

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

Judge Welsh Meeting Room – Provincetown Town Hall

## SPECIAL MEETING Re: CAPE END MANOR

NOVEMBER 20, 2000

**The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.**

Chairman, Betty Steele-Jeffers opened the meeting at 7 PM, noting the following attendees: Board of Selectmen members: Elizabeth Steele-Jeffers, David Atkinson, Richard Prowell

Excused Absence: Cheryl Andrews (Due to conflict of interest.), Mary-Jo Avellar

Cape End Manor Board of Directors: Patricia Papetsas, Janet Whelan, Sandra Dobbyn, Patrick I. Patrick, Robert Cabral

Other attendees: Keith Bergman, - Town Manager, Mark Latour – Assistant Town Manager, Dennis Anderson, Facilitator, Eileen Thomas, Acting Administrator Cape End Manor

Recorder: Vernon Porter – Secretary to Board of Selectmen

The following are meeting minutes in brief.

### **1A FUTURE OF CAPE END MANOR NURSING HOME**

Facilitated Meeting led by former CEM CEO Dennis Anderson

**See #1A material attachment.** Add to that #5 – Town owned – move and expand what we have now plus lease out.

Determination of Need Timelines (Attachment #2)

#### **OPEN DISCUSSION**

**Different types of buyers**: Single Buyer, For Profit, Conglomerate.

**Betty Steele-Jeffers** – Can you define what Skilled Nursing is?

**Dennis Anderson**: Answer: Let me go to Long term Care Facility Definition

Any institution, whether conducted for charity or profit, which is advertised, announced, or maintained for the expressed or implied purpose of providing three or more individuals care or services.

#### **Long Term Care Facility should include:**

Nursing Homes,  
Rest Homes,  
Rehabilitative Care,  
Retirement Home for elderly persons,  
Supervision & Observation of old age persons,  
Skilled Nursing Cared (Licensed Nurses & CNA's)

***Reminder – there are No Guarantees***

**Tri-Town location** – transportation is a key part.

25% of current Manor population comes from Wellfleet and Truro

**Definition of LTC Facility “Levels”** (Prior to OBRA 1997)

**LEVEL I - Intensive Nursing & Rehab Care Facilities**

Continue skilled nursing care and organized restorative services  
+ Basic Care/Services.

**LEVEL II - Skilled Nursing Care Facilities**

Patients with potential for improvement or restoration to stable condition or  
patients with a deteriorating condition needing skilled care.

**LEVEL III - Supportive Nursing Care Facilities**

Routine nursing care/service with periodic skilled nursing, restorative, or other therapeutic  
services. Patients require only supportive nursing care, supervised observation.

**LEVEL IV Resident Care Facilities**

Basic Care Services plus a supervised supportive and protective living environment. Patients  
have difficulty caring for themselves but do not need Levels 2 or 3 nursing/medical services  
routinely.

Note: Levels 1,2,3, combined from a regulatory perspective. (OBRA 19967). Level 4 requires  
minimal staffing and much less regulatory compliance.

Note that Assisted Living is all private pay.

The Board of Selectmen have always worked as hard as we can with the Manor and I think that to make it  
viable and successful, we need to look at it differently. Look at staffing, location, elderly population –  
including Truro/Wellfleet, look 15-20 years down the road, changes in the community.

**Bobby Cabral** – Understand how the Manor came to be. Town should support a nursing home. People have  
paid taxes for years and we need to care for older people. If we can find money for a sewer treatment plant  
then we can find money for our older citizens. There has to be town owned land where we can build a new  
manor. Secure State and Federal Grants, \$60K/Bed. Increase census with new Manor. People will donate if  
they have positive feedback about the Manor. Stop criticism and giving negative vibes. There’s no difference  
from Police Dept - Fire – Sewer – if we need a new Manor – then let’s build one. Sell the present Manor for  
\$2M and build a new one. State keeps changing the rules and we are in need of a new manor – then let’s sell  
this one and build a new one. We’ve outgrown this one. Just as we support the Police Dept., Fire Dept. – a  
new Sewerage Treatment Plant – then we can take care of the Manor situation. Why can’t we build a place for  
our elderly. Guarantee donations will come in if we build a new manor. We all agree what is wrong with the  
current manor – stop the criticism - we all agree we need a new manor or no manor. If we can find money for a  
sewerage treatment plant then you will never convince me that you cannot find money for our older citizens.  
First we have to say we need it, second we have to say we are going to back it up just as we have for the last  
100 years. Let’s get together and look at town property and see what is available.

