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## Happy Anniversary, 6Beds, Inc.!

6Beds, Inc. accomplished great things in our first year thanks to the support of our members and the hard work of our many volunteers. Last year at this time we never imagined that we would be



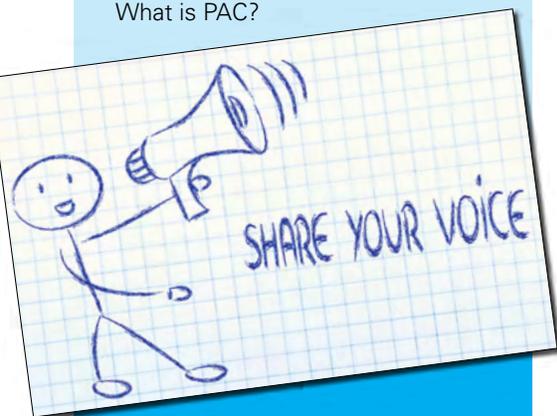
at the table with Department of Labor (DOL) leaders, let alone DOL providing guidance and training for 6Beds' members. This is an astronomical accomplishment as we are the first industry EVER to have Department of Labor provide training and guidance. We also never imagined last year at this time that we would have Littler Mendelson, a top labor law firm going to bat for us with Department of Labor and putting together *The Wage and Hour Guide for Residential Care Facilities in California (The Guide)*. 6Beds' focus on payroll compliance began last fall because many RCFE owners were being audited by the DOL and were required to pay large fines and back wages often in the hundreds of thousands of dollars. Members communicated to us that their top concern was the DOL audits. Many RCFE owners are in fear of an audit and their subsequent ability to stay in business. The current and available *Wage and Hour Guide* was put together by Littler Mendelson from a year of intense labor law research and meetings with both DOL and 6Beds' leaders.

DOL auditors have reported to 6beds that many RCFE owners are not paying employees according to the law. Here is a short list of the top errors that many RCFE owners are making:

- 1099 employees
- paying employees by salary (they should be paid hourly)
- not paying overtime for hours worked over eight hours in a day
- not having clearly scheduled breaks according to the law
- not allowing employees to leave the facility during break times
- not paying for time worked during sleep hours

Although the audits are not over, DOL is very pleased to see the efforts of 6beds to educate our members on compliance. We are told that DOL will continue to audit RCFEs until they see significant compliance.

After a year of hard work, Littler Mendelson Law firm has created a compliance guide. *The Guide* is an online toolkit that provides over 40 pages of detailed and up-to-date summary of federal and California law



We want to hear from you about what you would like as priorities for 6Beds to accomplish and also what you would like to appear in future editions of this newsletter. Please submit your thoughts and suggestions to [Trishbeach3@gmail.com](mailto:Trishbeach3@gmail.com)

# Happy...(cont. from Page 1)

to help residential care facilities comply with complex wage and hour regulations. ***The Guide contains DOL-vetted employment agreements for live-in and live-out caregivers including 24 hour shifts.*** It also includes a timesheet that meets the more stringent California labor guidelines. *The Guide* is the only wage and hour guide in our industry that was reviewed by and has received valuable input from the Department of Labor.

On August 1, 2015 we held our first training and distribution of the compliance guide in Buena Park, California. *The Guide* is available for \$950. This fee is to pay Littler Mendelson for a year of research and for their many meetings with 6Beds' leaders and DOL. It would not be possible for any one of us to get this DOL vetted guide with contracts and timesheets by hiring our own law firm. It is only through the combined resources of our association members that it is affordable at \$950. *The Guide* is available for purchase on our website. Please watch for emails for future trainings that are being conducted by both Littler Law firm and the Department of Labor. Please contact 6Beds, Inc. if you have purchased *The Guide* and have not received a welcome letter with instructions directly from Littler.

6Beds, Inc. sincerely thanks each of our members for their contribution to the wage and hour guide because without the trust, time, and financial contribution of our members and volunteers none of this would be possible.

We are just starting our second year. We have another great year ahead! Please go to our website and renew your membership. It will help us greatly to plan a budget and set our goals.

Again our sincerest thanks to you, our members!

