

Meeting Minutes

Introductions of Committee Members: see those present below

Outline of Tasks/Agenda

Discuss statute versus rule outline document

Review Adult Day Services rules and regulations for potential changes and amendments

Closing Remarks

.01 Purpose of Licensure

- Nothing proposed/suggested

.02 Legal Basis for Licensure

- Nothing proposed/suggested

.03 Definitions

- The abuse or neglect definitions came straight from the APS definitions
- #s 5 and 6: remove the word “care” so it no longer reads Day Care
- # 6: the rule was changed to match the statute during the last rules revision

.04 Requirements for Licensure as an Adult Day Services Center

- Pg 7 5b: discussed enrolling a participant in all locations if an agency has multiple locations in case a participant needs to attend a different location
- Pg 7 # 4: discussion about one director splitting time between two agencies. Discussed rewording this to make it easier to read and understand. The intent is for it to read 50% of the director’s work hours, not 50% of the hours of operation for the agency. Discussed putting in the word “monthly” and adding in an allowance for vacation and/or extended time off.

.05 Procedures for Obtaining a License

- A discussion took place regarding completing orientation every 6 months and whether orientation is required when opening a second location.
- Could ADS providers who already operate one agency and are in good standing be granted a waiver to bypass prelicensure and the temporary licensure process because the temp/provisional license hampers contracts

.06 Ownership, Organization, and Administration

- 1 A Request to increase the number of meetings to more than just annually.
- 1 A 3 Request to change this but unable to because it is statute

.07 Program

- 7 B Rest does not mean physically lay down, this should mean non-active engagement. This should be offered but not required.
- Pg 16 C change the word medial to medical (typo)
- Restraints refers to things such as lap belts to assist with meals, sitting up, etc...

.08 Participants’ Records

- Pg 17 E copy wording to F “known” existing
- Pg 19 4 # 6 reword to “significant” and/or “sustained” changes in participant’s mood

.09 Criminal Background & State Registry Review Procedures

- Pg 20 # 3 discussion about volunteers providing services for more than 36 hours and background checks
- Discussion regarding those who are excluded from working and the waiver and appeals processes

- The lengthy list is not in statute for ADS. Specifically discussed drug offenses (especially when this occurred many years ago) and domestic assault (this can be taken to program staff for a discussion)
- Pg 24 discussed removing worthless checks
- Timeframe for a waiver was discussed and this will be brought up to program staff/waiver committee
- Discussed that if there are recommendations of things that should be removed from the list and reasons why, conversations can be had internally to see about getting those removed
- Pg 21 top paragraph change the unsupervised access
- Pg 21 D line 4 “may be may require” typo here

.10 Physical Facility

- Discussion regarding fire being a big issue for most. There was a request to ask state fire to not treat ADS agencies the same as child care agencies. This topic can be raised with the assistant commissioner to see if there can at least be a conversation with their liaison
- Discussion regarding why environmental inspections are needed
- Pg 27 3 B & 4 B Suggested that there should not be exemptions for other agencies and that everyone should be held to the same standard
- Pg 28 # 5 Remove this whole item
- Pg 28 # 6 reword so it does not sound like it has to be a separate room. It was suggested to remove “rest area” and replace with “resting furnishings”
- Pg 30 # 16 Remove this sentence (land line)
- Pg 29 # 10 discussed the intent of this requirement

.11 Food Service

- # 1 delete sentence about director being responsible (last sentence)
- # 2 discussed that this means that the agency must provide meals/snacks
- # 6 remove
- # 7 remove entire sentence because # 5 covers all that is needed
- # 8 replace “shall” with “can” or just remove entirely

.12 Staffing and Supervision

- 1 A speak with civil rights attorney regarding this
- 1 B remove from here but keep for director requirements
- C # 2 discussion about emancipated minors and students enrolled in high school who are least 14 years of age cannot be left alone or counted in ratio. Will look into the emancipated minor piece to see if they have the same rights as an adult
- 1 E discussed making sure employees on field trips have these requirements and discussed removing Heimlich remover (reword this)
- Pg 32 # 3 remove “department recognized” when referring to trainings
- Discussed the criminal history disclosure form being required for staff records
- Pg 33 discussed removing educational background needed for staff records or leave in but add “if applicable”
- # 5 Staffing Patterns-add a new C on page 33 to state that as long as participants are still in the building at least two employees must be on site. Only one staff person must be considered direct care staff though.
- Pg 34 6 C remove or reword

.13 Medication

- What does provide assistance mean in #1? Opening bottles, reading labels, are they taking right dosage, observe them take it, reassure them they are taking the right dosage, get them a glass of water and hand them the pills. Possibly left vague on purpose so that each agency can determine what this means to them. Discussion that anything not mentioned here, each agency should have their own policy for.
- Pg 34 # 3 remove topical and oral and remove non-prescription.
- Pg 34 # 7 remove the word error or reword to known medication errors. Also reword "same day" to within 24 hours of the incident

.14 Transportation

- # 8 staff qualifications-add in that drivers should have emergency qualifications (CPR/First Aid etc)
- Add in that minimum data for participants is necessary for emergencies on the vehicle
- 1 A remove the word otherwise

.15 Health and Safety

- 2 B fire drills should be practiced monthly to meet fire requirements
- # 6 change to 24 hours instead of same day. Add information about reporting serious incidents in the portal. Pull this language from child care to put in ADS rules.
- Link #s 3 and 7 pg 38

Additional discussion:

- fire requirements being an issue for those trying to find a location
- the rules were changed from 10 participants to 5 participants
- exemptions for ADS only for religious organizations
- group homes are still operating, most operating without a license
- substitutes need background check if they work a certain amount of hours
- bi-annual and tri-annual is still in the statutes
- child care and adult care do not have to mirror one another
- ADS fees can be paid electronically now
- discussion regarding CPR certification versus training
- If agency calls APS, report to DHS too because APS cannot share with DHS/ADS. APS investigates the person and DHS/ADS investigates the agency (was there facility issue or violation). DHS/APS will investigate the agency itself. This will need to happen only if the issue has to do with the agency and not a personal family member etc.
- discussion regarding agencies operating without a license and how they will be investigated

Minutes taken by Jennifer Bristow
Meeting on 7/30/25 at 10:00am CST
Who was present: Bekah Parkhurst, Jennifer Bristow, Amy Joy, Herbie Kisle, Mahon Fritz, Christy Young, Bill Zagorski, Chris Coelho, Kimberly Spicer, Debbie Cauthen, and Vicki Worley