

Information about Adult Care Facilities and Assisted Living Residences



An Informational Resource for NY Connects Professionals Prepared by The Empire State Association of Assisted Living



Table of Contents

1. **Assisted Living Defined**
2. **The Three Models of Assisted Living**
3. **The Similarities and Differences Among the Three Assisted Living Models**
The Difference Between Assisted Living and Nursing Homes
4. **Paying for Assisted Living**
5. **Admission/Discharge Criteria**
6. **Exceptions to the Admission/Discharge Criteria - Assisted Living Program (ALP)**
7. **Exceptions to the Admission/Discharge Criteria - Enhanced Assisted Living Residence (EALR)**
8. **Accommodating People with Alzheimer's Disease and Other Cognitive Impairment**
9. **Assisted Living Licensing and Regulation**
Other Services
Additional Information

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Assisted Living Defined

Assisted living is a general term that is used across the United States to describe a residence for seniors where assistance is provided, as needed, with activities of daily living, such as bathing, dressing, grooming, ordering and taking medications, and making doctors' appointments. Additionally, meals, snacks, housekeeping and laundry services are provided. The goal is to provide each person living in these residences with considerate and respectful care, and to promote their dignity, independence, privacy and safety in a comfortable, residential setting.



The Three Models of Assisted Living

ADULT HOME

An adult home is a New York State-licensed **Adult Care Facility** that offers long-term, supportive residential care, including a private or semi-private room, all meals and snacks, housekeeping, laundry, 24-hour supervision, assistance with the self-administration of medications, personal care assistance, case management services, and structured activity programs.

ENRICHED HOUSING PROGRAM

An enriched housing program is a New York State-licensed **Adult Care Facility** that provides long-term residential care to adults, including an individual apartment, some meals, housekeeping, laundry, some supervision, assistance with the self-administration of medications, personal care assistance, case management services and structured activity programs.

ASSISTED LIVING RESIDENCE

Any adult home or enriched housing program that represents itself as offering **assisted living services** must obtain an Assisted Living Residence license as well. An Assisted Living Residence is specifically defined in law as an entity that provides or arranges for housing, on-site monitoring, and personal care and/or home care services in a home-like setting to five or more adult residents. Daily food service, 24-hour on-site monitoring, case management services and the development of an individualized service plan for each resident are provided.



The Similarities and Differences Among the Three Assisted Living Models

All of New York's three assisted living models (adult homes, enriched housing programs, assisted living residences) serve the same type of residents and provide substantially similar services. Resident rooms vary among facilities; however enriched housing programs generally provide apartment-style living and adult homes provide private or semi-private rooms without kitchens. The law requires that enriched housing programs provide only some supervision and some meals; however, most providers elect to provide 24-hour supervision and all meals like their adult home counterparts.

The Difference Between Assisted Living and Nursing Homes

Generally, residents of adult homes, enriched housing programs and assisted living residences do not have medical conditions that require 24-hour, on-site skilled nursing or other medical staff. Rather, they need assistance with personal care tasks, such as bathing, dressing, ordering and preparing medication, and arranging medical appointments. In all three models, providers routinely assist residents in accessing nursing and other health care services from community home care agencies, under the direction of the resident's physician, for chronic, stable conditions.

In contrast, nursing homes serve residents who need 24-hour skilled nursing care. This need is often due to acute or unstable medical conditions that require the constant presence of medical personnel, like nurses or doctors, to make medical judgments or interventions.



Paying For Assisted Living

INDIVIDUAL PRIVATE PAY

People may use their personal funds to pay for the housing and services provided. Charges vary across residences. The amount can range from one thousand to several thousand dollars per month.

SUPPLEMENTAL SECURITY INCOME (SSI)

For those that qualify based on income and assets, Congregate Care Level III SSI will pay for base-rate adult home and enriched housing program services. Some providers, but not all, will accept SSI as payment in full.

There are a number of aging-in-place programs in adult homes/enriched housing programs/assisted living residences. A limited number of residences are licensed to operate an Assisted Living Program, which provides Medicaid funding for eligible residents that would otherwise reside in a nursing home. For the Enhanced and Special Needs Assisted Living Residences, the only payment options are a person's individual funds and/or a long term care insurance policy. *(Refer to pages 6-8 for more details.)*

LONG TERM CARE INSURANCE

Most long term care insurance policies include an assisted living benefit, either directly or through a home health care benefit. Insurance policies vary as to the amount of coverage, and the conditions that the policy holder must meet in order to access the benefit. Individuals with long term care insurance coverage are encouraged to review their policy for details.



