



Empire State Association of Assisted Living  
646 Plank Road, Suite 207, Clifton Park, NY 12065  
P: 518-371-2573 • F: 518-371-3774 • W: www.esaal.org

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## 2010 Advocacy Plan

- **ESAAL will push for continued improvements to ALR operations so that they achieve the goals set by the Legislature, and supported by ESAAL:** In 2010 ESAAL will continue its leadership role for Assisted Living Residences by advocating for additional reforms to the regulatory and paperwork processes so that the program is workable, affordable for both providers and residents, and ensures that unlicensed “lookalike” facilities are compelled to obtain licensure. Additionally, we will develop template policies and procedures for ALR/EALR/SNALR providers to assist them with regulatory compliance and quality improvement.
- **ESAAL will continue to represent the Adult Care Facility/Assisted Living Residence industry with regard to the Disability Advocates court decision, as the State either appeals or implements the court ordered plan to create alternative housing for certain current and prospective adult home residents.** This court decision and the State’s response will have significant and lasting impact on the operation of Adult Care Facilities and Assisted Living Residences for years to come. *This is one of the most critical issues facing our members today, and our Association will dedicate whatever resources necessary to ensure that assisted living remains accessible for all New Yorkers that want it. We will not sit on the sidelines and allow other stakeholders to determine your future.*
- **ESAAL will advocate for ALP members with the Office of Medicaid Inspector General (OMIG) as their audit of the programs expands:** We will continue to meet with OMIG to educate them about the operational components of the ALP, and assist members as they undergo both on-site and off-site audits, and respond to the agency’s findings.
- **ESAAL will advocate for continued funding for ACFs, and proactively seek changes to the ALR law to better define the parameters as to whom must obtain a license, as well as allowing for direct admission to the Enhanced ALR from the outer community.** With the State’s very difficult financial situation, in 2010 we will need to be persistent and consistent in order to preserve the funding directed to ACF providers that save the system millions of dollars by keeping people in this cost effective level of care. In addition, in 2009 our members clearly identified the need to allow for direct admissions into the EALR, and for the state to pursue unlicensed senior housing that looks like the licensed ACF or ALR, but is skirting the law/regulation in order to avoid licensure. We believe that the Legislature intended to achieve both of these goals in its original legislation, and will seek clarification of the law to ensure that they are met.

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- **ESAAL will continue to empower and activate its committees in their advisory roles to our Board of Directors, including the newly formed committee of our non-profit members:** ESAAL's Assisted Living Program (ALP), Assisted Living Services, and Public Relations Committees have been providing meaningful input to assist our Board in developing policy and action plans on many issues affecting your daily operations. We will continue to activate and empower these committees, and in 2010 will add our new Non-Profit Committee to our decision-making framework.
- **ESAAL will continue its education campaign so that all long-term care stakeholders understand the various assisted living models in New York State:** There is a growing need for continuing education about our industry. In the past, we have targeted each county's New York Connects professionals, NYS legislators, local planning and zoning boards, the general public, and hospitals. In 2010 we will continue with ongoing education for these stakeholders with special emphasis on physicians.
- **ESAAL will advocate for clarification and any necessary changes to the Assisted Living Program (ALP):** Under the direction of our ALP Committee, in December 2009 we began a comparison of the standards for the various regulations to which ALPs are held, including those for adult homes/enriched housing; licensed home care services agencies (LHCSA), personal care program (part 505.14), and ALP (part 494). Our goal is to identify potential conflicts in the various regulations and to administratively and legislatively advocate for clarification that effects reasonable and cost effective implementation.