

Board Approves Subcommittee's Recommendations for Hospice in Assisted Living

The Board for Licensing HealthCare Facilities (BLHF) met today and approved the recommendations brought forth from their subcommittee on hospice in assisted-care living facilities (ACLF) and homes for the aged.

At issue has been the fact that many ACLF residents across the state are being forced to leave their homes in the ACLF for nursing home or hospital placement, when they should be able to die in place with hospice services.

The subcommittee three recommendations:

1. Interpret the current law (as found in the ACLF licensure rules: <http://www.state.tn.us/sos/rules/1200/1200-08/1200-08-25.pdf>, section .05 (5)(a) to include transdermal pain patches as meeting the intent of this section, given that these patches were not widely in use when the law was created several years ago.
2. Support legislative action in the next session to remedy this situation to allow hospice patients to remain in ACLFs after they no longer meet the ACLF standards.
3. Allow the ACLF to issue the 30-day notice to discharge/transfer after the two, 21-day medical extensions are exhausted.

Relative to the first recommendation, it is the intent of the BLHF to qualify the patient/resident for the 21-day extension(s) based on the exemptions in this section, allowing the resident to remain in the ACLF after they no longer meet the ACLF standards.

These interpretations were set in place by the BHLF to effectively give the hospice patients up to a 72 day window (21 + 21 + 30) to remain in the facilities. Obviously, it is imperative that hospice continues to work with the ACLF staff during this time to assure that the resident's needs are being met and he/she continues to be appropriate for this level of care.

Also recall the one other important clarification from the October subcommittee meeting: the current ACLF rules do not address *admitting* ACLF residents who have elected hospice. So, under current law, any hospice patient can be admitted or remain in an ACLF as long as they meet the requirements of an "appropriate" resident, as described in 1200-8-25-.05 of the ACLF licensure standards.