



**COLORADO**  
Department of Health Care  
Policy & Financing

1570 Grant Street  
Denver, CO 80203



**COLORADO**  
Department of Public  
Health & Environment

4300 Cherry Creek South  
Denver, CO 80246

October 1, 2016

Governor John W. Hickenlooper  
136 State Capitol  
Denver, CO 80203-1792

Dear Governor Hickenlooper:

Enclosed please find the Department of Health Care Policy and Financing and the Department of Public Health and Environment's (the Departments') legislative report on the Nursing Home Penalty Cash Fund (NHPCF).

*Section 25-1-107.5, C.R.S. requires the Departments to jointly submit an annual report to the Governor, the Senate Health and Human Services Committee, and the House Public Health Care and Human Services Committee regarding the expenditure of moneys in the NHPCF for the purposes described in Section 25-1-107.5(4)(c)(II), C.R.S. The report shall detail the amount of moneys expended for such purposes, the recipients of the funds, and the effectiveness of the use of the funds, and any other information deemed pertinent by the departments or requested by the governor or the committees.*

The Department of Health Care Policy and Financing and the Department of Public Health and Environment are pleased to submit this report on behalf of the Board. The Departments are supportive of the culture change initiatives and appreciate the Board's work on this important issue. The report describes the goals, costs, and results of State Fiscal Year (SFY) 2015-16 projects funded by grants from the NHPCF for projects to benefit nursing home residents by improving their quality of life, as authorized by the statute. The report also describes the goals and proposed funding for SFY 2016-17 grants. Attachment A contains information on the SFY 2015-16 projects funded by the grants. Attachment B contains information on the SFY 2016-17 grant requests.

If you require further information or have additional questions, please contact Zach Lynkiewicz, Legislative Liaison, Department of Health Care Policy and Financing at 720-854-9882 or Randy Kuykendall, Director, Health Facilities and Emergency Medical Services Division, Department of Public Health and Environment, at 303-692-2945.



Sincerely,



Susan E. Birch, MBA, BSN, RN  
Executive Director  
Department of Health Care Policy and  
Financing

Sincerely,



Larry M. Wolk, M.D.  
Executive Director and Chief Medical  
Officer  
Department of Public Health and  
Environment

SEB/sk

Enclosure(s): 2016 Nursing Home Penalty Cash Fund Report

Cc: Kyle M. Brown, Senior Health Policy Advisor, Governor's Office  
Legislative Council Library  
State Library  
John Bartholomew, Finance Office Director, HCPF  
Gretchen Hammer, Health Programs Office Director, HCPF  
Tom Massey, Policy, Communications, and Administration Office Director, HCPF  
Chris Underwood, Health Information Office Director, HCPF  
Dr. Judy Zerzan, Client and Clinical Care Office Director, HCPF  
Jed Ziegenhagen, Community Living Office Director, HCPF  
Rachel Reiter, External Relations Division Director, HCPF  
Zach Lynkiewicz, Legislative Liaison, HCPF





1570 Grant Street  
Denver, CO 80203



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Denver, CO 80246

October 1, 2016

The Honorable Dianne Primavera, Chair  
Public Health Care and Human Services Committee  
200 E. Colfax Avenue  
Denver, CO 80203

Dear Representative Primavera:

Enclosed please find the Department of Health Care Policy and Financing and the Department of Public Health and Environment's (the Departments) legislative report on the Nursing Home Penalty Cash Fund (NHPCF) to the House Public Health Care and Human Services Committee.

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SEB/sk

Enclosure(s): 2016 Nursing Home Penalty Cash Fund Report

Cc: Representative Jonathan Singer, Vice-Chair, Public Health Care and Human Services Committee  
Representative Jessie Danielson, Public Health Care and Human Services Committee  
Representative Joann Ginal, Public Health Care and Human Services Committee  
Representative Jovan Melton, Public Health Care and Human Services Committee  
Representative Dominick Moreno, Public Health Care and Human Services Committee  
Representative Max Tyler, Public Health Care and Human Services Committee  
Representative Lois Landgraf, Public Health Care and Human Services Committee  
Representative Kathleen Conti, Public Health Care and Human Services Committee  
Representative Justin Everett, Public Health Care and Human Services Committee  
Representative Janak Joshi, Public Health Care and Human Services Committee  
Representative Lang Sias, Public Health Care and Human Services Committee  
Representative JoAnn Windholz, Public Health Care and Human Services Committee  
Legislative Council Library  
State Library  
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October 1, 2016

The Honorable Kevin Lundberg, Chair  
Health and Human Services Committee  
200 E. Colfax Avenue  
Denver, CO 80203

Dear Senator Lundberg:

Enclosed please find the Department of Health Care Policy and Financing and the Department of Public Health and Environment's (the Departments') legislative report on the Nursing Home Penalty Cash Fund (NHPCF) to the Senate Health and Human Services Committee.