Possible land areas - Between Shankpainter and Conwell Street. National Park has a lot of land that overlaps  
ours.

**Dennis Anderson** - we have to have a – a minimum of 4.2 acres to build assisted bed facility at 420 sq. ft/per  
bed. You can only build a new facility with the same number of beds which you currently have – which is 60 –  
that is under reimbursement from Medicaid not Medicare.

Downside for us right now is: **Space – Land - and Time.**

**Keith** – What service level do we want and who provides that service level? Historically the Town of Provincetown has chosen to get into business that are not being provided by anyone else – and that is a legitimate reason for municipal government to get into businesses. But we are certainly going to get asked, and if the issues is framed that we need a new Manor or no Manor then we know we are going back to Town Meeting. We would need a vote of Town Meeting to stay in the Nursing Home business. By the time that happens you have a fundamental question as to why is the Town of Provincetown building a new Nursing Home and would anyone else, perhaps someone who does it for a living, build that Nursing Home and continuance of service.

Defining what our needs are as a community is at one level and we can legitimately say that we want more services than what we are getting now but then there is a second cut at that statement and that is, how do you provide that? Frankly having a municipality provide it is often times what happens when no one else provides it. We have to link it as to who is going to provide that broader service.

**Pat Patrick** – town should maintain ownership of license. As Eileen pointed out, if you turn things over to a corporation that files for bankruptcy that any contact can be declared null in void by a bankruptcy court

**Outpatient Care** – this is a concern going back a few years. We had quite a bit of straightening out financially, organizationally, operationally in the Manor at the time despite, on the face of it looked like a good idea, that if you have one business that you do not have going quite 100% like you should – you really should not take on another one – and that was my feeling at the time.

**Dennis** – So you are talking about a condition being maintenance of the license as part of the RFP.

**Sandy** – I think that Bobby’s option is the one.

**Bobby’s** - A good option was just brought up about making cost somehow help pay for itself and Patrick brought up the fact that there should be some very lucrative things attached to this new Manor and they probably could be leased out. This would just be added income so that we would not have to get involved in all those businesses but we would have the property for it and the space for it and then lease it out others who would operate it and the town would do nothing but make money on that.

**Dennis** – So you are saying as is plus.

**Betty** – In response to what Pat said. Would there be a clause that if someone went into financial ruin that it would revert to the Town? I do not know if we could do something like that. If we look at something like that – what kind of protection could we have for “our people”? I assume that rates are going to be rates no matter where you are. Would that be correct? **Answer:** Yes If we wanted to feel that we were still protecting our own population – is it possible to do something like that? **Dennis** – I think anything is possible with RFP and with negotiations. **Betty** – what about what Pat is saying – we would hold the license or they would hold the license. What matters more?

**Dennis** – What matters is market presence. The holder of the license for not for profit can still be by the town. There is one option that I was discussing with someone today where there in a for profit business but they would be willing to look at a joint venture with the Town of Provincetown in a not-for-profit environment with the Town holding the license but then we never got as far as the mechanism. I was on the phone with the State today getting information on the transfer of licenses. What Eileen says is very true – we have not researched the status of licenses and partnerships – but it would be a partnership of someone who would be in this area who wants to be in this area who wants to bring forward capital. Because what this conversation is all about is where do we get the capital to do what we want to do and where do we get the land to do what we want to do and still maintain control and can we do all that and win all way around.

**MOTION:** *Move that the Board of Selectmen ask the Truro and Wellfleet Board of Selectmen to involve themselves in a discussion of the future location of a nursing home on the Outer Cape, including but not*

