



### Health & Safety in Assisted Living

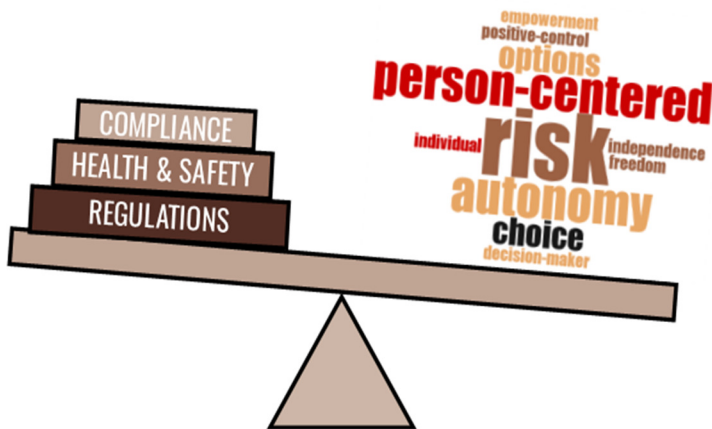
Assisted living (AL) has been at the center of several LTSS discussions recently. The recent GAO Report on Medicaid Assisted Living highlighted concerns regarding health and safety of AL residents. The report noted a need for increased oversight, monitoring, and reporting of health and safety incidents in AL. The report drew a comparison between oversight and reporting in nursing facilities that receive Medicare and Medicaid payments and AL settings. That comparison should be qualified.

The GAO report noted that 48 states reported spending \$10 billion in Medicaid on AL in 2014. However, this is an overwhelmingly private pay market with only 15% of AL residents covered by Medicaid. By contrast, according to the American Health Care Association, 71% of nursing facility costs are covered by Medicare or Medicaid. Commercial insurance and individual private pay covers the other 29%.

Notably, the GAO Report did not reference the 2014 CMS Home and Community Based Services (HCBS) Rule (the "Settings Rule"), which established requirements for home and community-based (HCB) settings where Medicaid HCBS is provided. Assisted living is one such service.

In HCB settings, participants are expected to have the same ability to participate in the larger community as non-Medicaid recipients, and they are assured their rights to privacy, dignity and respect, and autonomy in making life choices. These assurances come with some risks. It is challenging to consider how CMS and states are going to balance the GAO call for increased monitoring and oversight in AL, with the required HCB characteristics of the Settings Rule. Person-centered planning is key to achieving the balance between what is important to a person and what is important for them.

**According to the National Center for Assisted Living (NCAL), 85% of assisted living residents are NOT covered by Medicaid.**



### Health & Safety in Assisted Living - Beyond Compliance

There is a significant opportunity here to re-think what assisted living is and what it might become in the spectrum of "senior living." The GAO report makes valid points about health and safety oversight, but those must be balanced against autonomy, choice and the risks that come with that. Health and safety are worthy outcomes, but so are community integration, autonomy, privacy and dignity. An overly compliance driven focus on health and safety can lead providers to institutional practices. States and providers must focus on all desired outcomes. The struggle between safety and individual autonomy is not a zero sum game.



**Work with Sage Squirrel Consulting to identify challenges and opportunities with Medicaid assisted living in light of the Settings Rule and the GAO report. We can help you balance the need for oversight and monitoring with maintaining home and community based characteristics. These challenges present new opportunities to shape senior living options for a new generation.**