

Providing Adult Day Services in Assisted Living Programs

This resource document may assist Assisted Living providers in understanding what is necessary to offer Adult Day services within the Assisted Living program.

Q: Can an Assisted Living (AL) program have another business or entity within the AL program?

A: Yes. According to 481-67.6, another business or activity that serves people other than tenants of the AL program is allowed. However, the business or activity must occur in a designated area of the building. In addition, the other business or activity must comply with all State and Federal rules, codes and regulations, must not interfere with the use of the program by AL tenants or disturb tenants. The AL program must ensure that the other business or activity does not limit access to services or staff available in the AL that are necessary to meet the identified needs within the tenant's service plans.

Q: Is an Adult Day Services (ADS) program required to be certified or licensed by the State?

A: It depends. According to 481-70, an ADS is defined as an organized program providing a variety of health-related care, social services, and other related support services for 16 hours or less in a 24-hour period to two or more people with a functional impairment on a regularly scheduled basis. By this definition, if the AL program only provided ADS to one person that was not on a scheduled or routine basis, it does not appear that it would need to be certified. However, this may not be a practical approach as you may need to designate a 1:1 staff person to the participant sporadically, which could be difficult to plan and staff for.

Q: If the program can meet the needs of the AL tenants, can program staff be shared (such as the RN, Activity Staff, medication manager)?

A: According to the administrative rules in 481-67.6 the other business or activity located within the AL program must have separate staff. However, organizations could utilize strategic approaches to identify appropriate staffing patterns that may be mutually beneficial to both businesses while meeting the needs of those served. Without factoring tenant or participant needs, an example could be that an RN is staffed three days per week in the AL program and two days per week in the Adult Day or four hours each day in each program.

Q: What if the individuals attending don't have a mobility problem to be considered with a "functional impairment" as defined above?

A: A functional impairment is defined as psychological, cognitive, or physical impairment that creates an inability to perform personal and instrumental activities of daily living and associated tasks that necessitate some form of supervision assistance or both. Based on this definition, it may be difficult to identify participants that attend ADS without functional impairment.

Q: If I want to provide ADS within the AL building it appears that the best solution is to become certified, what is the process?

A: 481-70 outlines the requirements for becoming a certified ADS provider in Iowa. There are two options including certification through the State or accreditation through [CARF](#). To become certified through the State, at least 90 days in advance of when the program would like to serve participants, they must submit a completed [application](#), supplemental documentation, and a certification fee (see below) to the Department of Inspections, Appeals, & Licensing (DIAL). In addition, you will need to have a plan review completed by the Fire Prevention Bureau within DIAL.

Q: What are the associated fees with the plan review and application?

A: The Iowa Code 231D provides the following fee schedule for ADS:

- Initial certification application \$750
- Recertification \$1,000
- Optional preliminary blueprint review \$500
- Required blueprint review \$900
- If applying for certification but are accredited \$125

Q: What are the supplemental documents that must be included with the application?

A: 481-70 requires that the following information, statements, and policies are included with the certification application:

Owners/Managers:

- The ADS must list all names, addresses, and percentage of stock, shares, partnership, or other equity interest of all officers, members of the board, trustees, stockholders, partners, or anyone that has more than 10% equity in real estate as an owner or lessor, lessee, and management company.
- A statement identifying if any of the above individuals have been convicted of a felony, aggravated or serious misdemeanor, or found to be in violation of child or dependent adult abuse in any State.

- A statement or disclosure if any of the above individuals have been an owner or had interest in a program that was closed or involuntarily terminated their Medicare/Medicaid certification.

Policies & Procedures:

- Evaluating participants along with a copy of tools that are used during the evaluation process.
- Service plans.
- Addressing medication needs of participants.
- Accident and emergency response.
- Food Service including staffing; nutrition; menu planning; therapeutic diets; food preparation, service, and storage.
- Activities.
- Transportation.
- Staffing and training.
- Emergencies including natural disasters. The policy must include an evacuation plan and how the ADS provider will notify the legal representatives in the event of an emergency.
- Managing risk, including how the ADS will uphold participant autonomy.
- Reporting incidents, including adult abuse allegations.

Contractual Agreement:

The ADS must submit a copy of the contractual agreement between the ADS and the participants including all attachments. The rules in 481-70 and 231D require that the contractual agreement:

- Is in 12 point or larger font
- Is written in plain language that is easy for participants and their caretakers/representatives to understand.
- Is signed prior to participants being admitted to the ADS program.

In addition, the contractual agreement must include:

- The telephone number for filing a complaint to DIAL.
- The telephone number for reporting dependent adult abuse allegations.
- The program's statement on participant's rights.
- A statement that the program will provide participants with at least 90 days advance notice of closure, except in emergency circumstances.
- Criteria for admission and discharge to the program.
- A description of all fees, charges, and rates.

- A statement regarding how the fee structure is impacted by third party payment and whether third party payment is accepted.
- Procedures the program will take for non-payment of fees.
- A statement that the program will notify the participant or their representative at least 30 days in advance of any changes with the following exceptions:
 - When the participants' health status or behavior constitutes a substantial threat to themselves or others.
 - When an emergency or significant change in condition exceeds the type of services provided by the program and the participant cannot safely be cared for at the program.
- A statement related to confidentiality of records.
- Discharge and involuntary transfer criteria.
- Internal appeals process for involuntary transfers.
- The process for filing grievances and how the program will respond.
- Prohibition against retaliation.
- Emergency response procedures.
- Program staffing including if nurse delegation processes will be used.
- A description of services and programming provided in the ADS.
- The refund policy.
- Billing and payment procedures.

The contractual agreement must be retained for at least three years after the agreement is terminated.

References:

DIAL/IAC. (2025, Feb. 5) *Chapter 67: General Provisions for Elder Group Homes, Assisted Living Programs, and Adult Day Services.*

<https://www.legis.iowa.gov/docs/iac/chapter/03-05-2025.481.67.pdf>

DIAL/IAC. (2025, Feb. 5) *Chapter 70: Adult Day Services.*

<https://www.legis.iowa.gov/docs/iac/chapter/03-05-2025.491.70.pdf>

Iowa Code. (2024, Nov. 19) Chapter 231D: Adult Day Services.

<https://www.legis.iowa.gov/docs/code//231D.pdf>