

Social Adult Day Services

Standards of Operation and Scope of Services

Based on standards set by the New York City Department for the Aging and the New York State Office for the Aging.

Updated July 2023

Table of Contents

INTRODUCTION	1
SECTION 1. SCOPE OF SERVICES	1
STANDARD 1: ELIGIBILITY	1
STANDARD 2: TARGET POPULATION	1
STANDARD 3: ADMISSION AND DISCHARGE	1
STANDARD 4: INFORMED CONSENT AND CONFIDENTIALITY	2
STANDARD 5: PARTICIPANT INTAKE, LEVEL OF CARE SERVICE PLAN, CARE PLAN, AND GOALS	3
STANDARD 6: PARTICIPANT STATUS	3
STANDARD 7: TYPES OF PROGRAMMING	4
REQUIRED SERVICES	4
STANDARD 8: SOCIALIZATION	4
STANDARD 9: SUPERVISION AND MONITORING	4
STANDARD 10: PERSONAL CARE	5
STANDARD 11: NUTRITION	5
STANDARD 12: TRANSPORTATION	5
SECTION 2. STAFFING	6
STANDARD 13: STAFF QUALIFICATION	6
STANDARD 14: STAFF TRAINING	7
STANDARD 15: STAFFING RATIO	8
STANDARD 16: LANGUAGE AND CULTURAL COMPETENCY	9
SECTION 3: ADMINISTRATION	9
STANDARD 17: POLICIES AND PROCEDURES	9
STANDARD 18: DOCUMENTATION AND RECORDKEEPING	10
STANDARD 19: CONTRIBUTIONS AND FEES	11
STANDARD 20: OFFICE OF THE OMBUDSPERSON (OMBUDS OFFICE)	11
STANDARD 21: PARTICIPANTS' RIGHTS	12
SECTION 4. PHYSICAL ENVIRONMENT AND SAFETY	12
STANDARD 22: PHYSICAL ENVIRONMENT	12
STANDARD 23: EMERGENCY PREPAREDNESS	12
STANDARD 24: INCIDENT AND ACCIDENT RECORDING AND REPORTING	13
STANDARD 25: INSURANCE	13
<i>APPENDIX A: NUTRITION REQUIREMENTS</i>	14
<i>APPENDIX B: ADEQUATE STAFFING IN SOCIAL ADULT DAY SERVICES</i>	16
<i>APPENDIX C: PARTICIPANTS' RIGHTS</i>	17
<i>APPENDIX D: ADULT DAY SERVICE OMBUDS SIGNAGE</i>	18
<i>APPENDIX E: INCIDENT/ACCIDENT REPORT FORM</i>	19
<i>APPENDIX F: ADULT DAY SERVICE DEFINITIONS</i>	21

Introduction

The Social Adult Day Service (SADS) program is a structured, comprehensive program providing functionally impaired individuals with socialization, supervision and monitoring, personal care and nutrition in a protective setting during any part of the day, but for less than a 24-hour period. Additional services may include transportation and case coordination. Programs must meet the New York State Office for the Aging (NYSOFA) Regulations 6654.20; the administrative code of the City of New York Local Law 9 of 2015 (Section 21, Chapter 2, Title 21).

All NYC Aging-funded programs are required to use NYC Aging's client data system to register participants and to document service provision.

Section 1. Scope of Services

Standard 1: Eligibility

Compliance 1.1. Individuals meet the following eligibility requirement:

- Is 60 years of age or older and has a functional impairment - needing the assistance of another person in at least one of the following activities of daily living: toileting (including incontinence care), mobility, transferring, eating; or
- Needs supervision due to cognitive and/or psycho-social impairment; and
- Will benefit from participation in the program.

Compliance 1.2. Participants are eligible for services only on days not covered by the participant's insurance.

Note: The program must discuss any concerns or questions about a participant's eligibility with NYC Aging.

Standard 2: Target Population

Preference will be given to older individuals with the greatest economic or social needs with particular attention to specifically identified targeted groups.

Compliance 2.1. The program targets persons who are:

- Minorities – persons of Black, Hispanic, Asian, Native American (American Indian), Alaska Native, Native Hawaiian or Other Pacific Islander origins. Persons who identify as 2 or More Races or who identify as other than White may be included.
- Low-Income – incomes at or below 150% of the Federal Poverty Level.
- Frail – Has one or more functional deficits in physical or mental functions.
- Vulnerable – Socially or linguistically isolated, or affected by other conditions including the following:
 - Limited English Proficiency (LEP);
 - Persons with disabilities;
 - At risk of institutionalization;
 - Lesbian, gay, bisexual, transgender (LGBT) older adults;
 - Low literacy;
 - Homebound; and,
 - Alzheimer's or other Dementia.

Standard 3: Admission and Discharge

Admission and discharge procedures for participants are clear and appropriate.

Compliance 3.1. Intake and Screening. The program admits individuals only after completing an assessment of their functional capacities and impairments.

Compliance 3.2. Screening Tools: If the referral is from a NYC Aging-funded case management program and the participant has a Compass assessment or other NYC Aging authorized tools on file, this can be accepted as documentation of qualification. (See Standard 18 on Documentation.)

