
Delaware Residents' Protection Commission

DRPC

Meeting of **April 21, 2026**
9:30 a.m.

Virtually via Zoom
Anchor Location: DDDS Fox Run
2540 Wrangle Hill Rd
Bear, DE 19701

FINAL

Commission member(s) present: Lisa Furber, DNHRQAC Chair; Cheryl Heiks; Norma Jones; Mary Peterson; Kori Bingaman, RN, NHA; Chris Marques, Esquire; Adrienne Wallace; Khazra Fatima, proxy for Representative Claire Snyder-Hall; Wyatt Patterson, proxy for Senator Mantzavinos; Hooshang Shanehsaz; Sean Dwyer, Jim McCracken and Kevin Andrews.

Commission member(s) not in attendance: Dr. Virani, MD.

DRPC staff attended in-person at the anchor location. The remainder of meeting participants attended virtually or by phone. A quorum of commission members was present.

Others Present: Margaret Bailey, DRPC; Ngozi Dom-Chima; Amanda Levering, DHCQ; Rob Smith, DHCQ; Kim Reed, DHCQ; Traci Fick, DHCQ; Colleen Yezek, Division of Medicaid and Medical Assistance (DMMA); Jule Villecco, Delaware Healthcare Assoc (DHA); Harry Palmer, DE Hospital for Chronically Ill (DHCI), Alexia Wolfe, DHCI and Ayana McIntyre, Public.

1. Call to Order and Introductions

Commission Chair, Lisa Furber, called the meeting to order at 9:30 a.m.

2. Approval of Meeting Minutes

A motion was made by Ms. Peterson to approve the minutes of March 17, 2026 and seconded by Ms. Jones. The meeting minutes were unanimously approved as written.

3. Discussion

DHCQ Updates

DHCQ currently has the following long-term care staff vacancies: 2 compliance nurses, 1 medical social service consultant and 1 environmental health specialist.

Ms. Levering shared an update relating to the long-term care bill package positions: RN3 Educator and Social Service Administrator. DHCQ will be posting these positions and conducting interviews to fill the

positions. She added that current DHCQ staff, Karen Crowley, was recently hired as a senior social service administrator to work on regulations effective 5/6/2026.

Ms. Levering advised that the regulations relating to temporary staffing agencies (part of the long-term care bill package) currently appear in the Register of Regulations.

Ms. Levering mentioned the Division will be meeting with assisted living facility providers in June 2026.

Background Check Center (BCC) – new “go live” date is being impacted by SB 67.

Adult Abuse Registry Placement – CY25, 49 individuals were added to the registry. This number has been similar for the past 2 years.

Commission members were encouraged to send follow-up questions to Ms. Bailey. She will send a collective list of questions to DHCQ.

Civil Monetary Penalties Imposed (CMPs) – CY 2025 State CMPs: \$130,500 and CY 2025 Federal CMPs: \$79,555.62. Ms. Ficke mentioned DHCQ has been revising language relating to the State CMPs. This information will be shared shortly.

1st Qtr 2026 Quality Assurance Review Team (QART) Report

Rob Smith provided a copy of the 1st Qtr 2026 QART Report in advance of the meeting. There were 13 deficiencies reported at a “G” level or greater (actual harm) during this time frame. After review from the QART Team, all 13 deficiencies cited by surveyors were upheld.

DRPC members asked DHCQ if they could provide a written summary of the deficiencies identified in the report. The summaries used to be provided and helpful for Commission members. DHCQ will resume providing summaries on future quarterly reports.

1st Qtr 2026 2025 Staffing Report

A copy of the Staffing Report was provided to commission members in advance of the meeting. Two facilities did not meet the 3.28 Hours Per Resident Per Day (HPRD). The report identified the facilities as Cadia Renaissance (snowstorm) and Milford Center (a Saturday).

During this time frame, DHCQ stated all facilities met the registered nurse (RN) to resident shift staffing requirements. During this time frame, one facility did not meet the certified nursing assistant (CNA) ratio to resident per shift (1 day and 1 evening shift).

Mr. Smith added that Eagle’s Law provides facilities a choice of 2 staffing phases:

Phase 1: More stringent and ratios are averaged over a week (most often used by facilities)

Phase 2: Must meet requirements every day, every shift

1st Qtr 2026 Exigent Circumstances

During 1st Qtr 2026, 6 facilities submitted reports to DHCQ relating to exigent circumstances. The separate occurrences were noted in the report. The Commission was advised that most of the exigent circumstances

involved the Director of Nursing/Assistant Director of Nursing (DoN)/(ADoN) providing direct care because of call-offs or an agency nurse providing night shift supervision due to a vacancy.

1st Qtr 2026 Annual & Complaint Surveys

The Division conducted 16 annual skilled nursing facility (SNF) surveys during the quarter. 8 were completed by the contractor. There were 17 complaint SNF surveys conducted (8 completed by the contractor) and 313 complaints were investigated. Additionally, 7 follow-up surveys were conducted by DHCQ.

There were 6 annual assisted living facility (ALF) surveys conducted, and 13 complaint surveys completed. 104 complaints were investigated during 1st Qtr 2026, and there were 5 follow-up surveys.

Ms. Ficke provided an update regarding the contractors and funding. She added that the Division utilizes the contractors to help remain in compliance and continue to explore at other avenues, too.

1st Qtr 2026 Top Survey Citations

Rob Smith presented the top 5 citations for nursing home facilities during 1st Qtr 2026, which included: dietary, infection control, care plan timing & revisions, bowel/bladder, and quality of care.

The top 5 deficiencies cited in 1st Qtr 2026 for assisted living facilities, included: the records/reports, staffing (LPNs out of scope of practice by completing resident assessments), medication management, services agreements and services.