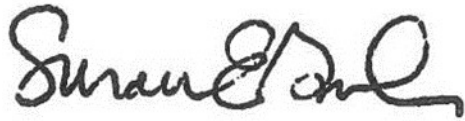
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SEB/sk

Enclosure(s): 2016 Nursing Home Penalty Cash Fund Report

Cc: Senator Larry Crowder, Vice-Chair, Health and Human Services Committee  
Senator Beth Martinez Humenik, Health and Human Services Committee  
Senator Irene Aguilar, Health and Human Services Committee  
Senator Linda Newell, Health and Human Services Committee  
Legislative Council Library  
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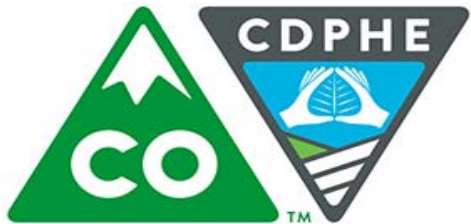




**COLORADO**  
Department of Health Care  
Policy & Financing

**COLORADO DEPARTMENT OF HEALTH CARE  
POLICY AND FINANCING**

**AND**



**COLORADO**  
Department of Public  
Health & Environment

**COLORADO DEPARTMENT OF PUBLIC  
HEALTH AND ENVIRONMENT**

*ANNUAL REPORT OF EXPENDITURES  
FROM THE NURSING HOME PENALTY CASH FUND*

OFFICE OF THE GOVERNOR  
HOUSE PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE  
SENATE HEALTH AND HUMAN SERVICES COMMITTEE

Section 25-1-107.5, C.R.S.

October 1, 2016



## **Nursing Home Penalty Cash Fund (NHPCF) Expenditure Report**

### **State Fiscal Year (SFY) 2015-2016**

#### **Introduction**

House Bill 09-1196 established the Nursing Facility Culture Change Accountability Board (NFCCAB) and authorized funding to support facility-based culture change and improved quality of life. This legislation also required the NFCCAB to offer annual expenditure reports to the Governor and legislature on the projects funded during the most recent grant award cycle and on the projects to be funded in the coming grant period. This is the fifth annual NHPCF expenditure report.

House Bill 09-1196 authorized the use of a portion of the NHPCF to improve the quality of life for nursing homes residents. Funding requests considered for award include, but are not limited to those that support:

- consumer education on assessing Culture Change in nursing facilities and recognizing whether a nursing facility uses Person-Centered Care;
- training for state surveyors, supervisors, and the state and local long term care ombudsman regarding Culture Change in nursing facilities;
- development of a newsletter and website detailing information on Culture Change in nursing facilities and related information; and
- education and consultation for the purposes of identifying and implementing Culture Change initiatives in nursing facilities.

Senate Bill 14-151 dissolved the NFCCAB Board and created the Nursing Home Innovations Grant Board (NHIGB). This Board offers recommendations to the Colorado Department of Public Health and Environment and Health Care Policy and Financing ("Departments") for the expenditure of NHPCF funds. This legislation also created a maximum budget for grant disbursements. If the balance in the NHPCF is greater than \$2 million dollars as of July 1, \$250,000.00 will be allocated to the NHIGB for grant



awards and administration. If the NHPCF balance is less than \$2 million dollars as of July 1, the Department of Health Care Policy and Financing will make available to the NHIGB 25% of the funds deposited in the NHPCF in the immediately preceding fiscal year. SB 14-151 also changed the time periods for grant expenditures. Prior to this legislation, awarded grant funds had to be fully expended by June 30<sup>th</sup>. The new legislation allows for the expenditure of grant funds over a maximum of three years. SB 14-151 maintains the requirements that grant projects be portable, sustainable, and replicable in other nursing facilities.

