



1570 Grant Street  
Denver, CO 80203



4300 Cherry Creek South  
Denver, CO 80246

October 1, 2017

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 NHPCF is managed by the Nursing Home Innovations Grant Board (the Board) which is comprised of 10 members representing the nursing home community as outlined in SB 14-151. The Board solicits, reviews and recommends grants for funding from the NHPCF. The Departments 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 active grants in SFY 2016-17 funded from the NHPCF. These projects 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 2017-18 grants. Attachment A contains information on the remaining SFY 2015-16 projects funded by the grants. Attachment B contains information on all SFY 2016-17 projects funded by the grants. Attachment C contains information on the SFY 2017-18 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/LMK

Enclosure(s): 2017 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 & Community Living 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  
Rachel Reiter, External Relations Division Director, HCPF  
Zach Lynkiewicz, Legislative Liaison, HCPF  
Randy Kuykendall, Director, Health Facilities & Emergency Medical Services Division,  
CDPHE





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October 1, 2017

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

Dear Representative Singer:

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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Executive Director and Chief Medical  
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Department of Public Health and  
Environment

SEB/LMK

Enclosure(s): 2017 Nursing Home Penalty Cash Fund Report

CC: Representative Jessie Danielson, Vice-Chair, Public Health Care and Human Services Committee  
Representative Marc Catlin, Public Health Care and Human Services Committee  
Representative Justin Everett, Public Health Care and Human Services Committee  
Representative Joann Ginal, Public Health Care and Human Services Committee  
Representative Edie Hooton, Public Health Care and Human Services Committee  
Representative Lois Landgraf, Public Health Care and Human Services Committee  
Representative Kimmi Lewis, Public Health Care and Human Services Committee  
Representative Larry Liston, Public Health Care and Human Services Committee  
Representative Dafna Michaelson Jenet, Public Health Care and Human Services Committee  
Representative Dan Pabon, Public Health Care and Human Services Committee  
Representative Brittany Pettersen, Public Health Care and Human Services Committee  
Representative Kim Ransom, Public Health Care and Human Services Committee  
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Randy Kuykendall, Director, Health Facilities and Emergency Medical Services Division,  
CDPHE





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October 1, 2017

The Honorable Joann Ginal, Chair  
Health, Insurance and Environment Committee  
200 E. Colfax Avenue  
Denver, CO 80203

Dear Representative Ginal:

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Executive Director and Chief Medical  
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Department of Public Health and  
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SEB/LMK

Enclosure(s): 2017 Nursing Home Penalty Cash Fund Report

Cc: Representative Daneya Esgar, Vice Chair, Health, Insurance and Environment  
Committee  
Representative Susan Beckman, Health, Insurance and Environment Committee  
Representative Janet Buckner, Health, Insurance and Environment Committee  
Representative Phil Covarrubias, Health, Insurance and Environment Committee  
Representative Steve Humphrey, Health, Insurance and Environment Committee  
Representative Dominique Jackson, Health, Insurance and Environment Committee  
Representative Chris Kennedy, Health, Insurance and Environment Committee  
Representative Lois Landgraf, Health, Insurance and Environment Committee  
Representative Susan Lontine, Health, Insurance and Environment Committee  
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October 1, 2017

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

Dear Senator Smallwood:

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Executive Director and Chief Medical  
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Department of Public Health and  
Environment

SEB/LMK

Enclosure(s): 2017 Nursing Home Penalty Cash Fund Report

Cc: Senator Beth Martinez Humenik, Vice-Chair, Health and Human Services Committee  
Senator Irene Aguilar, Health and Human Services Committee  
Senator Larry Crowder, Health and Human Services Committee  
Senator John Kefalas, Health and Human Services Committee  
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Randy Kuykendall, Director, Health Facilities and Emergency Medical Services  
Division, CDPHE

## **Nursing Home Penalty Cash Fund (NHPCF) Expenditure Report State Fiscal Year (SFY) 2016-2017**

### **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 Nursing Home Penalty Cash Fund (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 the current SFY, 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 two new Board members to fill NHIGB vacancies in SFY 2016-2017. Two terms expired 9/1/2017 and an additional position remains unfilled. The NHIGB is reviewing applications for three vacancies in the coming months.

### **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. Five of these projects continued into SFY 2016-17. In the eighth grant cycle, SFY 2016-17, the Board received 11 applications and awarded grants to four organizations. In the ninth grant cycle, SFY 2017-18, the Board received seven applications and awarded grants to three 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 and have submitted the projects for approval from CMS. 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 recipients, 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 completed in SFYs 2015-16, and 2016-17.

#### SFY 2015-16

Total Funds Allocated	\$250,000.00
Grant Funds Awarded	\$160,578.00

#### SFY 2016-17

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

SFY 2017-2018

Total Funds Allocated \$250,000.00

Grant Funds Awarded\* \$133,437.00

**Effectiveness of the Grants**

The Board continues to conduct ongoing review of existing grants and reviewed a new set of grant applications submitted March 31, 2017. Grant applications are reviewed and awarded based on their ability to improve quality of life, create positive culture change, or innovate existing processes in Colorado nursing homes.

In addition, each grant applicant is required to provide basic organization information, a financial statement, project information including a budget, projected impact and an evaluation plan. The Board reviews quarterly grant reports and expenditures. Grant expenses are processed by the Department of Health Care Policy and Financing as invoices are received.

