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First Assisted Living Green House Opens

The nation's first assisted living Green House opened in Raymond, Miss., on the campus of Riggs Manor Retirement Community.

It opened with little fanfare, but is operated by Mississippi Methodist Senior Services, the same trailblazing organization that built the nation's first nursing facility Green House in Tupelo in 2003. The nonprofit group opens a second assisted living Green House on the Raymond campus this month.

Riggs Retirement Community garnered landmark status for being first; however, more assisted living projects will follow soon. A project in Bentonville, Ark., is currently under way and is part of a national program operated by the National Cooperative Bank Development Corp. (NCBDC), Washington, D.C.

Last October, the Robert Wood Johnson Foundation awarded NCBDC a five-year, \$10.2 million grant to administer the Green House Project Rapid Replication Initiative, which seeks to build skilled nursing and assisted living Green Houses in all 50 states.

The Rapid Replication Initiative's director is Robert Jenkins, who is also deputy director of NCBDC's Coming Home, a program that develops affordable assisted living facilities.

The Green House is a holistic philosophy for long term care developed by William Thomas, MD, a Harvard-educated geriatrician who believes that long term care facilities should combat loneliness, helplessness, and boredom. Thomas also developed the Eden Alternative, which helps preexisting long term care facilities adopt facets of the Green House philosophy, such as culture change.

Some buildings don't lend themselves to fully implementing the Green House philosophy, Jenkins said. Organizations interested in the initiative's assisted living program will be required to

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House Bill Seeks To Eliminate Part D Co-Pays

Rep. Jim Ramstad (R-Minn.) has introduced a bill that seeks to eliminate Part D co-pays for individuals who are eligible for Medicare and Medicaid and receiving services from assisted living, group homes for people with developmental disabilities, and other settings under Medicaid home- and community-based service waivers.

"Having a companion bill in the House is a significant step forward in working toward enactment of this legislation."

—David Kylo, NCAL executive director

Ramstad's bill (HR 5907) is identical to Senate bill S 2409 introduced by Sen. Gordon Smith (R-Ore.) this past March. During the American Health Care Association/ National Center for Assisted Living (AHCA/NCAL) Congressional Briefing, held in Washington, D.C., members from AHCA/NCAL's Minnesota affiliate (Care Providers of Minnesota) asked Rep. Ramstad and other representatives to introduce and support similar legislation in the House.

"Having a companion bill in the House is a significant step forward in working toward enactment of this legislation," says David Kylo, NCAL's executive director. "We thank Rep. Ramstad for showing his leadership on an issue of great importance to low-income assisted living residents."

While the Medicare Modernization Act eliminated co-pays for dual eligibles in skilled nursing facilities, the law does not exempt dual eligibles in assisted living or other types of licensed residential care facilities from co-pays.

Inside Focus

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Assisted Living Green House Opens In Mississippi

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incorporate all the core elements of the Green House.

The Assisted Living Green House at Riggs Manor Retirement Community is not part of the initiative, but the building and the organization will help future projects, as the Raymond facility is the site of an upcoming training for the Rapid Replication Initiative.

“The Mississippi Methodist Senior Services organization is a major partner in the Green House Project,” Jenkens says. The organization’s practical experience will be extremely valuable to those organizations working to build their own projects, he adds.

Aging-In-Place Model

The Rapid Replication initiative also promises to further the aging-in-place model. Jenkens said interested organizations would have to build facilities in states with regulations that allow assisted living facilities to care for increasingly frail elderly. The goal is that assisted living Green Houses would be capable of caring for residents as their needs increase, thereby avoiding a transfer into another facility. Jenkens says, “This is where the assisted living marketplace is headed.”

Green House Floor Plan

Richard McCarty is the architect for the assisted living Green House at Riggs Retirement Community. Its blueprint will serve as the plan for other assisted living Green Houses in other states, says Jenkens.

McCarty runs his own firm in Tupelo, and he was also the architect of the Mississippi Methodist Senior Service skilled nursing Green House in Tupelo.

McCarty designed the 6,500-square-foot assisted living Green House at the Riggs Manor Community to house 10 residents, each with a private bedroom and private bath. The plan

avoids long halls. Each bedroom opens to the “hearth” of the facility, a large open living room with a fireplace.

The open kitchen contains a breakfast bar, a specially designed cabinet to allow residents to participate in meal preparation, and one main dining table capable of seating 12 people.

A picture window allows residents to see outdoors onto the porch filled with rocking chairs. A white fence contains a small grassy area similar to a backyard with flowers. The interiors are decorated by the residents.

The Raymond facility opened in mid July and filled up in a couple of weeks.

After touring the home, one resident’s daughter shed tears of joy as she expressed her satisfaction to Executive Director Kay Higginbotham.