### **Nursing Home Innovations Grant Board (NHIGB) Appointment and Development**

The current NHIGB member's list is attached. The Governor's office recently appointed 2 new Board members to fill the recent NHIGB vacancies. The NHIGB still needs to fill 2 vacancies. The NHIGB is seeking to fill these vacancies shortly.

### **Grants Awarded and Funding Expended**

The NHIGB received and reviewed applications from various organizations in Colorado, including consultants, charitable organizations, nursing home providers, management companies, higher education organizations, government subdivisions and others. During the seventh grant cycle year (SFY 2015-16), the Board received 17 applications and awarded grants to 10 organizations. In the eighth grant cycle, SFY 2016-17, the Board received 11 applications and awarded grants to 4 organizations. The applications were thoroughly reviewed and scored by the Board using uniform criteria. The recommended awards met the statutory standard and spirit, were innovative, were replicable, measurable, sustainable, and impactful. Administrative costs were rarely funded and no capital requests were funded. The Board increased efforts to educate stakeholders on Culture Change concepts and grant criteria. The Departments approved the recommendations offered by the Board. Grant recipients were provided with State vendor numbers and instructions for expense reimbursements.

Grants funded in SFY 2015-16 were started in December of 2015 and quarterly reports have been received and reviewed by the Board. Grant reports submitted to the Board included deliverable updates and financial accounting of fund expenditures. Board members were assigned as liaisons between the grantees and the Board. Members of the Board conducted on-site visits or in-person meetings with grant recipient organizations. Project results are not yet available as performance periods are extended up to three years.

The grant amounts awarded and purposes of the grants for SFY 2015-16 are summarized on Attachment A of this document. The list below identifies the financial accounting for the funds available for grants worked in SFYs 2015-16 and 2016-17.

#### SFY 2015-16

Total Funds Allocated	\$250,000.00
Grant Funds Awarded	\$160,578.00
Undisbursed funds	\$130,013.00

#### SFY 2016-17

Total Funds Allocated in	\$250,000.00
Grants Funds Awarded	\$242,830.00
Undisbursed funds	\$242,830.00

## **Effectiveness of the Grants**

Grants awarded to-date are progressing as expected and are having a positive effect on resident well-being. Final NHIGB evaluations of project outcomes will be made as grants close.

The Board continues to meet to review quarterly reports and new grant applications. Each grant applicant is required to provide basic organization information, a financial statement, project information including a budget, projected impact and an evaluation plan. Grant expenses are processed by the Department of Health Care Policy and Financing as invoices are received and approved by the Board.

The description of grant awards for SFY 2015-16 is outlined in Attachment A. The description of grants awarded for SFY 2016-17 is reflected in Attachment B.

## **ATTACHMENT A**

### **SFY 2015-16 NURSING HOME INNOVATIONS GRANT BOARD DISBURSEMENT FROM THE NURSING HOME PENALTY CASH FUND**

**1. Brookshire: \$28,287**

Implementation of a habilitation model of care for people living with dementia

Project summary: To implement a habilitation model of care for people living with dementia that looks at the strengths and abilities of the individual vs. attributing negative outcomes to the disease process. The focus is on providing food whenever and wherever the individual requests. A full day of person-centered dementia training will be provided to all staff, and nursing and administrative staff will be cross-trained in safe food handling. The community will have open dining, offer continental breakfast for early risers, and allow and encourage staff to eat with the residents in an effort to develop relationships and prevent weight loss. The funds will also be used to purchase equipment to create a pantry kitchen so that food and snacks can be prepared at any time. The timeline for this project will span two years.

**2. Christian Living Communities – The Suites at Someren Glen Retirement Community      \$11,860.00**

Training of staff to promote living better with dementia

Project summary: The funds will be used to fund the training of staff in the “Comfort Matters” program for their “Skilled Memory Support” neighborhood. Comfort Matters teaches person-directed care and promotes living better with dementia by focusing on day-to-day comfort. Christian Living Communities (CLC) will contract with Beatitudes Campus to provide the training to all care team members which includes the residents, family members and all staff. The full cost of the training is

\$23,720 and the remainder of the grant will be paid through trust proceeds for Someren Glen. At the end of the project, CLC and Beatitudes will write a white paper to be shared with other nursing homes to encourage their adoption of this model of care. There are several areas of anticipated improvement in quality of life that will be measured: 1) provision of more liberalized diets; 2) improved pain management; 3) reduction in antipsychotic and anxiolytic medication use; 4) reduction in hospitalizations; 5) reduction of sun downing and rejection of care; and 5) increased staff retention. The timeline for this project is one year from date of approval.

