

Hawaii

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Licensure Term Assisted Living Facilities

Definition An assisted living facility consists of a building complex offering dwelling units to individuals and services to allow residents to maintain an independent assisted living lifestyle.

Regulatory and Legislative Update The Department of Health, Office of Health Care Assurance (OHCA) licenses assisted living facilities.

There are no recent legislative or regulatory updates that affect assisted living in Hawaii.

Facility Scope of Care The facility must provide: 24-hour on-site direct care staff to meet the needs of the residents; three meals daily, seven days a week, including modified diets and snacks which have been evaluated and approved by a dietician on a semi-annual basis and are appropriate to the residents' needs and choices; laundry services to the extent that the resident is unable to perform these tasks for him or herself; opportunities for individual and group socialization; services to assist the resident in performing all activities of daily living, including bathing, eating, dressing, personal hygiene, grooming, toileting, and ambulation; nursing assessment, health monitoring, and routine nursing tasks, including those which may be delegated to unlicensed assistive personnel by a currently licensed registered nurse under the provisions of the state Board of Nursing; and household services essential for the health and comfort of the resident (e.g. floor cleaning, dusting, bed making, etc.).

The facility must also have the capability to provide or arrange access to the following services: transportation for medical and social appointments; ancillary services for medically related care (e.g., physician, pharmacist, therapy, podiatry, etc.), barber or beauty care services, social or recreational opportunities, and other services necessary to support the resident; services for residents who have behavior problems requiring ongoing staff support, intervention, and supervision; social work services; and maintenance of a personal fund account for residents showing deposits and withdrawals.

Limitations of Services

There are no specific limitations on the admission of residents unless otherwise indicated by restrictions placed through the County Building Department review and/or as determined by the ability of the facility to meet the resident's needs.

Move-in Requirements Including Required Disclosures/Notifications

A resident must receive a written 14-day notice of discharge if his or her behavior imposes an imminent danger to him/herself or others, if the facility cannot meet the resident's needs for services with available support services, services are not available, or the resident or responsible person has a documented established pattern in the facility of not abiding by agreements necessary for assisted living. Residents shall receive a written notice when the facility has had its license revoked, not renewed, or voluntarily surrendered or for nonpayment of charges by the resident.

Resident Assessment Requirements and Frequency

There is no specific resident assessment form required. However, the facility staff must conduct a comprehensive assessment of each resident's needs, plan and implement responsive services, maintain and update resident records as needed, and periodically update the plan. The plan should reflect the assessed needs of the resident and resident choices and should include the resident's level of involvement; support principles of dignity, privacy, choice, individuality, independence, and home-like environment; and should include significant others who participate in the delivery of services. The plan should additionally include a written description of what services will be provided, who will provide the services, when the services will be provided, how often services will be provided, and the expected outcome.

Medication Management

The facility must have medication management policies related to self-medication and the administration of medication. Facilities may provide assistance with self-administration of medications and unlicensed assistive personnel may provide this assistance as delegated by a registered nurse (RN) under state administrative rules Title 16, Chapter 89 Nurses and the National Council of State Boards of Nurses Inc. (NCSBN) Nursing Model Act. Residents who self-medicate with prescription drugs or maintain over-the-counter drugs in their units must have all their medications reviewed by either a registered pharmacist, RN, or physician at least every 90 days. Medications administered by the facility must be reviewed at least once every 90 days by an RN or physician, and in compliance with applicable state law and administrative rules.

Staffing Requirements

Facilities must employ direct care staff and an administrator who is accountable for providing training for all facility staff in the provision of services and principles of assisted living. There are

no required staffing ratios. All staff must be in compliance with current department tuberculosis clearance procedures. All staff must be trained in cardiopulmonary resuscitation and first aid. Licensed nursing staff must be available seven days a week to meet the care management and monitoring needs of the residents. Facilities must make arrangements for an RN to conduct resident assessments and to train and supervise staff.

**Administrator/Director
Education and Training
Requirements**

The administrator or director must have at least two years of experience in a management capacity in the housing, health care services, or personal care industries. The completion of an assisted living facility administrator's course or course equivalent is required.

**Direct Care Staff Education
and Training Requirements**

All facility staff must complete orientation on the philosophy, organization, practice, and goals of assisted living. Additionally, a minimum of six hours annually of regularly scheduled in-service training is required, and all staff must be trained in CPR and first aid.

Licensed registered nurses and licensed practical nurses must complete continuing competency requirements as defined by the Hawaii State Board of Nursing prior to the renewal of their license.

Quality Requirements

There are no specific quality requirements detailed.

**Infection Control
Requirements**

Regulations require facilities to establish policies and procedures to maintain a system of records and reports which shall include a copy of a current physician or primary care provider's report of resident's physical examination which includes tuberculosis clearance and verification that the resident is free from other infectious or contagious diseases.

**Emergency Preparedness
Requirements**

There shall be written policies and procedures to following an emergency which shall include provisions for the following:

- (1) Arranging for rapid primary care provider attention or arranging for other available assistance;
- (2) Transportation arrangements for hospitalization or other services which are appropriate;
- (3) Maintenance of an appropriate first aid kit for emergency use; and
- (4) Quarterly rehearsal of emergency evacuation plans for staff and residents to follow in case of fire, explosion, or other civil emergency occurring in or within the environs of the facility.

The facility shall develop and maintain a written disaster preparedness plan to be followed in case of emergency or disaster. A copy of the plan shall be

readily available at all times within the facility. The plan shall include procedures for evacuating all individuals in the facility, to include the following:

- (1) Provisions for evacuating residents with impaired mobility or cognitive impairments;
- (2) Provisions for transporting all of the residents of the facility to a predetermined appropriate facility or facilities that will accommodate all the residents of the facility in case of a disaster requiring evacuation of the facility; and
- (3) A written transfer agreement, renewed every two years, with the appropriate facility or facilities for accommodating all of the residents of the facility in case of a disaster requiring evacuation of the facility.

Life Safety Requirements

Facilities must meet requirements set forth by state and county building occupancy and fire codes, as per the International Building Code and the National Fire Protection Association, respectively. The level of compliance for fire rating is determined by both the number of residents occupying a facility and whether residents are ambulatory, self-preserving, or wheelchair bound. All counties are currently adopting International Building Code standards, and county fire authorities are reviewing their respective fire codes in an effort to be consistent.

Medicaid Policy and Reimbursement

Hawaii has a Medicaid Home and Community Based Services waiver program through the Hawaii Section 1115 Demonstration Waiver Program called QUEST Integration. This is a managed care program that provides opportunity for those assisted living facilities that have entered into an agreement with Hawaii's Department of Human Services to be reimbursed for services provided to a Medicaid eligible resident.

Citations

Hawaii State Department of Health. (1999). *Hawaii Administrative Rules, Title 11, Chapter 90: Assisted Living Facility*. Hawaii State Department of Health. <http://health.hawaii.gov/opppd/files/2015/06/11-90.pdf>

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State of Hawaii Department of Commerce and Consumer Affairs. (2018). *Hawaii Administrative Rules, Title 16, Chapter 89: Nurses*. State of Hawaii Department of Commerce and Consumer Affairs. <https://cca.hawaii.gov/pvl/files/2013/08/HAR-89-C.pdf>

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