“She said, ‘I just can’t believe it’s such a wonderful place. It is where I want my mother to be. It’s the place you can call home,’” Higginbotham said.

Shahbaz

Seven employees staff the facility through self-management teams. The *Green House, Continued on page 6*

The goal is that assisted living Green Houses would be capable of caring for residents as their needs increase, thereby avoiding a transfer into another facility.

Brookdale Continues Buying Spree After Acquisition Of American Retirement

Chicago-based Brookdale Senior Living recently completed its acquisition of American Retirement Corp., Brentwood, Tenn., for \$1.2 billion, or \$33 per share, creating the largest seniors housing company in the nation, the company said.

At the close of the acquisition, American Retirement’s stock was delisted from the New York Stock Exchange.

The combined company will operate more than 530 facilities in 33 states with a resident capacity of more than 50,000. It will operate 97 independent living facilities, 409 assisted living facilities, 27 continuing care retirement communities, and three skilled nursing facilities.

Brookdale financed the acquisition through a sale of more than 22 million public shares, at \$39.50 per share, that netted about \$675.5 million. An unnamed affiliate of Fortress Investment Group underwrote another \$650 million for the sale.

Shortly after announcing the closing of American Retirement, Brookdale announced the acquisition of properties and leases from American Senior Living, a privately held company headquartered in Naples, Fla., for \$51.1 million.

The acquisition of five owned and five leasehold facilities added 10 facilities with a capacity of 854 units/beds.



Study Looks At Negotiated Risk Agreement In Assisted Living

Negotiated risk agreements (NRAs)—a tool used by assisted living providers to negotiate a balance between safety obligations and a resident's desire for autonomy—are employed infrequently and rarely include liability waivers, according to a recent study prepared for the Department of Health and Human Services.

Opponents of NRAs believe that assisted living providers use the agreements to absolve legal liability if a resident suffers from inadequate care. The study found providers rarely include the blanket liability waiver in the agreement.

"None of the NRAs we reviewed supported the view that providers are using NRAs exclusively as a liability 'dodge' to allow them to admit and keep

residents beyond the facility's capacity to care for them—or for poor quality care," according to the study.

The study also found that:

- Proponents view NRAs as a tool for encouraging providers to respect residents' preferences and choices by reducing risk through discussion and documentation of agreements reached.
- Opponents of NRAs view them primarily as a way for providers to dodge liability for inadequate care and negligence.
- Fifteen states reference NRAs or similar concepts in their assisted living regulations.
- Liability waivers in an NRA will be very difficult to enforce.
- NRAs cannot trump state admission or discharge requirements, unless

state regulations or law specifically allow them to serve as an exceptions process, as they do in two states.

Most experts do not believe that NRAs that include waivers provide any more liability protection than those without them. In addition, there is no case law testing the enforceability of liability waivers.

However, the experts did find that "some standardized NRAs were overly broad and inappropriate for persons with cognitive impairment. For example, one facility had a standard NRA form that included a statement that a resident accepts responsibility for "risk of injury due to wandering."

Researchers did solicit experts' opinions on which types of behavior could

Study, continued on page 4



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Sunrise Releases Preliminary 2nd Quarter Figures, Continues Review To Restate Earnings

Sunrise Senior Living has released preliminary second-quarter financial data in anticipation of a completed accounting review that could reduce the McLean, Va.-based company's net earnings up to \$110 million.

During the second quarter of 2006, Sunrise's revenue from management increased 12 percent, to \$538 million, from the same quarter in 2005. The company attributes its growth to nine new developed communities, increased occupancy of 3 percentage points, and increased average daily rates in its existing operations by 4.5 percent.

The company had reported it would delay filing its second-quarter results because of an accounting review that will restate its financial reports for 2003, 2004, and 2005, thereby reducing its net income between \$60 and \$110 million, the company said. Sunrise expects to recoup those losses in 2006 and

2007, according to Chairman and Chief Executive Officer Paul Klaassen, who said that the company's decision to issue restatements arose from new accounting techniques that recently emerged for real estate ventures.

At press time, Sunrise and its auditor, Ernst & Young, were still reviewing the timing of the company's income recognition associated with the real estate sales.

Company officials would not commit to a completion date. Company officials reiterated that the losses would not interfere with cash flow, and the announcement did not lower stock prices. Sunrise reported benefiting from its highest lev-

els of cash on hand, in excess of \$250 million, and its lowest debt levels in more than 10 years.

The accounting review is in its final stages, but company officials would not commit to a completion date.

In August, Sunrise announced its plans to expand into hospice care. Sunrise will acquire Dallas-based Trinity Hospice for \$68 million. Trinity will become a wholly owned subsidiary of Sunrise.

Emeritus Acquires 100-Unit ALF

Emeritus Assisted Living, Seattle, has acquired Arbor Place at Silverlake, a 100-unit assisted living community located in Everett, Wash.