**3. Colorado Advanced Directive Consortium under fiscal sponsorship from Center for Improving Value in Health Care : \$20,941**

Revising MOST (medical orders for scope of treatment) form

Project summary: Grant funds will be used to launch a statewide educational campaign directed towards Colorado nursing homes, staff, residents and families on the revised MOST (medical orders for scope of treatment) form. The revisions to the form were the result of feedback from stakeholders and emerging national guidelines. In addition to addressing medical treatment options, the MOST process creates an opportunity for engagement with residents around care goals, quality of life, values, hopes and expectations. Advanced care planning for residents in nursing homes is the goal of this project and addresses end of life options and person-directed care. The project will have four components: 1) creation and development of updated educational materials; 2) delivery of educational programs to nursing homes and their partners; 3) development of long-term web-based repository for informational and instructional materials; and 4) evaluation (pre and post program surveys). Projected timeline for this project is June 2016.

**4. Eben Ezer Lutheran Care Center : \$13,104**

## Culture change and person-directed care by offering Certified Eden Associate Training

Project summary: Grant funds will be used to educate staff on culture change and person-directed care by offering Certified Eden Associate Training. The Eden Alternative training is based on ten principles that focus on transforming nursing homes into places where people want to live and work and where the Elder is the center and care is directed by them. Eben Ezer Lutheran Care Center is located in Brush, a rural facility in northeast Colorado. In the past, the facility has sent two employees to training in Denver for the Eden Educator training and now want to utilize those staff members to train others in their facility, as well as offer the training to other rural facilities on the eastern plains. They have currently identified up to eight facilities that will benefit from this training. With grant funds, they will offer this training at no cost. Trainings will be offered fall 2015 and spring 2016. The project will be completed by June 2016.

### **5. Edu-Catering: \$20,000**

#### Eliminate Alarms and Prevent Falls by Engaging with Life

Project summary: One-year extension of existing project "Encouraging Colorado to Eliminate Alarms and Prevent Falls by Engaging with Life". The goals for this project are as follows: 1) to create a data base of Colorado homes that are alarm free and those that still have alarms; 2) to offer a second year of the same project to nursing homes around the state; and 3) to make Colorado the very first state to be alarm free. Activities to be done during the one year extension: 1) initiate a telephone survey to every nursing home in Colorado to determine alarm use and to set a baseline measurement; and 2) conduct two workshops in six sites around the state. The timeline for this project is fiscal year 2015-2016.

### **6. Focus Consultation, LLC : \$54,000.00**

## Intergenerational Summer Camp

Project summary: Intergenerational Summer Camp - This project proposes to improve the understanding of the aging process and the connection between youth and Elders in at least three Colorado nursing homes on the Front Range, through a one week day camp program. The camp will occur at three identified nursing homes for approximately 10-20 children, ages 8-13. A group of Elders in each home will be trained to guide the experience and or parts of the camp with the youth attending camp. Focus Consultation and Edu-Catering will provide on-site facilitation, support and direction for each camp. An intergenerational camp facilitator's guide will be drafted at the onset of the project and revised after each of the camps based on lessons learned. The guide will be made available for other Colorado nursing homes through Focus Consultation and Edu-catering. Activities will include: developing an Elders story with youth and Elder presentations, verbal and visual; participation in nursing home activities; making snacks; baking with Elders; wisdom circles with Elders; gardening with Elders; story time; rest periods or naps; lunch and snacks; games and technology such as checkers, chess, bowling, basketball, hide 'n seek; Art projects such as jewelry and beads; play and time outdoors; career development; dance and exercise; movies and popcorn; dress up; plays and skits; and photography. Expected outcomes of the project include; youth gaining a positive perception of aging and the residents being able to share their life experience and wisdom with the younger generation. The timeline for three facilities to participate is June to August for two consecutive years beginning in 2016.