Compliance 3.3. Trial Period. The Social Adult Day Services program may designate a trial period to determine whether the potential participant is suitable for the program/meets the program's criteria for admission and to allow new participants time to adjust to the program. The designated trial period may not exceed five program days.

Compliance 3.4. The program serves only individuals whose adult day needs can be met and managed by the program.

Compliance 3.5. Program discharges, and if appropriate, assists in making other arrangements for participants who can no longer be safely or adequately served by the program.

Compliance 3.6. The program documents specific reason for discharge in the case notes.

Compliance 3.7. The program has a process for participants to appeal decisions regarding discharge or discontinuation of services and informs participants of their right to appeal. The program informs the participant and/or caregiver that requests for appeal must be submitted to the program director for review and discussion.

Standard 4: Informed Consent and Confidentiality

The program maintains client confidentiality and obtains informed consent from clients. (See also General Program Standards, Section 2)

Compliance 4.1. Consent to Collect Personal Information. The program obtains signed consent to collect and record data from individuals seeking the service before any personal identifying information is entered into the NYC Aging client tracking system.

- When the initial contact is via telephone, verbal consent is accepted to proceed with an intake. Signed consent must be obtained during the initial in person meeting.
- Verbal consent to collect is acceptable for clients who receive information only.

Note: If the client is referred from another NYC Aging program, the referring program will obtain consent giving the SADS provider permission to activate the client into its program and collect additional data as needed. The SADS provider does not need to also obtain a signed Consent to Collect Data from the client.

Compliance 4.2. Consent to Refer and Share Personal Information. The program obtains signed consent to refer and share personal information before any information is shared for referral or other purposes.

- If the client refuses to sign the consent to refer/share, information can be provided to the client for them to contact the service provider themselves.

Compliance 4.3. Revocation of Consent. Client consent is in effect until the case is closed or consent is revoked. If a client revokes consent, that client is refusing service. Any client identifying data shared while consent was in effect cannot be rescinded retroactively. No client data files may be deleted from the client tracking system.

Compliance 4.4. Mental capacity. Until a person is legally declared mentally incapacitated, the program assumes that they have the capacity to provide informed consent. The client's authorized representative can provide consent on behalf of the client.

Compliance 4.5. Documentation of Consent. The program utilizes the NYC Aging approved consent forms. The program uploads the signed consent forms in the client's record in the client tracking system. Electronic signatures are acceptable.

Compliance 4.6. Consent for non-English Speakers. Consent documents are provided to clients in the language understandable to them.

- If necessary, the program uses an interpreter fluent in the client's spoken language to aid in the consent process. (See General Program Standards, Standard 9.1)

Compliance 4.7. Client Privacy. The program shares participant information only (1) when pertinent to service provision, or (2) when requested by authorized agency personnel and/or government representatives in connection with program monitoring.

Standard 5: Participant Intake, Level of Care Service Plan, Care Plan, and Goals
All NYC Aging-funded participants must have current Participant Intake, Level of Care Service Plan, Care Plan, and Goals.

Compliance 5.1. Participant Intake, Initial Level of Care Service Plan, Care Plan, and Goals. The initial Plans and Goals are developed no later than 30 days after the participant is admitted to the program.

Compliance 5.2. Participants Consent to their Level of Care Service Plan, Care Plan, and Goals. Individualized SADS Plans and Goals are discussed with participants and/or caregivers, and their input solicited where possible.

Compliance 5.3. Participant Intake, Case Monitoring, Level of Care Service Plan, Care Plan, and Goals Form. Utilizing the NYC Aging client tracking system to document participant intake, care plan, level of care service plan, and goals, the program specifies:

- The personal care services that will be provided by the program based on assessed needs,
- Expected participant outcomes,
- Planned interventions to promote outcome achievement, and
- Planned number of days/week.

Compliance 5.4. Re-evaluation. Social Adult Day Intake, Care Plan and Goals are re-evaluated and updated every six months, at minimum. Updated intake, care plans, level of care service plans, and goals are maintained in NYC Aging's client tracking system. Reasons for changes in plans and goals are documented in the case notes within five (5) business days of completion.

- The program compensates for existing or developing impairments in capacities.

Standard 6: Participant Status
Participant status is regularly monitored.

Compliance 6.1. Significant changes in participant status or condition (e.g., changes in functional or mental ability, social and environmental support, housing situation or health status) are documented in case notes within five (5) business days.

Compliance 6.2. When changes in a participant's status or condition require new interventions by program staff, the SADS Service Plan is updated in the NYC Aging client tracking system to reflect the new needs.

Compliance 6.3. The program has an established system for regularly scheduled communication among staff/volunteers to ensure that all staff have up-to-date information about participants' status.

Compliance 6.4. The program must reassess any participant who has not attended the program for at least 30 days.

Standard 7: Types of Programming

The program provides a variety of activities for participants consistent with the needs of participants.

Compliance 7.1. Planned and organized group/individual and person-centered activities are offered each day the program is open.

Compliance 7.2. The activities offered emphasize each individual's strengths and abilities.

Compliance 7.3. The program encourages each individual to participate at his/her optimal level of functioning and to progress accordingly at his/her own pace. Participants are encouraged to take part in activities but may choose not to do so.

Compliance 7.4. Participants are encouraged to interact with others during group activities, and to respect themselves and others.