The description of the four remaining grant awards for SFY 2015-16 is outlined in Attachment A. Grants awarded for SFY 2016-17 are reflected in Attachment B. Grants awarded\* for SFY 2017-18 are reflected in Attachment C.

\*Pending CMS approval

## ATTACHMENT A

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

**1. Brookshire: \$28,257**

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. Individuals suffering from dementia or Alzheimer's are at high-risk for weight loss. This risk increases as the disease progresses. The focus of this grant 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 ending February 2018 with a report documenting the results of the project.

**2. 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 MOST form is a one page document that consolidates and summarizes patient preferences for key life-sustaining

treatments. The program was established by C.R.S. 18.7 in 2010 and revisions were made in 2015 as a 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 completion of this project is March 2018.

### **3. 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. Initial certification trainings have occurred and ongoing support is offered through quarterly meetings. With grant funds, they have provided this training at no cost. The final report from this grant is due by February 2018.

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

Eliminate Alarms and Prevent Falls by Engaging with Life

Project summary: This was an extension of a previous project “Encouraging Colorado to Eliminate Alarms and Prevent Falls by Engaging with Life”. Research shows that excessive bed and chair alarms cause more falls than they prevent and discourage movement by nursing facility residents. Edu-Catering used grant funds to create database of alarm usage in Colorado nursing facilities and is conducting two workshops in six sites around the state focused on eliminating excessive alarms in Long Term Care facilities. The goal is to reduce the number of falls in facilities and encourage a staff that must proactively engage residents rather than respond to alarms. A final report analyzing fall rates is due by March 2018.

#### **5. 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.

Total Cycle 7 Funds Allocated in SFY 2015-2016 \$250,000.00

Total Cycle 7 Grant Funds Awarded in SFY 2015-2016 \$160,578.00

## **ATTACHMENT B**

### **SFY 2016-17 NURSING HOME INNOVATIONS GRANT BOARD DISBURSEMENT FROM THE NURSING HOME CASH PENALTY FUND**

#### **1. Vivage Senior Living-Sleep Study**

Amount requested and recommended: \$ 33,662.00

Project summary: To improve 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.

#### **1. Alzheimer's Association-Person-Centered Dementia Care training**

Amount requested and recommended: \$ 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 goal is to not only improve the well-being of the residents, but also of family members and care community staff. Success will be measured through ongoing survey responses from staff and families. Work will conclude in December 2017 when a final evaluation and report is delivered to the board.

#### **2. Colorado Health Care Association-Music and Memory**

Amount requested and recommended: \$ 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 three-year project expected to conclude in January 2019.

### **3. Edu-Catering-Validation dementia training**

Amount requested and recommended: \$ 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 two-year grant to provide statewide education to nursing home professionals on: Part 1) The New CMS Dementia Care Focused Survey; 2) Validation®-Truly Successful Communication with Persons with Dementia. Each course will be an all-day training at six locations in the state over two 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. The grant will conclude no later than June 30<sup>th</sup> 2019. Curriculum will be turned over to the board to be made publicly available.

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

Grants Funds Awarded \$242,830.00

## **ATTACHMENT C**

### **SFY 2017-2018 NURSING HOME INNOVATIONS GRANT BOARD RECOMMENDATIONS FOR DISBURSEMENT FROM THE NURSING HOME CASH PENALTY FUND**

#### **1. Aponi Partners - The Leadership Chautauqua**

Amount requested and recommended: \$ 125,000.00

Project summary: The Leadership Chautauqua is a multi-disciplined and innovative approach to leadership development for long-term care facility leaders in four diverse geographic regions in Colorado. The trainings are designed to support leader renewal and growth for improved quality care outcomes. The program will serve 180 Colorado cross-functional long-term care facility leaders and seek to include participants from CDPHE Survey Team and DRCOG Ombudsmen to work collaboratively with facility teams to identify ways long-term care quality can be improved in Colorado.

The project, including planning and follow-up, has a three-year timetable to be completed no later than June 30, 2020.

#### **2. Larimer County Area on Aging**

Amount requested and recommended: \$ 1,000.00

Project summary: The intent is to assist long-term care communities in creating policies around honoring death, and considering cultural complexities of their population. A group will be created to develop a guidebook. The project will be held at the Green House Homes in Loveland and monies will be used for printing, purchase of blankets to cover the bodies, candles, and other items to be used on a tribute table. Outcomes will be measured by a pre- and post-interview with residents to determine if feelings around death have changed and to identify more work that might be done.

### **3. Southeast Colorado Hospital District (SECHD)**

Amount requested and recommended: \$ 7,437.00

Project Summary: Southeast Colorado Hospital District will be expanding their usage of the 'It's Never Too Late' (iN2L) system. The expansion will include a dedicated program in their Alzheimer's unit to assess the programs benefits to engagement, independence and activities of daily living. The facility also believes iN2L will aid in lessening a syndrome known as 'Sundowning' experienced by individuals with dementia. An additional iN2L system at the SECHD will allow for a direct comparison on the impact to residents with and without dementia symptoms. The project will be complete in SFY 2017-18

Total Funds Allocated in SFY 2017-2018 \$250,000.00

Grants Funds Awarded \$ 133,437