### **7. Mirasol - The Green House Homes at Mirasol: \$7,521.85**

Intergenerational program-gardening

Project summary: This proposal is to fund an intergenerational program linked to gardening, in particular the concept of farm to table, which is a component piece to



Mirasol's, "Recapturing Valuable Skills/Enhancing Elders Lives" program. The program focuses on the benefits of gardening by pairing elders with school-aged children. The elders will teach the children how to prepare the soil, plant the seeds and to tend the gardens so that they reap the harvest. The children will then learn how to prepare meals using the food they have grown, as well as teaching the children how to preserve vegetables through canning. Expected outcomes include improved health and well-being of the elders from having a sense of purpose by teaching the younger generation. The timeline for this project will be from the end of May 2016 through November 2016.

**8. North Star Rehabilitation and Care Community: \$11,279**

**Music and Memory program**

Project summary: North Star Community is located in a low-income neighborhood in west Denver, and is home to over 80 people. The average age of the residents at North Star is 56. The home predominantly serves a younger population of people living with multiple sclerosis and/or chronic mental illness. Music has played a large part in the well-being of the residents at North Star. As disease processes progress and the residents continue to experience decline, the community has been challenged with finding innovative ways of creating a music program that will provide the residents with continued opportunities to experience and participate in music, which has a demonstrable, positive impact on the residents' state of well-being. North Star has proposed a diverse and comprehensive music project that includes certification in the Music and Memory program and individualized music through iPods, voice and group singing and breath control lessons for residents, monthly facilitation for shared music events, and daily music in the common areas of the home. The overall project seeks to build a vital, varied, and individualized program which supports growth, exploration, self-expression and community through music. The project will be based on "Alive Inside" – The Music and Memory Program. This program has been proven to improve mood, decrease behaviors, and

decrease use of psychoactive medications. The timeline is to purchase equipment immediately after grant approval and obtain staff certification by the first quarter following approval.

**9. Southeast Colorado Hospital District : \$15,000**

Purchase of dental equipment to benefit Long Term Care Center

Project summary: Grant Funds will be used for dental equipment that will be housed in the Springfield Medical Clinic. This will allow SECH to expand their Specialty Clinic Services to include dental services for their community. The link between access to dental care and overall health is well documented. The Long Term Care Center and Alzheimer's Care residents will receive better dental care and experience higher quality of life as a result of treatment available on the same campus as the resident facilities. Recent changes in Medicaid have opened the door for more senior citizens to have economic access to dental care, but they still need locational access to a dentist. Having to travel long distances to receive routine dental care negatively impacts the oral health of the elderly. Locating a dental office in the Medical Clinic offers a holistic approach to patient centered care. Medical conditions that are a result of oral health problems can be addressed jointly by Medical providers and by the Dental provider. The total cost of the project is \$75,000. This grant request is for \$15,000, the balance of funding is coming from three other sources and in-kind donations. The timeline is for equipment to be purchased and delivered within two weeks of grant approval with the goal of opening the full clinic in the fall of 2015.

**10. Spanish Peaks Veterans Community Living Center – Walsenburg :**

\$9,872

Establish a Certified Nurse Assistant course in the remote area

Project summary: Grant Funds will be used to establish a Certified Nurse Assistant course in the remote area of Huerfano County, where there is currently no program

to meet this need. It would allow for the purchase of an established and fully state-approved curriculum, two geriatric mannequins and textbooks and workbooks for fifteen students. Spanish Peaks is supplementing the costs by supplying an instructor, supplies and the classroom space. The goal is to improve staffing and staff stability, in addition to leading to consistent assignment. Consistent staff assignment has been shown to increase resident and family satisfaction, as well as employee satisfaction and retention. The elders benefit by being able to form meaningful relationships and having their individual preferences recognized and honored. The timeline is to purchase appropriate supplies immediately upon grant approval and to be accredited by the state by December 31, 2015.

Total Funds Allocated in SFY 2015-2016: \$250,000.00

Total Grant Funds Awarded: \$160,578.00

## **ATTACHMENT B**

### **SFY 2016-2017 NURSING HOME INNOVATIONS GRANT BOARD RECOMMENDATIONS FOR DISBURSEMENT FROM THE NURSING HOME PENALTY CASH FUND**

**1. Vivage Senior Living-Sleep Study: \$33,662.00**

Project summary: To improving the lives of residents through approaches that will improve the quality of their sleep. The plan is to introduce three variables: reduction in noise, light and inactivity during waking hours in attempt to mitigate the negative aspects that these variables have on the quality of residents' sleep. This project is designed to provide person-centered training for residents, families and staff in order to reduce falls, pain, behaviors and pressure ulcers of residents. The Grantee believes these changes will yield enough data on what improves sleep that it will be able to extend new night-time practices throughout its communities. The project to be completed no later than September 30, 2017.