Required Services

Standard 8: Socialization

The program provides socialization as a core service component, consistent with the needs of the participants.

Compliance 8.1. The program provides opportunities for socialization if the participant is socially ready.

Standard 9: Supervision and Monitoring

The program provides supervision and monitoring as a core service component, consistent with the needs of the participants.

Compliance 9.1. Service staff and/or volunteers are observant of each participant's whereabouts, activities, and current needs while in attendance at the program.

Compliance 9.2. Service staff and/or volunteers provide ongoing direction, verbal or visual cueing, reassurance, encouragement, and assistance to each participant, as needed.

Compliance 9.3. Service staff intervene when participants cannot communicate their personal needs, are disruptive, or are at risk for wandering or are a danger to self or others.

Standard 10: Personal Care

The program provides cueing and personal care assistance as a core service component.

Compliance 10.1. The program provides supervision, cueing and some personal care assistance for all of the following ADLs: toileting, mobility, transfer and eating.

- When necessary, participants are reminded about medication.

Compliance 10.2. *The program offers NYC Aging-funded participants additional optional service components as outlined in their contract. Additional optional service components may include, but are not limited to, the following:*

- Maximal assistance with toileting, mobility, transfer, and eating.
- Some or total assistance with dressing, bathing, or grooming.
- Routine skin care.
- Changing simple dressings.
- Using supplies and/or adaptive equipment.

Standard 11: Nutrition

Nutrition is a core service component.

Compliance 11.1. At least one nutritious meal is provided to NYC Aging-funded participants during the program day. Additional meals are provided depending on the program hours and the length of the program day.

Compliance 11.2. All meals served meet one-third (1/3) dietary reference intakes (DRI) (and are consistent with the standards for a NYC Aging congregate meal. Meals provided by the program are consistent with the standards set forth in the NYSOFA regulations (Appendix A), New York City Food Standards (<https://www.nyc.gov/site/foodpolicy/governance-initiatives/nyc-food-standards.page>) and the Dietary Guidelines for Americans (https://www.dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf), unless meals are brought by the participant or the program participates in the USDA Child and Adult Care Food Program (Appendix A).

Compliance 11.3. If meals are purchased from another source, the Social Adult Day Service follows all NYC Aging standards regarding receipt of catered meals. The program monitors:

- Arrival of food at the agreed upon time.
- Agreed upon number/quantity of food items.
- Safe and appropriate meal packaging.
- Arrival of food at required temperatures.
- Matching of food to approved menu.

Compliance 11.4. Nutritious snacks and liquids are offered to participants at appropriate times.

Standard 12: Transportation

Transportation is offered to all NYC Aging-funded participants as a core service component.

Compliance 12.1. Round-trip transportation is offered to all NYC Aging-funded participants. If a participant makes their own arrangements for transportation, this is documented in the participant's electronic file.

Compliance 12.2. If group transportation is provided directly or is purchased from another provider, the SADS program ensures each vehicle has a suitable escort, (in addition to the driver) on board to assist participants.

Compliance 12.3. Each one-way trip within a borough does not exceed one hour, and each one-way interborough trip does not exceed 90 minutes.

Compliance 12.4. If the program provides transportation directly, drivers and vehicles meet all applicable safety standards.

Vehicle Safety and Maintenance

- Vehicles are equipped with working fire extinguishers.
- Each vehicle is equipped with a first aid kit.
- Seat belts are in good working order.
- Regular maintenance and safety checks are scheduled. Vehicles are also inspected regularly by the transportation coordinator or a qualified supervisor to identify safety, comfort and accessibility issues.
- Vehicles are inspected by a state-certified vehicle inspection station annually.
- Vehicles are registered annually.
- Repairs are timely.
- Wheelchair lifts and other equipment on the vehicle are maintained in working condition.

Insurance

- The program maintains vehicle insurance from a company licensed or authorized to do business in the State of New York.
- Coverage protects against all liability for bodily injury, death, personal injury and property damage in an amount not less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in aggregate as well as physical damage collision and comprehensive coverage (\$250 deductible) required for all vehicles with less than 35,000 miles and/or less than three years old.

Section 2. Staffing

Standard 13: Staff Qualification.
Staff and volunteers are appropriately qualified.

Compliance 13.1. Personnel Files. Each personnel file includes the following:

- Job description.
- Orientation. (See Standard 14)
- Training and proof of attendance (e.g., sign-in sheet). (See Standard 14)
- Physician's statement dated within the past year, if required.
- Results of PPD (Mantoux) test, if required. (See Compliance 13.6)
- Any additional documentation required, such as background checks, references, etc.

Compliance 13.2. Each staff person and volunteer have a written job description that specifies duties, qualifications, and training to be provided.

Compliance 13.3. Staff members have the qualifications detailed in the New York Codes, Rules and Regulations (See Appendix B, NYCRR Title 9 Subtitle Y Chapter II Section 6654.20)

Compliance 13.4. All potential employees undergo a criminal background check.

Compliance 13.5. Reference checks are conducted for all potential employees and volunteers.

Compliance 13.6. Prior to assignment, all staff and volunteers who help with meals/snacks service, or assist participants one-on-one (e.g., with personal care, SADS Service Plan implementation, etc.) must present on an

annual basis, a physician's written statement that they are free from any health impairment that is of potential risk to others, or that may interfere with the performance of their duties.