## MEMBER PROFILE



### Linda Dean of Country Gardens Terrace, Costa Mesa, CA

Linda Dean is the owner of Country Gardens Terrace in Costa Mesa. 6Beds, Inc. interviewed Linda for this issue of *The Voice*.

**Elayne: Why did you join 6Beds, Inc?**

**Linda:** I have been in the Senior Care industry for over 26 years and I felt we needed a strong voice and to have an opportunity to make this industry stronger. This is why I became a member of 6Beds, Inc.

**Elayne: What is your #1 priority for 6Beds to accomplish?**

**Linda:** Besides legislative, which is extremely vital, I'd like the smaller facilities to have a more equal footing with the larger facilities. The consumer still doesn't know we exist, even after all these years. It's difficult when the larger facilities are big corporations with advertising budgets and the independently owned 6 bed facilities are typically one owner just struggling to make a profit in today's marketplace.

We now have a Voice. I feel empowered to convince our fellow owners to speak up and become part of this group.

**Elayne: What is the most challenging part of operating a Residential Care Facility for the Elderly?**

**Linda:** Making ends meet! Simply being able to still be profitable in these highly regulated times. We are in this business to serve the elderly with excellent care. And then we would still like to enjoy a profit. Who's going to pick up the slack in care if the small facilities are no longer around due to over-regulation which ends up pricing us out of business? It's not something we want to think could happen.

**Elayne: What would you tell someone who is first getting into the RCFE business?**

**Linda:** Know your regulations! This is a highly regulated business and it's an absolute must to know this. Study Title 22 until you know it inside and out. And absolutely have enough capital for many months of no incoming revenue when you're first starting up. The residents aren't out there just waiting for you to open your doors. You must be prepared financially as well as knowing what you can and can't do within the regulations.

## AFFILIATE MEMBER PROFILE



*SolarCity is America's largest solar power provider. We make clean energy available to homeowners, businesses, schools, non-profits and government organizations at a lower cost than they pay for energy generated by burning fossil fuels like coal, oil and natural gas.*

*Our approach is to install systems to the highest engineering standards while making the switch simple for our customers. We've revolutionized the way energy is delivered by giving customers a cleaner, more affordable alternative to their monthly utility bill. We call this Better Energy.™*

### **Ruby Affiliate Support**

Maricel's background is in Engineering, Management and Sales specifically in the field of semiconductor and solar technology. She has worked for corporate and start-up companies in the Silicon Valley for more than 20 years. Since venturing into the Solar industry, it has been Maricel's advocacy and mission to educate and share the knowledge base of how solar energy can be the mainstream source of power for everyone. Conventional energy generated by burning fossil fuels such as coal, oil and gas continue to hurt our environment. Factor in the water used to make electricity has caused a direct impact to the on-going drought that our cities are experiencing today. I believe that having individual energy choice by using the sun as an infinite resource for generating and sustaining electricity is the best solution to save our deteriorating environment.

By joining the solar movement, 6Beds, Inc. will help influence the change that our environment needs, not to mention the benefits coming from the solar electricity savings.

### **6Beds Member Support**

I became a 6Beds Affiliate Member representing my company, SolarCity. As a SolarCity Sr. Energy Consultant, I have helped sponsor 6Beds, Inc. events. I have joined the rallies and meetings of 6Beds and I have experienced and seen why this industry needs help to continue to stay in business. This cause has made me become an avid supporter and advocate for Senior Care. Every 3 minutes, someone switches to SolarCity. See if you qualify.

Contact your 6Beds Affiliate Member:  
MARICEL ECHIVERRI, SolarCity Sr. Energy Consultant  
(510) 676-4750 • mechiverri@solarcity.com



# Best Practices

This corner of The Voice is reserved for sharing Best Practices or Tricks of the Trade. Please share your Best Practices or Tricks of the Trade by submitting your suggestions of products you love, procedures that work, and tips or advice to Trish Beach at [Trishbeach3@gmail.com](mailto:Trishbeach3@gmail.com).

## Change of Med Forms

We all know how important it is to stay current with our residents' medications and any changes that are made to them.