**2. Alzheimer's Association-Person-Centered Dementia Care Training: \$38,793.00**

Project summary: Person-Centered Dementia Care: Reducing Anxiety and Agitation to Improve Well-Being provides training and consultation to staff and families about person-centeredness and non-pharmacological approaches to understanding and responding effectively to behaviors when caring for people with Alzheimer's disease or other dementias. This training is provided at 6 different skilled nursing homes. Over the 15 month period, the ultimate goal is to not only improve the well-being of the residents, but also of family members and care community staff.

**3. Colorado Health Care Association-Music and Memory: \$146,875.00**

Project Summary: To improve the lives of those suffering from dementia through Music and Memory program. The project would offer to implement the Music and Memory program in 75 nursing homes in the state of Colorado over a two year period. This project is to provide certification of music and memory program, training and support, iPod devices and related equipment, and the purchase of digital music files. Each participating nursing home would first complete the Music and Memory certification classwork. The certification course teaches the background of the Music & Memory program, explains the benefits to residents, family members and nursing home staff, and provides direct guidance on best practices for implementing the program in a nursing home. This is a two year project.

**4. Edu-Catering-Validation Dementia Training: \$23,060.52**

Project summary: To provide training on the New CMS Dementia Care Focused Survey and Validation® communication techniques. The project will be for a three year grant to provide statewide education to nursing home professionals and Part 1) The New CMS Dementia Care Focused Survey; 2) Validation®-Truly Successful Communication with Persons with Dementia all day training at six locations in the state over three years. 12 total workshops. The goal of this project is for professionals to be gifted with knowledge of regulatory requirements and best practices namely successful Validation® techniques to create proactive, preventionist cultures where people living with dementia thrive.

Total Funds Allocated in SFY 2016-2017: \$250,000.00

Grants Funds Awarded: \$242,830.00

10 Members (7 Appointed by Governor)  
 Sunsets September 1, 2021  
 3 year terms

**NURSING HOME INNOVATIONS GRANT BOARD  
 HCPF**

	<u><b>APPOINTED</b></u>	<u><b>EXPIRES</b></u>
Cathryn Cheri Green, Littleton (D) rep. disability community who is either a resident of a nursing facility or a family member of a nursing facility resident, appt.	09-6-16	9-01-19
Nancy Anderson Fox, Denver (U) rep. currently employed in long-term care nursing facilities, repl. Brozowski (resigned), appt.	03-12-15	09-01-17
Stacey Lee Love, Aurora (D) rep. currently employed in long-term care nursing facilities, repl. Raymer (resigned), appt.	03-12-15	09-01-17
<del>James L. Schoedinger, Castle Rock (D)</del> (resigned 8-14-16) rep. consumer of long-term care, appt.	09-10-14	09-01-17
Steven Kent Barton, Canon City (R) rep. business community, appt.	09-10-14	09-01-17
Kristine K. Moore, Colo. Spgs (U) rep. currently employed in long-term care nursing facilities, repl. Olson, appt.	09-06-16	09-09-19
Vacancy, rep. currently employed in long-term nursing facilities, repl. Mickey, appt.		
<i>Other Members</i>		
Cindy D. Webb, Denver (U) rep. designee of state long-term care ombudsman	06-26-14	N/A
Saori Kimura rep. Executive Director of HCPF, or designee	01-12-16	N/A
Jo Tansey rep. Executive Director of CDPHE, or designee	08-28-14	N/A
<b>CRS 25-1-107.5      Name change (SB 14 151)</b>	<b>UPDATED: 09-06-16</b>	

Saori Kimura  
 Long Term Care Facility Policy Specialist  
 Office of Community Living P [303.866.6195](tel:303.866.6195) I F [303.866.2786](tel:303.866.2786) [saori.kimura@state.co.us](mailto:saori.kimura@state.co.us)