- Prior to assignment, and no less than every two years thereafter for negative findings, each staff person or volunteer who handles food or assists participants one-on-one has a PPD (Mantoux) skin test for tuberculosis. If there is a positive finding, the staff must provide a letter of clearance from his/her doctor.
- Food preparation staff meet any additional health requirements listed in NYC Aging Older Adults Meals Program Standards. (<https://www.nyc.gov/assets/dfta/downloads/pdf/community/Older-Adult-Center-Program-Standards-Final-Draft%206-8-2023-v2.pdf>)
- When workers or volunteers are assigned under the auspices of another organization, it is sufficient to have on file an agreement signed by both parties that the outside organization assumes responsibility for meeting these requirements.

Compliance 13.7. Director. Each program has a paid director with the skills, knowledge, and experience necessary to ensure that activities and services are provided appropriately and in accordance with participants' needs. The Director meets the specific qualifications described in the New York Codes, Rules and Regulations. (See Appendix B, NYCRR Title 9 Subtitle Y Chapter II Section 6654.20)

Compliance 13.8. Driver. Drivers hired by the program meet all the following requirements.

Qualifications:

- Three years of licensed driving experience (documented on application form).
- No convictions for driving while intoxicated or driving while impaired by drugs during the past two years.
- No more than one moving violation within the past two years.

Driver's license requirements:

- Class D or Class E: Small van (18,000 pounds or less/adult seating capacity up to 14 including driver).
- Commercial Driver's license C with a passenger endorsement: Van (26,000 pounds or less/adult seating capacity of 15 or more).
- Commercial Driver's License B with a passenger endorsement: Bus (26,001 pounds or more/adult seating capacity of 15 or more).

Standard 14: Staff Training

Staff and volunteers are appropriately oriented and trained.

Compliance 14.1. Orientation. All new service staff, including volunteers, drivers, food service staff, and transportation escorts, complete a brief introduction to the following topics, at minimum:

- Orientation to the Aging Process
- Orientation to Personal Care Skills
- Body Mechanics
- Behavior Management
- Any topics listed in the NYSOFA SADS regulations.

Compliance 14.2. 20-Hours Training. All new service staff who work directly with participants complete twenty hours of group, individual and/or on-the-job training for new staff, including orientation.

Compliance 14.3. Written Training Plan for Staff. The program has a written training plan for each new staff, which includes the orientation, initial 20 hours training, and annual six-hour in-service training.

Compliance 14.4. Written Plan for Orientation and 20-Hours Training. For orientation and the 20-hours training, the written plan includes an outline of training topics, a description of how the training will be provided (e.g., individual

in-service, group), the names of persons or organizations who will provide the training, and dates of training, if possible.

Compliance 14.5. 20-Hours Training Requirements. 20-hours training are:

- Completed within three months of hire.
- Directed by a registered licensed nurse, social worker, and/or other appropriately US licensed or certified professional with at least a bachelor's degree or four years professional experience in an area related to the topic that they are teaching.
- Documented in individual personnel files (date of training, person providing the training, specific content of training, sign-in sheet, or other proof of attendance).

Compliance 14.6. 20-Hours Training Content. The 20-hours training covers:

- How to promote socialization
- Supervision and monitoring
- Personal Care Skills, taught by a registered nurse (at least 8 of the 20 hours)
- The family and family relationships
- Mental illness and behavioral health
- Cardiopulmonary Resuscitation (CPR)
- Any additional elements as needed based on program needs.

Compliance 14.7. Six-Hour In-Service Training. All staff receive six hours of in-service training annually to develop, review, or expand skills or knowledge (date of in-service training, content, and documentation of attendance are maintained in personnel files).

Compliance 14.8. Periodic On-The-Job Training. All service staff, including volunteers, receive periodic on-the-job training, as considered necessary by the program director or supervisor.

Compliance 14.9. Volunteers. Volunteers who have only limited contact with participants (e.g., provide assistance to an instructor or group leader only; perform all tasks under direct supervision; volunteer only one day a week for a short period of time; volunteer for one activity only) receive training appropriate to the tasks they perform. Such training is to be determined by the program director and indicated in their job descriptions.

Compliance 14.10. Transportation escorts. Transportation escorts (who may be volunteers) receive training on how to assist with mobility. They are not required to have full personal care training.

Compliance 14.11. Drivers. Drivers should receive training appropriate to the tasks they perform. They are not required to have full personal care training.

Compliance 14.12. Food Service Staff. Food service staff receive any additional training required (see NYC Aging Older Adults Meals Program Standards), and are required to have the necessary certifications as per Article 81 of the NYC Health Code: Food Preparation and Food Establishments. (See Appendix A)

Standard 15: Staffing Ratio

The program has an adequate number of qualified staff to provide all core service components.

Compliance 15.1. The program maintains a Direct Service Staff to Participant ratio of at least 1:7. In dementia specific programs, the ratio is 1:5. (Note: This ratio includes only staff that directly supervise participants during program activities. It does not include volunteers, or participant's home care workers. It does not include drivers unless they assist with supervision and socialization at the program site.)

