

# ASSISTED in Assisted Living Act

## *Advancing Supportive Services, Information Sharing, and Transparency for Evidence-informed Decisions in Assisted Living Act*

Sen. Mark Kelly (D-AZ)

The ASSISTED in Assisted Living Act will ensure assisted living providers and consumers are informed of best practices in assisted living for high-quality, good-value residential long-term care.

### Background

Assisted living communities provide residents with a lower level of care than nursing homes and were, upon their creation in the 1980s, intended to be a social model of care. Assisted living communities are regulated at the state level, which typically oversee requirements around staffing, resident need assessments, recordkeeping, and safety. Specific state regulations vary: for example, as of 2023, 24 states have quality measurement, data collection, or quality management requirements, while 44 states have infection control requirements for communities.<sup>1</sup> The cadence of state-required inspections may range from annually to “when deemed necessary;” some states require specific dementia training while others require none at all. As resident acuity increases, consumer understanding of how to select a long-term care community and what to expect from its services becomes even more important.

In 2001, the Senate Aging Committee helped create the Assisted Living Workgroup to develop recommendations for best practices to cultivate more consistent quality in assisted living. 48 organizations worked on a final report totaling 380 pages but containing little agreement on the path forward.<sup>2</sup> The ASSISTED in Assisted Living Act provides a new opportunity to offer best practices and clear measurement of excellence in 21<sup>st</sup> century long term care.

### About the Legislation

The ASSISTED in Assisted Living Act will ensure that both community operators and consumers alike understand best practices across states and how communities are reaching those goals. Specifically, the legislation:

- Establishes an Assisted Living Advisory Council composed of a range of stakeholders in long term care to develop **new** recommendations for best practices in assisted living and ways to evaluate communities on those best practices;
- Directs the Department of Health and Human Services to develop a mechanism for communities to voluntarily report performance related to best practices recommendations; and
- Facilitates the creation of an online public-facing dashboard to reflect voluntarily reported information regarding performance.

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<sup>1</sup> National Center for Assisted Living, “Assisted Living State Regulatory Review 2023 Edition.” [https://www.ahcancal.org/Assisted-Living/Policy/Documents/2023\\_reg\\_review.pdf](https://www.ahcancal.org/Assisted-Living/Policy/Documents/2023_reg_review.pdf)

<sup>2</sup> The Assisted Living Workgroup, “Assuring Quality in Assisted Living: Guidelines for Federal and State Policy, State Regulation, and Operations.” <https://theceal.org/wp-content/uploads/2023/01/AssistedLivingWorkgroupReport-April2003-with-appendices.pdf>