1st Qtr 2026 Monitors and Temporary Managers

Rob Smith provided an update on the monitored and temporarily managed facilities during this quarter. Mr. Smith shared that Milford Center just graduated and is no longer a special focus facility. Pike Creek Nursing and Rehabilitation Center, was transitioned from a manager to a monitor. A temporary management company was imposed at Peach Tree assisted living facility on December 11, 2024.

1st Qtr 2026 New Facilities

Rob Smith shared that Stonegates plans to open an assisted living facility, which will include an 18-bed memory care unit in the future. This facility is anticipated to open their doors in April 2026. DHCQ mentioned that this facility will not be available for the community but rather for individuals currently living in their independent living area.

Change in Ownership

Newark Manor had a change of ownership on January 7, 2026. The new owners: Blue Hen Healthcare, LLC.

Mr. McCracken asked whether the Division looks at history of abuse or neglect when there is a change of ownership.

Ms. Levering stated there have been situations where there has been a lack of transparency in communicating a change in ownership. Ms. Ficke added that she has spoken to some residents and families regarding a change in facility ownership. She has received feedback from some residents/families of ownership changes, stating that care has gone down since the change of ownership.

Managed Care Organizations (MCOs)

Colleen Yezek, DMMA Chief of Managed Care Operations, provided an update relating to the MCOs.

Open enrollment is held annually: October 1 – October 31.

Delaware contracts with MCOs to administer Medicaid benefits. Currently, there are 3 organizations that serve in this capacity:

- AmeriHealth Caritas
- DE First Health
- Highmark Health Options

The MCOs provide case management. Staff members receive extensive training and follow LTC members. This includes attending care plan meetings, if possible.

There is an adult dental program available for Medicaid adult clients. This service was added in 2020. The annual benefit for routine dental care is \$1k. With approval, there is an extra \$1,500 available for emergencies or medically necessary services. Each MOC offers dental benefits:

- AmeriHealth Caritas uses DentalQuest
- DE First Health uses Envolve Dental
- Highmark Health Options uses United Concordia

Modivcare coordinates transportation services, like a broker, for Medicaid clients. This includes trips for example to medical appointments. There are several organizations Modivcare works with to provide the actual service. Reservations are required 72 hours in advance; this will assist with determining # of riders, vehicle capacity or trip availability.

To schedule transportation, facilities should contact:

Ashley Lopez, facility liaison – 302.697.5096 or email Ashley.lopez@modivcare.com or Jordan Eckton, Health Care Manager – email (only) Jordan.eckton@modivcare.com.

Commission members were encouraged to send follow up questions to Ms. Bailey. In return, a comprehensive list of questions will be sent to DMMA for a response.

4. Old/New Business

Satisfaction Survey

Ms. Dom-Chima shared updates relating to the satisfaction survey. Feedback has been received from residents, family members and staff. To date, more than 60 surveys have been completed. The survey will be completed before the end of the fiscal year.

Ms. Peterson added that the purpose of the satisfaction survey is to gather feedback from residents, families and staff about things going well in long term care facilities and not so well. The survey feedback can be used to continue to improve services.

DRPC Committee Updates:

DRPC Staffing Ratio Waiver Application Decision Subcommittee has not met because there haven't been any waiver applications submitted to date.

DRPC Legislative and Advocacy Subcommittee recently met with DHSS, in particular, DHCQ to discuss the assisted living draft legislation, specifically relating to memory care units. Stakeholders also provided additional feedback. The discussion was robust. The subcommittee is in the process of scheduling the next meeting to continue the discussion to look at things we can work on now vs things in the future. Meeting information will be posted on the Delaware Public Meeting Calendar.

Mr. McCracken asked if the whole commission should be establishing legislative priorities and delegating to committee. Ms. Peterson shared that the legislative/advocacy committee reports to the Commission, and nothing is finalized without the approval of the full Commission. The legislative agenda has been approved by the Commission.

Mr. Marques added that any commission member or member of the public can attend full and subcommittee meetings. He added that subcommittee's gather information and present to the full Commission for consideration.

Mr. McCracken suggested since there are several new commission members, perhaps this item can be added to the next full commission meeting's agenda for further discussion. He also suggested perhaps a quarterly calendar or such, with subcommittee meeting information, could be shared with the full Commission. Ms. Peterson added that this maybe something for the administrative specialist to work on, when a new staff member is on board.

Ms. Heiks suggested when new commission members begin their appointment, perhaps a list of subcommittees could be shared, to see if they have interest in participating. Ms. Bailey mentioned during onboarding of new commission members, there is discussion regarding subcommittees and opportunity for new members to join.

DRPC By-Laws

DRPC By-Laws Subcommittee met recently to review the by-laws. The group plans to meet again to continue with revisions. A draft of the recommended changes will then be presented to the full Commission for consideration.

DRPC Hiring Committee

Ms. Bailey shared that the Administrative Specialist job posting has been updated and interactive questions were submitted to Administrative Office of the Courts (AOC) Human Resources. The job posting will hopefully appear on the State of Delaware employment webpage ---later in the week or next week. The posting will remain active for 3 weeks. A list of qualified candidates will be sent to the hiring

committee. The group will then begin interviewing and present their recommendation to the full Commission for consideration during a future full meeting (via Exec Session).

5. Public Comment

No members of the public elected to provide comments.

6. Next DRPC full Meeting

The next DRCP full Meeting will be held on May 19, 2026 @ 9:30 am. Information about the meeting will be posted on the Delaware Public Meeting Calendar and individuals can attend virtually or in-person.

7. Adjournment

The meeting was adjourned at 11:07 a.m. by commission member Ms. Peterson.

Attachments: 4/21/2026 meeting agenda
3/17/2026 minutes draft
DHCQ PPP, QART and Staffing Reports
MCO PPP