Compliance 15.2. Programs which share physical space with other non-adult day service programs (e.g., older adult centers) have their own staff, with hours that are committed to the Social Adult Day Service program.

Standard 16: Language and Cultural Competency
The program is linguistically and culturally competent.

Compliance 16.1. Services are provided with respect for cultural differences, preferences and styles of communication, and with skill in assisting individuals in overcoming cultural and linguistic barriers.

Compliance 16.2. Staff and volunteers speak the languages of their predominant participants.

Compliance 16.3. Signs and other printed materials are in the language of the predominant language spoken by the community served.

Compliance 16.4. The program provides on-demand language assistance, free of charge, to persons with limited English proficiency (LEP). At minimum, the program has a telephonic interpretation service contract or similar community arrangement with a language interpretation services provider to assist LEP individuals.

Compliance 16.5. The program informs persons with limited English proficiency of the availability of free language assistance at its location. Notice is to be in writing designed to be understood by LEP individuals.

Section 3: Administration

Standard 17: Policies and Procedures
The program's policies and procedures are in writing.

Compliance 17.1. Written program policies and procedures are available, covering at a minimum:

- Participant eligibility.
- Program description – program philosophy, days and hours open, types of service available.
- Target population/admission procedures.
- Service planning procedures.
- System for inter-staff communication management.
- System for communication with referring agencies.
- Program expectations of caregivers/family.
- Admission and Discharge policies.
- Staffing plan, including paid and volunteer staff.
- Medications policy.
- Confidentiality and privacy policies and procedures.
- Incident reporting. (See appendix E)
- Emergency management. (See Standard 23)
- Grievance procedures and appeals process.
- Back-up transportation procedures.
- Participants' Rights. (See Appendix C)
- Client Consent/Service Agreement.

Compliance 17.2. The program's admissions and discharge policies detail its capacity to meet the needs of participants who need some or total assistance with any of the following ADLs: dressing; bathing; grooming;

prompting regarding medication/routine skin care; changing simple dressings; using supplies and adaptive and assistive equipment.

Compliance 17.3. The program treats all information as confidential and does not disclose or release information except as authorized by participant, Federal or State laws and regulations, or pursuant to court order. (Upon request, the program releases client information not included in client tracking system to funding source for case review.)

Compliance 17.4. The Program conducts an annual self-evaluation of its administrative, fiscal, and program operations, including feedback from participants and caregivers using the NYSOFA SADS Self-Monitoring Tool. (See tool at: <https://aging.ny.gov/system/files/documents/2019/11/guide-sads-self-monitoring-.pdf>) The evaluation is due by the end of the third quarter of each fiscal year.

Compliance 17.5. The Program maintains a copy of the NYSOFA SADS Self-Monitoring Tool on file for review by NYC Aging.

Compliance 17.6. The program provides opportunities for regular input from participants and demonstrates that feedback is considered.

Compliance 17.7. At least annually, the program conducts a client satisfaction survey and submits results of survey to NYC Aging.

Standard 18: Documentation and Recordkeeping

The program maintains administrative and financial records on file.

Compliance 18.1. *Daily attendance records are maintained for each NYC Aging-funded participant, indicating the number of hours in attendance.*

- The program utilizes the NYC Aging Social Adult Day Services Program Attendance record to record attendance.
- The funding source for service days is indicated on the participant attendance record.

Compliance 18.2. A unit of Social Adult Day Service is counted for each hour the participant attends the length of the contracted program day. Social Adult Day Service unit is 1 unit = 1 hour.

- Transportation time is not included in the length of the program day.
- A Caregiver Assistance unit is counted when program staff help facilitate informal support for the caregiver: 1 unit = 1 hour. Units can be captured in increments of .25, .50, .75, or 1 hour.
- A Case Coordination unit is counted when program staff provide assistance, linkage or coordination to other services for the participant: 1 unit = 1 hour. Units can be captured in increments of .25, .50, .75, or 1 hour.
- A Client Assessment unit is counted when a participant is assessed for services. 1 Unit = 1 hour. Units can be captured in increments for .25, .50, .75, or 1 hour. (See Definition of Services, Appendix F)

Compliance 18.3. SADS services, such as meals provided by an older adult center, are not to be reported under the SADS contract. Transportation, and activities provided to NYC Aging-funded participants are not to be reported as service units under any other contract.

Compliance 18.4. The number of units is consistent with the scope of the contract.

Compliance 18.5. If meals are provided on-site, relevant documentation regarding worker health, safety, and menu planning is on file for the program. See NYC Aging Older Adults Meals Program Standards.

Compliance 18.6. If meals are purchased from another provider, relevant documentation, including a NYC Aging Catering Agreement, is on file. See NYC Aging Older Adults Meals Program Standards.

Compliance 18.7. Each participant's electronic file includes the following:

- The most recent Referral Form or Assessment Form from the Case Management Agency/ Caregiver Program dated within the last 12 months, if applicable.
- The most recent SADS Service Plan (dated within the last 12 months).
- Case notes which document any significant changes in participant status.
- Intake and Assessments.
- Incident reports. (See Appendix E)
- Monitoring documents.
- Summary of participant activities.
- MLTC Care Plan and other insurance coverage details, including days for which services for NYC Aging-funded participants are authorized (if applicable).

