

## MISSION

The Division of Long Term Care Residents Protection (DLTCRP), within the Department of Health and Social Services (DHSS), was created in 1998. Its mission is to protect residents in Delaware long term care facilities which include: nursing homes, assisted living facilities; neighborhood, group and rest family care homes; and behavioral support residences. Protection is maintained through:

- Promotion of quality of care, quality of life, safety and security, and
- Enforcement of compliance with State and Federal laws and regulations.

The Division is responsible for the Adult Abuse Registry, Criminal Background Checks and Mandatory Drug Testing, the Certified Nursing Assistant (CNA) Registry, Complaint and Incident Reporting related to long term care facilities, licensing/certifying long term care facilities, and developing regulations related to these areas.

## REGULATED FACILITIES & AGENCIES

- Nursing Homes-49
- Assisted Living-31
- Neighborhood Homes - 188
- Group Homes-19
- Group Homes AIDS-1
- Rest Residential-3
- Family Care-83
- Intensive Behavioral Support Educational Residences-12
- CNA Schools-25
- Registered CNA's-10, 270

## The Division of Long Term Care Residents Protection

3 Mill Road, Suite 308  
Wilmington, DE 19806  
Telephone Number  
(302) 421-7400

24 NW Front Street  
Milford, DE 19963  
Telephone Number  
(302) 424-8600

Complaint Hotline  
1-877-453-0012

<http://www.dhss.delaware.gov/dlterp>

Mary E. Peterson, Director  
John T. Murray, Deputy Director



Department of Health and  
Social Services

Division of Long Term  
Care Residents Protection



## LICENSING & CERTIFICATION SECTION AND THE SURVEY PROCESS

Surveys are inspections conducted by a team of nursing and environmental professionals. On-site surveys are performed yearly as required or more often if deemed necessary. The survey team observes staff completing their duties, examines resident medical records, reviews policies and procedures, evaluates the safety of the facility/home, and speaks with residents, families and workers. At the conclusion of a survey, the team writes a detailed report on the results of the survey outlining deficiencies which require an acceptable plan of correction to address all deficiencies cited in the report. Other action, up to and including revocation of license and/or loss of Medicare and Medicaid monies, may also be taken depending on the severity of the deficient practices. Additional information about the Licensing and Certification Section duties include:

- Licensing long term care facilities to operate in Delaware;
- Certifying nursing homes for Medicare and/or Medicaid in Delaware;
- Determining and monitoring compliance with State and Federal long term care regulations and standards;
- Conducting annual surveys and surprise inspections, including night and weekend visits;
- Responding to complaints and incidents regarding quality of care, quality of life, and/or violations of residents' rights; and,
- Operating and maintaining the Delaware Nurse Aide Registry.

## INVESTIGATIVE SECTION

The purpose of the Investigative Section is to ensure that individuals receiving services in long term care facilities are safe, secure, and free from abuse, neglect, mistreatment, and financial exploitation. Anyone who suspects that a resident has been abused, neglected, mistreated or financially exploited or who has concerns can call DLTCRP and report an incident to our intake staff. The Investigative Section is responsible for:

- Operating the Complaint and Incident Referral Center (IRC), which receives complaints/incidents regarding long term care facilities and assigns them for follow-up with investigative staff;
- Investigating complaints of alleged abuse, neglect, mistreatment, and financial exploitation;
- Ensuring compliance with the criminal background check and mandatory drug testing laws; and,
- Maintaining and administering the Adult Abuse Registry.

## CNA REGISTRY & TRAINING

The DLTCRP is responsible for regulating the training and testing program for Certified Nursing Assistants (CNAs) and for the CNA Registry. To work as a CNA, individuals must meet the CNA requirements specified in the State of Delaware law and regulations. The requirements include taking an approved training program and passing a test. Individuals who are shown to be competent are placed on the CNA Registry. The certification as a CNA must be renewed every 24 months, and during that period, the CNA must have completed 24 hours of appropriate training.

## BACKGROUND CHECKS AND DRUG TESTING

The Delaware Code requires criminal background checks and mandatory drug testing for all individuals applying to work in a long term care facility or a home care agency. The DLTCRP manages the Background Check Center (BCC) which all long term care and home care employers must use to confirm suitability for employment. The BCC is a web-based system that provides, in one place, background information on applicants for employment from eight data streams. Through this process, the DLTCRP receives state and federal criminal history records and is able to alert employers if an applicant has a disqualifying criminal history. Private citizens may also take advantage of the BCC when employing a health care worker in their home by contacting the DLTCRP.

## ADULT ABUSE REGISTRY

The listing of a person's name on the Adult Abuse Registry is based on a civil finding of abuse, neglect, mistreatment, financial exploitation, or a combination of those findings. It is not a criminal finding. Individuals are placed on the Registry for a fixed period of time. When that time period ends, the sanction is over and the name is removed. A listing of "Substantiated Pending Appeal" means that the person listed either has filed an appeal to challenge the listing, or still has time in which to do so. Otherwise the listing is "Substantiated," meaning that the listing has been finalized after an appeal, or that no appeal was requested within the time permitted.