Admission/Discharge Criteria

In general, individuals may live in an adult home, enriched housing program, or assisted living residence if they:

- have needs that can be safely met;
- do not have a medical condition that requires 24-hour skilled nursing or medical care;
- are not a danger to themselves or others;
- do not chronically need the assistance of another person to walk, transfer, descend stairs or operate medical equipment. *Note: this requirement does not apply if the assisted living residence is additionally certified as an **Enhanced Assisted Living Residence**, and other conditions are met. (Refer to page 7 for more detail.)*

The above requirements are referred to as **admission/retention criteria**. Individuals that live in an adult home, enriched housing program or assisted living residence that no longer meet the admission/retention criteria must move to a more appropriate setting, such as a nursing home. Should the need to relocate arise, New York State law and regulation requires that the adult home/enriched housing/assisted living residence provider assist the individual and their family, as needed and requested, to find an appropriate and safe alternative living arrangement.



Exceptions to the Admission/Discharge Criteria - Assisted Living Program (ALP)

There are two programs that allow an assisted living provider to accommodate a resident that can no longer walk, transfer, descend stairs, or operate medical equipment without the assistance of another person. These “aging-in-place” programs are available in some adult homes, enriched housing programs and assisted living residences that have received additional licensure or certification from the New York State Department of Health (DOH) to accommodate people with increased frailties.

ASSISTED LIVING PROGRAM (ALP)

Approximately 60 of the 500 licensed adult homes and enriched housing programs in New York State have an additional license referred to as the Assisted Living Program. This program allows for **Medicaid-funded** nursing, home care and personal care for residents that require services above and beyond what is typically provided in the adult home or enriched housing program. The program is an alternative to nursing home care, allowing individuals that would otherwise relocate to a nursing home to instead receive home health care services in the adult home or enriched housing program. This program is not available in all adult homes and enriched housing programs. Only those adult homes or enriched housing programs with **Assisted Living Program designated beds** can accommodate residents that need Medicaid funding to help them pay for aging-in-place services. When exploring Medicaid-funded options in assisted living, consumers are advised to inquire specifically as to whether the adult home or enriched housing program has Assisted Living Program beds.



Exceptions to the Admission/Discharge Criteria - Enhanced Assisted Living Residence (EALR)

ENHANCED ASSISTED LIVING RESIDENCE (EALR) CERTIFICATION

There is a new DOH certification that an assisted living residence may obtain in order to serve individuals that no longer meet the admission/retention criteria for the adult home/enriched housing program/assisted living residence. Similar to the Assisted Living Program, the Enhanced certification allows for individuals to live in the assisted living residence even if they need another person to assist them to walk, transfer, descend stairs, or operate medical equipment. In some cases, the Enhanced certification also authorizes the assisted living provider to use their own licensed or registered nurse staff to provide nursing services. **Currently, there is no public assistance funding (i.e. Medicaid) available to help consumers pay for Enhanced Assisted Living services.** However, DOH is working with assisted living stakeholders, including the Empire State Association of Assisted Living, to make recommendations for a Medicaid-funded model for licensed Enhanced Assisted Living Residences.



Accommodating People with Alzheimer's Disease And Other Cognitive Impairment

Most adult homes/enriched housing programs/assisted living residences can safely accommodate individuals in the early stages of dementia or Alzheimer's Disease. These individuals are integrated into, and part of, the general population and receive the general supervision, personal care assistance, and structured activity programs that are typically provided at this level of care.

However, as Alzheimer's or dementia progresses, individuals may develop the need for more specialized services and more intense supervision because they have the tendency to wander, are less able to receive direction, and require more frequent cueing or one-on-one assistance from other people in order to keep them safe and healthy. At that point, their physician may determine that they should live in a secured environment specifically designed to serve people with more advanced stages of the disease.

In those cases, New York State law requires that any assisted living residence offering a secured environment for people with Alzheimer's or other dementia obtain an additional certification, referred to as a **Special Needs Assisted Living Residence (SNALR) certification**. Unfortunately, as is the case with the Enhanced Assisted Living option, **there is no public assistance funding (i.e. Medicaid) available to help consumers pay for a secured dementia unit/Special Needs Assisted Living Residence**. The Special Needs option is only available to those individuals with their own financial resources to pay.



Assisted Living Licensing And Regulation

The New York State Department of Health licenses, certifies and regulates these residences. All of the 500+ licensed residences across New York State are subject to unannounced, on-site surveys by DOH personnel, and other regulatory enforcement measures, on an ongoing basis. Consumers should always inquire as to whether residences referring to themselves as “assisted living” or as providing assisted living-like services, are licensed by the New York State Department of Health.

Other Services

Some residences also have permission from the Department of Health to provide **respite services** and **social day care programming** for seniors. Services may vary from facility to facility - consumers should be encouraged to ask whether the residence they are researching offers these services.

Additional Information

For more information about Empire State Association of Assisted Living members and the assisted living services each residence offers, visit our website at www.esaal.org. Click on Member Directory for a listing of our members, and Consumer Corner for more general information on assisted living. You may also visit the NYS Department of Health’s website at www.health.state.ny.us, and choose Hospitals, nursing homes and other health care facilities on the right hand side of the home page, under Site Contents.



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