Standard 19: Contributions and Fees
Contributions and fees are requested and collected appropriately.

Compliance 19.1. The program provides participants with the opportunity to contribute to the cost of services.

Compliance 19.2. Contributions are voluntary and confidential. Signage and/or correspondence requesting contributions state this clearly.

Compliance 19.3. The suggested amount for contributions may not exceed the cost of the services.

Compliance 19.4. Participants are informed of the purpose for and the use of contributions.

Compliance 19.5. Participants are not denied services if they do not provide a contribution.

Compliance 19.6. The program charges NYC Aging-funded participants fees for additional hours of attendance under the following circumstances only:

- The participant wishes to attend the program for a greater number of hours than authorized.
- Ancillary services are not included in the additional hours of service, e.g., bathing, grooming, additional meals.

Compliance 19.7. The program has written procedures for collecting, securing, and documenting contributions.

Compliance 19.8. The program clearly documents the amount of contributions collected.

Standard 20: Office of the Ombudsperson (Ombuds Office)
The program adheres to standards and requirements set forth by the Ombuds Office, in accordance with the provisions of Local Law 9 of 2015 as summarized below.

<https://www1.nyc.gov/assets/dfta/downloads/pdf/community/2015SADCLocalLaw9.pdf>

Compliance 20.1. Social Adult Day Service Registration. The program must be registered with NYC Aging Ombuds Office. (<https://www1.nyc.gov/site/dfta/community-partners/social-adult-day-care.page>)

- Registration includes the registrant's name, address, corporate structure and ownership, and any other information required by NYC Aging.

- Registration is filed online through the NYC Aging Ombuds Office Registration Portal; and
- Changes to registration information must be submitted to the Ombuds Office via the online Registration Portal no later than the effective date of such change.

Compliance 20.2. Signage. The Program prominently posts a sign onsite, which includes contact information for the Ombudsperson, and a statement that any individual may contact the Ombudsperson with a comment or complaint, regarding any Social Adult Day Service within New York City. (See Appendix D)

Compliance 20.3. Responding to investigations. The program provides a written response to violation issued by the Ombuds Office stating how the violation will be addressed. (See rules at: https://rules.cityofnewyork.us/sites/default/files/adopted_rules_pdf/social_adult_day_care_-_final_rule-12_30_19_-_legal_10482634.pdf)

Standard 21: Participants' Rights

The Program protects and promotes the participants' rights. (See Appendix C)

Compliance 21.1. The Program provides a copy of the Participants' Rights and an explanation of rights to the participants and/or caregivers at the time of admission.

Compliance 21.2. The Program posts participants' rights as well as contact information for NYC Aging in a public place clearly visible to participants, families and program staff.

Compliance 21.3. The Participants' Rights are posted in the languages most frequently spoken by older adults in the community and provided to participants in their preferred language.

Section 4. Physical Environment and Safety

Standard 22: Physical Environment

The Social Adult Day Service program is conducted in a safe and appropriate environment.

Compliance 22.1. The program site complies with the Americans with Disabilities Act of 1990 and all subsequent amendments.

Compliance 22.2. If the program shares space with other programs/services, there is space dedicated to SADS participants. Staff and participants clearly understand the location and size of the dedicated space.

Compliance 22.3. The program's site is welcoming, clean, and appropriate for participants.

Standard 23: Emergency Preparedness

The program follows policies and procedures for handling emergencies.

Compliance 23.1. The Program maintains current written procedures for handling emergencies (such as weather, facility, power outage, or when a participant is choking or has fainted). These procedures must be made available to NYC Aging upon request.

Compliance 23.2. The Program has a file on each participant that is easily located listing identifiable information, including physician's name and telephone number and family members' names and telephone numbers, needed in emergencies.

Compliance 23.3. The Program conducts fire drills at least twice a year and documents those drills.

Compliance 23.4. The Program notifies the local fire jurisdiction of its specific location, the number of participants, and hours of operation.

Standard 24: Incident and Accident Recording and Reporting
The program has written procedures for accident and incident recording and reporting.

Compliance 24.1. The program uses NYC Aging's Incident/Accident Report Form to record and report incidents and accidents. (See Appendix E)

Compliance 24.2. The Program submits an Incident/Accident Report Form to NYC Aging within 24 business hours from the date of the incident or accident.

Compliance 24.3. Upon request, the program provides additional details about information in the report.

Standard 25: Insurance
The program has required coverage.

Compliance 25.1. The Program has current and sufficient insurance coverage, including, but not limited to personal and professional liability.

Appendix A: Nutrition Requirements

New York State Office for the Aging Social Adult Day Service Nutrition Requirements

Background:

The Nutrition Program for the Elderly (NPE) was established as a federal program through the Older Americans Act in 1972. The purposes of the program are:

- (1) To reduce hunger and food insecurity;
- (2) To promote socialization of older individuals; and
- (3) To promote the health and well-being of older individuals by assisting such individuals to gain access to nutrition and other disease prevention and health promotion services to delay the onset of adverse health conditions resulting from poor nutritional health or sedentary behavior.

