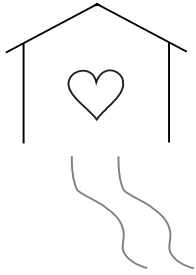


RESIDENTIAL CARE



RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

FREQUENTLY ASKED QUESTIONS

Residential Care Facilities for the Elderly (RCFEs) – sometimes called “Assisted Living” (e.g., 16+ beds) or “Board and Care” (e.g., 4 to 6 beds) – are non-medical facilities that provide room, meals, housekeeping, supervision, storage and distribution of medication, and personal care assistance with basic activities like hygiene, dressing, eating, bathing and transferring. RCFE care is one of the fastest growing components of long term care, and consumer questions about RCFEs are increasing. Following are some of the most frequently asked questions.

Can facilities charge a pre-admission fee?

Yes. Some providers charge nothing or a minimum amount to cover costs of conducting an assessment, obtaining medical records and setting up files. Others charge fees of thousands of dollars. Demand a written description of what the fees cover. Negotiate the amount if too high, or look for another facility. Facilities are prohibited from charging security deposits.

(Refer to RCFE Fact Sheet—[Admission Agreements](#))

What are the average monthly costs for RCFE care?

The average monthly cost is \$3,500 but could be as high as \$5,000 to \$6,000 depending on accommodations (e.g., private or shared room), geographic area, level of care need, special care services for dementia and hospice.

(Refer to RCFE Fact Sheet—[Admission Agreements](#))

Will Medicare or Medi-Cal pay?

No. Because these are not *medical* facilities, neither Medicare nor Medi-Cal pays directly for the residential care/assisted living. There is an experiment in only three counties (L.A., Sacramento, San Joaquin) - the Assisted Living Waiver Pilot Project – to use Medi-Cal to pay for residents assessed to need nursing home level care.

(Refer to RCFE Fact Sheet—[Assisted Living Waiver Pilot Project \(ALWPP\)](#))

Is there a limit on how much facility’s can raise private pay rates?

No. Since residential care is a private business, providers will charge what the market will bear. However, facilities must issue 60-day notices to increase rates but can raise charges for level of care changes immediately and provide notice within 2 working days.

(Refer to RCFE Fact Sheet—[Admission Agreements](#))

FREQUENTLY ASKED QUESTIONS

What if my medical needs increase, can I stay?

Maybe. Since residential care is not licensed as a “medical” facility, persons requiring tube feeding, treatment of open bedsores or in need of 24-hour nursing care are not permitted in RCFEs. However, some RCFEs have permission to care for persons on hospice.

My loved one has dementia. Can he receive care in a RCFE?

Yes. Some RCFEs specialize in dementia care. Such facilities need to meet certain requirements including training for staff and administrators. Ask about the facility’s philosophy of dementia care, and the qualifications of staff and their training program.

(Refer to RCFE Fact Sheet—Dementia Care Checklist)

What are the qualifications for staff?

Minimal Training: *Administrators* must take a 40-hour certification program, pass a simple state exam, and obtain 40 hours of continuing education every two years. *Staff* must receive at least 10 hours of training at the facility within 4 weeks of employment, and at least 4 hours annually thereafter. For facilities advertising dementia care, 6 hours of orientation specific to dementia care within the first 4 weeks, and at least 8 hours annually of in-service training.

Minimal Qualifications: *Administrators* must be 21 years of age and possess a high school diploma or equivalent for facilities of 15 beds or less – these comprise over 80% of all RCFEs. For facilities of 16 to 49 beds, the administrator needs 15 college credits; and for facilities of 50+ beds, 2 years of college or 3 years experience, or equivalent education and experience. *Staff* must only be 18 years of age and pass the criminal background check. Note: Because RCFEs are non-medical facilities, there is no requirement for RNs, LVNs or CNAs or any medically-trained personnel. Check on the qualifications of the administrator and key staff.

Are there staff ratios?

There isn’t any specific staff to resident ratio for assisted living/residential care facilities. Regulations state that facility personnel shall at all times be sufficient in numbers, and competency to provide the services necessary to meet resident needs. (California Code of Regulations, Title 22, Section 87565.)

In regards to night supervision, for facilities with 15 or fewer residents, there has to be one “qualified” person on call and on the premises; in facilities with 16-100 residents, there shall be one person *awake* and on the premises, and another on call and capable of responding within 10 minutes. (CCR, Title 22, Section 87581.)

FREQUENTLY ASKED QUESTIONS

My loved one died. The facility demands that I give a 30-day notice, and pay for the month. Is this legal?

Maybe. The law states that the contract is over at the death of the resident unless other provisions are made in the admission agreement. Check the admission agreement carefully for such a 30-day notice requirement. Argue for a partial refund from the day that the unit is occupied by another resident.

How do I find out about the track record of a facility?

Upon request, a facility must show you the most recent copy of its latest inspection report (Note: Inspections are only required every five years, and annually if the facility is in non-compliance.); and a copy of any substantiated complaints within the past year. The regulatory agency does not post compliance information on its web site or make such information available electronically to organizations like CANHR. The only way to view the record to is go to one of the district offices of Community Care Licensing and request to view the public record of the facility.

For more information on RCFE's, including the Residential Care Guide - which includes consumer information on every licensed RCFE - in California, check CANHR's web site www.canhr.org.

For more information, contact:

California Advocates for Nursing Home Reform

650 Harrison Street, 2nd Floor | San Francisco, CA 94107

1-800-474-1116 (consumers only) or 415-974-5171

or visit our web site at www.canhr.org