The company also plans to expand three of its properties located in Augusta, Kan.; Colorado Springs, Colo.; and Ridgeland, Miss., to increase capacity by a total of 75 units.

Negotiated Risk Agreements

Study, continued from page 3

be included in an NRA. About one-third of the experts said that any risky behavior that residents could pursue in their own home would be appropriate for an NRA. Most experts said that an NRA would be appropriate in cases where a resident refused to use a walker even though the resident's physician and physical therapist had said there was a high risk of falling without it.

Conversely, some experts identified behaviors inappropriate for inclusion in an NRA. Many experts believed that NRAs were inappropriate for allowing residents to remain in a facility if they could no longer meet regulatory discharge requirements. Slightly less than

half of the experts said residents should be able to remain under certain circumstances.

For example, states requiring that residents be able to self-evacuate might issue a waiver allowing a person to stay, if the facility could demonstrate that staff could evacuate that person.

"The real value of negotiated risk agreements to residents and providers may be as a formalized communication tool, particularly helpful for difficult discussions between staff, residents, and families," according to the study.

Researchers conducted a review of statutes, regulations, and case law for all 50 states and the District of Columbia. They also held discussions with experts

and key stakeholders, and interviews with staff and residents at seven assisted living facilities in three states—Florida, Oregon, and Wisconsin.

The researchers found that 14 states (Alaska, Arkansas, Delaware, Florida, Hawaii, Illinois, Iowa, New Jersey, Ohio, Oklahoma, Oregon, Vermont, Washington, and Wisconsin) and the District of Columbia have NRA provisions in their laws or regulations. Wisconsin is the only state that requires everyone entering a residential care apartment complex, a specific type of assisted living facility, to have an NRA upon admission. No state explicitly prohibits the use of NRAs, although several place restrictions on them.



Architect Studies Factors Influencing Residents' Desire To Go Outside

What makes your residents decide to go outdoors? What makes an outdoor gathering place or walking trail attractive to residents?

These are questions Susan Rodiek, Ph.D., a certified architect and associate director of Texas A&M University's Center for Health Systems and Design, has been studying for the past nine years. Research indicates that being outdoors has a restorative effect on seniors; however, she found that facility design can often stop seniors from going outside, leading to underutilization.

Her research found that while established assisted living communities spent a lot of money on beautiful gazebos and ponds, the residents aren't going outside to use them.

Rodiek's latest study examined assist-

ed living residents' perceptions of what elements are necessary to encourage outdoor activity. Using doctored photographs, her research asked 133 residents of 14 quality assisted living facilities to choose the preferable outdoor area scene. The residents were shown photographs containing existing outdoor features such as walkways, gazebos, or ponds. Comparison photos of the same scene would include an element that would make it easier for residents to use or make it more attractive to them.

Typically, the residents preferred the photographs that contained increased accessibility and ease of use, such as a paved walkway, or that offered more comfort such as shade created by a tree or awning and a lot of seating areas

around the walkways. She found that residents were drawn to scenery with lots of greenery provided by trees, shrubs, and bushes.

"Most of it sounds like common sense, but I've seen lots of facilities that have beautiful gazebos and ponds that are not used by the assisted living residents. We need to take more care about the design," she said.

Applying the research findings to real life, Rodiek makes the following suggestions to facilities.

Of those facilities that already had outdoor areas, she found that facilities had walks that had settled or paths without shade or benches, making them difficult to navigate for those who use a walker or wheelchair. She said a rocky

Architect, continued on page 6



Architect Studies Factors Influencing Residents' Desire To Go Outside

Architect, continued from page 5

or overgrown pathway would discourage a resident because pathways overgrown by grass or with settled pavement are difficult to navigate with a cane, a wheelchair, or a walker.

For those seniors who can't walk far, placing benches at easy-to-reach distances will encourage use. "When seniors need to sit, they need to sit down immediately," Rodiek said. In addition, seniors are more sensitive to outdoor conditions. "Seniors are more susceptible to outdoor conditions such as wind, snow, and heat," she said.

In light of those sensitivities, residents preferred pathways with lots of overhead shade created by trees and shrubs or an awning over a door.

Residents also wanted to be able to see the outdoors before they went outside, so facility doors leading to outside could be surrounded with windows to allow residents to preview the weather

before they venture outside. Pathways, patios, or gazebos should be within sight of the facility.

"Older people want to stay in contact with the facility. Most of them like to see the interior, which makes them feel safe, so that if something happens to them someone in the facility will see them," she says.

While residents wish to stay connected to the facility, they also wanted the ability to view vistas along the pathway that goes beyond the facility.

Rodiek's research will be published in upcoming peer-reviewed journals. She's currently creating a multimedia CD to instruct providers how to make simple changes to facilities to encourage residents to go outside.