NYSOFA provides programs and services statewide, including nutrition services, through its network of 59 Area Agencies on Aging. The program provides nutritious meals to eligible participants in community-based group dining (congregate) and through home delivery. Approximately 24 million meals are provided annually from about 1,000 meal sites and preparation kitchens. In most cases, eligible participants must be 60 years old or older. There is no income or means-test for the program and participants are given an opportunity to make a suggested voluntary contribution. About half of all Area Agencies on Aging have contracts to provide meals to eligible clients of the Long-Term Home Health Care Program (LTHHCP).

NYSOFA Regulations: NYSCR Title 9; Subtitle Y; Part 6654 Services; Sect 6654.20 Social Adult Day Care Programs; (d) Program standards; (1) Services standards; (iv) Services; (a) Required services; (4) Nutrition:

- (i) Nutrition means providing nutritious meals for participants who are attending the program at normal mealtimes and includes offering snacks and liquids for all participants at appropriate times.
- (ii) Meals shall be consistent with standards set forth in this Part for a nutrition program for the elderly site and as established by the Office, unless
 - (A) participant meals are brought by the participant or
 - (B) the program participates in the USDA Child and Adult Care Food Program.
- (iii) If meals are prepared by participants and/or staff as part of a planned activity of the program, such meals to the extent possible shall be consistent with standards set forth in this Part for a nutrition program for the elderly site and as established by the Office.

What is this?

(ii) Meals shall be consistent with standards set forth in this Part for a nutrition program for the elderly site and as established by the Office

This portion initially refers to 6654.10 and 6654.11 of NYSOFA regulations, as amended in 1999. Section 6654.10 describes requirements of Area Agencies on Aging concerning the nutrition program supported by federal, state, and local funding. Section 6654.11 describes requirements of nutrition program providers concerning the nutrition program. NYSOFA regulations for the nutrition program are based on and must comply with federal requirements specified in the Older Americans Act of 1965 as amended in 2006: Title III-C and its sub-parts. In addition, nutrition programs must comply with NYSOFA program standards (19-PI-26):

https://aging.ny.gov/system/files/documents/2019/11/19_pi_26_nutrition_program_standards.pdf

What are the requirements?

- Must meet established federal requirements (OAA Title III-C Sub-Part 3, Section 339)

(1) solicit the expertise of a dietitian or other individual with equivalent education and training in nutrition science, or if such an individual is not available, an individual with comparable expertise in the planning of nutritional services, and

(2) ensure that the project—

(A) provides meals that—

(i) comply with the most recent Dietary Guidelines for Americans, published by the Secretary and the Secretary of Agriculture, and

(ii) provide to each participating older individual—

(I) a minimum of 33 1/3 percent of the dietary reference intakes established by the Food and Nutrition Board of the Institute of Medicine of the National Academy of Sciences, if the project provides one meal per day,

(II) a minimum of 66 2/3 percent of the allowances if the project provides two meals per day, and

(III) 100 percent of the allowances if the project provides three meals per day, and

(iii) to the maximum extent practicable, are adjusted to meet any special dietary needs of program participants,

(B) provides flexibility to local nutrition providers in designing meals that are appealing to program participants,

(C) encourages providers to enter into contracts that limit the amount of time meals must spend in transit before they are consumed,

(F) comply with applicable provisions of State or local laws regarding the safe and sanitary handling of food, equipment, and supplies used in the storage, preparation, service, and delivery of meals to an older individual,

(G) ensures that meal providers solicit the advice and expertise of—

(i) a dietitian or other individual described in paragraph (1),

(ii) meal participants, and

(iii) other individuals knowledgeable with regard to the needs of older individuals,

-Must meet State regulations and Program Standards as issued by NYSOFA

NYSCRR Title 9; Subtitle Y; Part 6654 Services:

Section 6654.10 (e), (g), (h), (i), (j), (k), (l) and Section 6654.11 (c), (d), and (e)

Appendix B: Adequate Staffing in Social Adult Day Services

New York State Office for the Aging

Standards set forth in New York State Office for the Aging Social Adult Day Care regulation NYCRR Title 9 Subtitle Y Chapter II Section 6654.20 requires a program to, at a minimum, have two staff present during program hours when participant(s) are present, one of which must be a paid staff. If non-paid staff are used to fill this requirement, they must meet the health assessment and training requirements of service staff.

The program shall have an adequate number of qualified staff, which may include non-paid staff, to perform all of the functions prescribed in the regulation and to ensure the health, safety, and welfare of participants. Many factors could be taken into consideration when determining "an adequate number of qualified staff".

- **Program design:** This would include criteria as stated in the policy and procedures (required) for participant eligibility, and admission and discharge. Specifically, identifying the needs of the participants for personal care (toileting, mobility, transfers and eating), nutrition, supervision and monitoring, and socialization. The levels of care of the participants and the attendance of participants per day that require higher levels of care should be reflected in the staffing plan policy and procedure (required).
- **Program hours:** Staffing plan (required) should reflect the hours of operation and the average participants in attendance during the various hours of operation and the staff duties at various times of the day. Even if there is only one participant present early in the morning or later in the day the program must have two staff present.
- **Environmental design:** The ability to provide secure, safe program space that is dementia capable and promotes independence for physically impaired adults (i.e., having a security system that prevents wandering out of the program area).
- **Program evaluation (required):** Regular review of participant incidents such as falls, wandering out of program space, incontinence and behavioral outbursts. Review of staff training records. Feedback from participants and caregivers (required) as well as from staff regarding program satisfaction should be considered. Review of job descriptions and time studies can be used to evaluate staffing needs. Conducting quality assurance/internal controls to ensure that the program is meeting the state requirements.