At our facility we use a 'Change of Med' form as a safeguard for medication dispensing. It is a half-page form that informs all shifts of any medication change since their last shift. This form is filed only when both shift managers, my administrator and I, the licensee, have signed it.  
*(Submitted by Linda Dean)*

## UPCOMING EVENTS

### **Webx Teleconferences**

6Beds, Inc. will soon start conducting monthly Webx teleconferences for all members to join in and get the latest, most up-to-date information on what we're doing in the industry for our members. There will be opportunities for questions and answers during these conference calls. Stay tuned for the first ever Webx teleconference for 6Beds members.

### **November 4, 2015 – San Diego DOL/Littler Training**

City of El Cajon Recreation Dept.  
195 E. Douglas Avenue  
El Cajon, CA 92020

### **November 5, 2015 – Los Angeles DOL/Littler Training**

Atwater Larchmont Tila Pass Lodge, No 614 F & A.M.  
2927 Rowena Avenue  
Los Angeles, CA 90029

# No Exception Needed

RCFE licensees no longer need to apply for an exception for prohibited and restricted conditions for a current resident or a new admission if the resident is on hospice care. You MUST follow the regulations in order to qualify for this. You will find all the regulations in Title 22, Division 6, Chapter 8, section 87616.

**(c) Facilities that have satisfied the requirements of Section 87632, Hospice Care Waiver, are not required to submit written exception requests under this section for residents or prospective residents with restricted health conditions under Section 87612 and/or prohibited health conditions under Section 87615 provided those residents have been diagnosed as terminally ill and are receiving hospice services in accordance with a hospice care plan as required under Section 87633, Hospice Care for Terminally ill Residents, and the treatment of such restricted and/or prohibited health conditions is specifically addressed in the hospice care plan.**

This is a partial list of prohibited and restricted health conditions (refer to Title 22):

- **(10) Stage 1 and 2 pressure sores (dermal ulcers) as specified in Section 87631(a)(3).**
- **(11) Wound care as specified in Section 87631.**
- **Stage 3 and 4 pressure sores (dermal ulcers).**
- **Gastrostomy care.**
- **Naso-gastric tubes.**
- **Staph infection or other serious infection.**
- **Tracheotomies.**
- **Residents who depend on others to perform all activities of daily living for them as set forth in Section 87459, Functional Capabilities.**

This is strictly an overview. It is your responsibility to be aware of and to follow the regulations.

# 6Beds PAC

A PAC is commonly referred to as a Political Action Committee. They may receive donations which can be used for political, legislative or governmental purposes.

PACs typically support multiple candidates or ballot measures being voted on in different jurisdictions and/or during different elections by making campaign contributions and expenditures. 6Beds Political Action Committee further unites 6Beds, Inc., its affiliate members, small facility care providers, and other individuals and businesses who share the views and goals of 6Beds, in order to establish a recognized voice in California politics for senior and adult care facilities. Donors do not have to be members of 6Beds, Inc., so please consider soliciting vendors, others in the Assisted Living industry, individuals, and businesses for contributions to 6Beds Political Action Committee. Contributions to 6Beds Political Action Committee are not tax deductible.

6Beds, Inc. is the sponsor of 6Beds PAC. As such, 6Beds, Inc. Board of Directors has the authority to make decisions for the PAC. With regard to a PAC's day-to-day management, no laws dictate how a PAC must be managed or should be managed. The 6Beds, Inc. Board of Directors envisions having a 6Beds PAC Advisory Committee that will make recommendations regarding which candidates to contribute to, as well as the amounts of those contributions. The 6Beds, Inc. Board of Directors will make the final decision as to each contribution that is ultimately made by the PAC.

## EDITORIAL BOARD

### Trish Beach

Communications Committee, 6Beds, Inc.

### Elayne Carver

Communications Committee, 6Beds, Inc.

6Beds, Inc. is dedicated to provide a safe, affordable and comfortable environment for California seniors and disabled adults.

We work to educate legislators, local elected officials, key opinion leaders and the public about the critical role six-bed facilities play in our state's healthcare structure. We also work to advocate for commonsense legislation that protects seniors and allows our facilities to continue providing the level of safe and affordable care our customers expect.

Quote  
of the  
Quarter

*When saving for old age, be sure to put away a few pleasant thoughts.*

Anonymous