"They really just go outside to feel young," Rodiek said. "My biggest surprise in my nine years of researching this topic was how great an interest there was in going outside."

Assisted Living Green House Opens

Green House, continued from page 2

employees are called "shahbaz"—a Persian word for royal falcon that protects, sustains and nurture. They underwent 120 hours of training to become certified in Green House care.

The Shahbazim (plural) take care of the elders, cook, clean, and do laundry. They develop activities with residents of the home.

The team meets once a week to determine how best to meet the residents' needs. Two people work during the day, two work the evening shift, and one person works overnight.

"It's exciting to be on the cutting

edge of assisted living care. We will be able to keep residents longer and provide them with a better quality of life," says Higginbotham.

The Green House Project Rapid Replication Initiative provides technical assistance in financing, development, and operations of the building. Interested organizations must apply and attend a daylong seminar. Organizations are given a financial feasibility kit. They must then file an application and wait for an acceptance notification.

For more information, visit www.thegreenhouseproject.org.

Common Fixes To Encourage Resident Usage of Outdoors

The most common solutions to increasing outdoor usage are:

1. Make sure pathways are maintained so that surfaces are easy to navigate, especially for those using wheelchairs or walkers. Make sure pathways are wide enough and clear of obstacles. At one facility, a walkway to a landscaped area wasn't being used by residents because car bumpers were blocking the walkways.

2. Locate a patio near the facility's front door or toward the front of the building, and surround it with hedges and some shade trees to provide privacy while allowing a view of the front door so that residents can see the comings and goings of visitors.

3. Replace doors at the end of hallways with French doors that are surrounded by windows. Place some benches or chairs inside the door to encourage lingering and looking outside.

4. Use mostly green trees and shrubs with some flowering plants to provide shade. Place benches every few feet so that residents who need to sit down don't have far to go. Many seniors indicated trees stimulated memories, and they enjoyed seeing and hearing the birds.

5. Increase the use of natural elements to create shade. Avoid the overuse of umbrellas and other man-made materials as they have less restorative value.

For more information, contact Susan Rodiek at Center for Health Systems and Design, College of Architecture, Texas A&M University, (979) 862-2234.

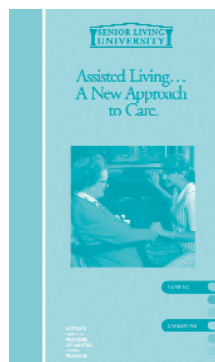


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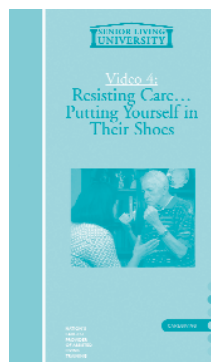
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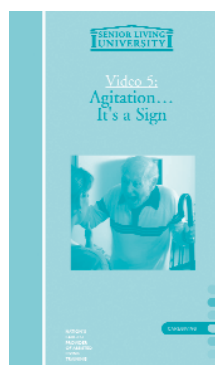
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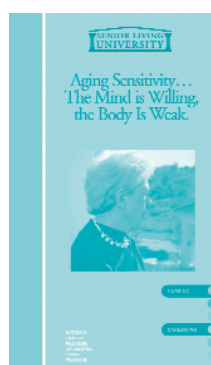
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This look at the physical and emotional realities of aging, featuring candid interviews with seniors, gives caregivers a deeper understanding of the aging process.

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LuMarie Polivka-West, senior director of the Florida Health Care Association's (FHCA) Quality Credentialing Foundation, was named the recipient of the 2006 Walter M. Johnson Jr. Circle of Excellence Award—the association's highest honor. During her 14-year tenure at FHCA, she has held many key roles among FHCA's training and professional development efforts, and in ensuring that the survey process is consistent. The award is presented to an FHCA member who has made significant contributions during the past year but who also has been a supporter of FHCA through the years.

Village on the Isle President and Chief Executive Officer **Tom Kelly** was recently elected president of the Florida Center for Assisted Living (FCAL). He had been serving in the position by appointment when FCAL was relaunched in December. **Shelly**

Craddock of The Inn at Freedom Square, located in Seminole, was elected FCAL vice president. Craddock was also the recipient of the 2006 FCAL Assisted Living Facility Administrator of the Year.

Marilyn Jacobs of Mark Manor, in Venice, Fla., was elected FCAL secretary.

Samuel Lee Ross has been named chief executive officer of Bon Secours Health System of Marriottsville, Md. Bon Secours is a nonprofit Catholic health system that has 20 acute care, six long term care, and six assisted and independent living communities.

The Tennessee Health Care Association (THCA) Board of Directors has named **Ron Taylor** its new executive director. Taylor previously was THCA's director of government relations for 28 years. In addition, he served a stint as interim executive director four years ago.

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