Staff to participant ratios of 1:7 is generally recognized as being adequate for SADS programs serving the physically frail. In dementia specific programs, the ratio may be 1:5.

Appendix C: Participants' Rights

Social Adult Day Care (SADC) Participant Rights

- Participants shall be treated with dignity and respect.
- Participants shall not be subjected to verbal, sexual, mental, physical or financial abuse, corporal punishment or involuntary work or service by the Program.
- Participants shall not be subjected to chemical or physical restraint by the Program.
- Participants shall not be subjected to coercion, discrimination or reprisal by the Program.
- Participants shall be free to make personal choice in regards to accepting or refusing services and/or activities offered.
- Personal information about participant shall be kept confidential.

NYS Office for the Aging, SADC Regulations, Title 9 NYCRR Section 6654.20

Appendix D: Adult Day Service Ombuds Signage



**Department for
the Aging**

Eric Adams Mayor

City of New York

Lorraine Cortés-Vázquez Commissioner

Department for the Aging

Social Adult Day Care Ombuds Office

If you have a comment, question, or
complaint about a social adult day care
program in
New York City,
please contact

311

www.nyc.gov/aging

sadc-ombuds@aging.nyc.gov

Appendix E: Incident/Accident Report Form



INCIDENT/ACCIDENT REPORT FORM

For use by programs under contract with the NYC Department for the Aging.

Incident Report Forms must be completed and sent to your NYC Aging Program Officer, Contract Manager and/or Director within 24 business hours from the date of the incident/accident. Any requested information not available at the time of submission of this report must be submitted in writing as soon as it is available.

DATE: _____

SERVICE PROVIDER/PROGRAM: _____ ID# _____

Bureau/Program Area:
Community Services: HDML NORC Nutrition Older Adult Center Transportation

Social Services: Caregiver Case Management Friendly Visiting
 GRC/MAP Homecare SADS

Active Aging: Employment Foster Grandparents HIICAP
 Senior Employment/Reserve Silver Stars

Office of Elder Justice: Bill Payer Elderly Crime Victims Resource Center (ECVRC)
 Geriatric Mental Health HIICAP Home Sharing
 Tenancy & Eviction Support Services

Other _____

EXECUTIVE DIRECTOR: _____ PROGRAM DIRECTOR: _____

PROGRAM ADDRESS: _____ PHONE: _____

Date of Incident	Time of Incident	Address/Location of Incident	Name/status of person(s) involved (Client, Staff, Volunteer, Other)

TYPE OF INJURY/PROPERTY DAMAGE/INCIDENT (check all that apply and describe on next page.)

- | | |
|--|--|
| <input type="checkbox"/> Physical Injury | <input type="checkbox"/> Property damage/vandalism |
| <input type="checkbox"/> Slip/trip/fall (outside/inside) | <input type="checkbox"/> Property stolen |
| <input type="checkbox"/> Choking | <input type="checkbox"/> Auto accident |
| <input type="checkbox"/> Burn | <input type="checkbox"/> Auto vandalism |
| <input type="checkbox"/> Illness | <input type="checkbox"/> Hazardous Material Exposure |
| <input type="checkbox"/> Client/workplace violence | <input type="checkbox"/> Inappropriate Behavior |



INCIDENT/ACCIDENT REPORT FORM

For use by programs under contract with NYC Department for the Aging.

- Contagious disease exposure Intoxication
- Elder Abuse (physical, emotional, financial, sexual/harassment)
- Death
- Other _____

Was NYPD notified about this incident? Y N If Yes, pct./complaint # _____

If Yes, what was the outcome (Ex. did NYPD come to the scene? was police action taken?) _____

Was medical treatment required/provided on site? Y N Was 911/ambulance called? Y N

Did this incident result in a hospital stay? Y N # of days _____

Was participant dismissed/removed from the premises? Y N NA

Was participant suspended from the program? Y N NA If Yes, for how long? _____

Description of Incident /Accident and Program’s Response (attach separate page if needed)

Statement of Injured Party/Witness(es) (attach separate pages if needed)

Name: _____

Signature Program Director/Supervisor: _____

REPORT PREPARED BY:

SIGNATURE _____ DATE _____

NAME (print) _____ TITLE _____

Appendix F: Adult Day Service Definitions

Adult Day Service: Structured, comprehensive programming that provides individuals that are functionally impaired with socialization, supervision, monitoring, nutrition. May also offer personal care in a congregate setting or virtually during any part of the day, but less than 24 hours.

Adult Day Service Caregiver Assistance: Informal support to the caregiver by providing information about the condition of the participant and or making referrals to services for support to the caregiver.

Case Coordination: Establishing or coordinating linkages/referrals to other community resources or services for the participant in relation to benefits/entitlements or other information or needs and entering progress notes.

Client Assessment: An assessment of the participant's care plan, level of care service plan, goals, and other needs. An assessment is to be completed at minimum every 6 months along with progress notes.

Transportation: Transportation service provided between the participant's home and the SADS program.