basic rate ranges from \$44.52 to \$67.68 a day.

AZ: Payments vary by three levels of care and by setting: adult family care, assisted living homes, assisted living centers.

TABLE 2-6 (continued)

* **STATE NOTES** (continued):

- CT: Pilot program with the Housing Finance Agency to create affordable assisted living. The SSI rate in RCHs is based on the rate for the facility but cannot exceed \$1,869 less a PNA of \$90.70. The payment is lower in the assisted living pilot. The PNA is \$164 and there is a meal allowance of \$300 and up to a \$400 allowance for rent.
- ID: The room and board amount is a suggested cap.
- IL: In addition to the Medicaid payment, participating facilities receive an average of \$97 a month in food stamp benefits.
- MD: Additional amounts are allowed for assistive equipment.
- MI: Payment rate for Homes for Aged is \$802.30; Adult Family Care, \$780.50. PNA is the same for both categories.
- MN: Statewide average costs with caps that vary by county.
- MT: Actual rate depends on a scoring of functional needs.
- NE: Rates vary by urban/rural and single/double occupancy.
- NH: Elderly housing with services sites receive \$50 a day; licensed facilities receive \$1,250 a month.
- NY: Payment standards and the PNA varies by groupings of counties.
- NC: Rate varies using a base rate and additional components determined by the combination of ADL needs.
- OH: The SSI payment rate listed is available for individuals who are not enrolled in a Medicaid waiver. The payment standard for waiver participants is \$623 a month.
- RI: A regular waiver and a pilot program are operating. The room and board charge for both programs is set by the facility. The regular waiver pays the difference between \$1,400 and the room and board charge. Room and board is not related to the Medicaid payment under the pilot waiver. SSI beneficiaries participating in the two waivers retain a PNA of \$100. SSI beneficiaries not in the waiver retain a PNA of \$55. Facilities receive one month prospective payment and would hold the unit for the remainder of the month.
- UT: The state covered services in licensed settings through a Medicaid section 1915(a) managed long-term care program prior to the 2006 waiver.
- VT: \$34.25 for residents receiving ACCS; the higher tiers include ACCS and Medicaid waiver services. Room and board of \$623 is allowed in facilities participating in the ACCS program. The SSI rates for Level III and IV are in facilities that do not participate in ACCS.
- WI: Actual rates negotiated by counties. Cap is based on 85% of the cost of nursing facility care. Family supplementation allowed by the state agency; counties set their own policy. PNA amounts are also set by counties. Residents in certified RCACs may qualify for an additional state supplement of \$95.99 if they have exceptional needs.

RESIDENTIAL CARE AND ASSISTED LIVING COMPENDIUM: 2007

Files Available for This Report

REPORT INTRODUCTION (including Cover, Table of Contents, Acknowledgments, and Acronyms)

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SECTION 1. Overview of Residential Care and Assisted Living Policy

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SECTION 2. Comparison of State Policies

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