

# NCCAP



# NEWS

THE OFFICIAL NEWSLETTER OF THE NATIONAL CERTIFICATION COUNCIL FOR ACTIVITY PROFESSIONALS

## For it's one, two, three strikes you're out at the old ball game!

By Laurie Kloeppe, ADC



When I was growing up my neighbor was on a girls fast pitch softball team. She was awesome and was fun to watch but I was told it wasn't a "girl's sport", so don't even think about playing. My little brothers played baseball and I got my first black eye helping one of them warm up before a game...he was the pitcher and I thought I could catch! NOT!

Chances are, most of your elders, if not all, have either played, coached or watched baseball or softball at least once in their lifetime. It might have been their passion...or perhaps a dream. They might have been a team's no. 1 fan or a players' biggest cheerleader, sporting their personalized jersey and everything! Growing older or having disabilities doesn't have to mean this ends! I wish I could take credit for the following idea, but most all of it came from my staff.

They wanted to have a "Day at the Ballpark" so after visiting with the elders (who are all women, by the way) it was decided to serve a menu that would be consistent with what one might find at the ball park or a tailgating party: grilled hot dogs, chips, potato salad, pop and apple pie. We all know how the grill smells, so we hoped that would be one of the draws to entice people to the "stadium". Dietary was great to help us out with the menu and snacks later in the day.

I contacted a few of our local high schools and the college, explained what our plans were and asked if they had any "baseball or softball uniforms" that we could borrow. Two schools responded. Ironically enough they are

HUGE rivals so we had the "TIGERS" vs. the "RAVENS". Staff members were invited to participate. The day before the big game jerseys were passed out to those who wanted, including staff members. We had several takers and ended up with six of each team plus a few staff members who wore their own personal jersey of professional teams.

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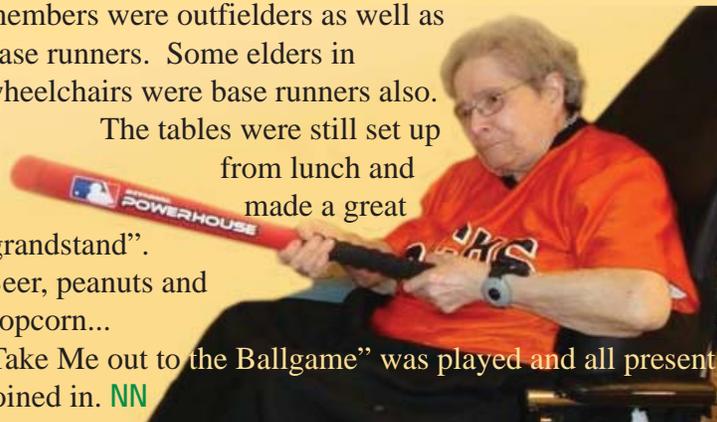
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**Think outside the box! Adapt as needed and create your own game!**

"Build it and they will come" The layout of our facility is such that it allows us to remove all the tables from the dining room and put them around a glassed in patio. It gives the effect of being outside without the flies! An empty dining room ... a makeshift ball diamond! Chalk lines and bases - no problem! White duct tape works great with no mess! Each elder had their own personal baseball card as their place card, complete with photo. Lunch was served and afterwards the movie "Angels in the Outfield" was shown.

Game time was 3:00. Each elder or family member who wanted took their turn at batting off a tee and staff members were outfielders as well as base runners. Some elders in wheelchairs were base runners also.

The tables were still set up from lunch and made a great "grandstand". Beer, peanuts and popcorn... "Take Me out to the Ballgame" was played and all present joined in. NN



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## NCCAP Executive Director's Report 2011 - 2012

By Cindy L. Bradshaw BS, ACC,  
NCCAP Executive Director  
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### Greetings activity professionals!

Between June 2011 and the present, I have participated in several state conferences to include; Florida, Pennsylvania, North Carolina, Virginia, New Jersey, and Texas. What a great experience to meet new people, reconnect with people that I have known for years, and see all that the states are doing to promote NCCAP certification and professionalism for their members.

I continue to participate with AHCA as a Quality Senior Examiner for the AHCA Annual Silver Awards, which has been a wonderful opportunity to learn what the facilities are expected to follow to earn this prestigious award and also to lend my input to the feedback writing portion of this committee task, as well as share with the NHA and DON's the importance of NCCAP certification. This year I was asked to serve as the Lead Examiner for this committee, which involves about 10+ hrs per week on the review process and a weekly conference call, this is after a week worth of training and ends with a weeklong summation of the results.

NCCAP continues to support The Consumer Voice – and exhibited at their annual conference in Grand Rapids, MI in October 2011. NCCAP also was a vendor at the Leading Age Conference

and the National Adult Day Association conference, as well as attended the Quality Symposium sponsored by the AHCA in Houston, Texas in February 2012. NCCAP was also represented at the KYHCFA conference in Louisville, Kentucky, and we again participated in the summer (Chicago) and fall (Daytona) NAB seminars.

In keeping with the strategic plan and also in listening to the input at the Call to Action meeting, NCCAP will continue to spread the word through different venues to include; the Pioneer Network in August 2012, the NADSA conference in September 2012, the AHCA conference in October 2012, and the KYHCFA conference in November 2012. This year in addition to the aforementioned we will also be exhibiting at AASHA (The Leading Age) October 2012, attending the NAB conference (Fall 2012), and participating in several more state functions.

As you know, effective 1/1/2012 – NCCAP began implementing a National Exam to all NEW ADC and ACC certified individuals ONLY; all those currently certified before 12/31/2011 did NOT have to take the mandated exam. It was very important to NCCAP and the educational committee to be sure that the questions that will be asked on the mandated exam will reflect the core knowledge of the profession/MEPAP, and therefore a year was taken to ensure that this task was met. 166 new applicants were given the pilot exam - The results were shared with the instructor (not the names of the students, but the test results) so that they too could see which information needed the most clarification etc. The education committee reviewed the most commonly missed questions

and from that the final national exam was developed. NCCAP to ensure credibility and professionalism will not be giving the exam in-house, but rather as with all professional organizations has contracted with a Comira as the testing company. This company requires a proctored site to again ensure credibility of the process. NCCAP has also paid the additional \$2,000. fee to have available several hundred more sites in which the individuals can take their exams. The complete process can be found on the NCCAP.org site.

**I** continue to participate in my state association VAAP as their Government Relations Chairperson, as well as locally in my Hampton Roads, VA (HRAPA) district which sponsors their president to attend the annual NCCAP Education Symposium.

*Some of the other items of interest this year that NCCAP has either contributed/commented to and/or is following closely include;*

**National Alzheimer's Project Act (NAPA)-Landmark Legislation Passes**  
[http://www.alz.org/join\\_the\\_cause\\_21243.asp](http://www.alz.org/join_the_cause_21243.asp)

Spoke at 2 hearings on this issue on your behalf.

**Motion Picture Licensing Corporation Agreement.** Leading Age and AHCA/NCAL have reached an agreement with the Motion Picture Licensing Corporation to clarify when members will need a license to show movies to their residents. Any senior community or facility, regardless of its type or license status, which has a closed circuit television system (such as an in-house channel) playing movies shall obtain an MPLC Umbrella License® based on the number of connections. The MPLC will not seek

to collect license fees from nursing or assisted living facilities that conduct Video performances in common areas. However, if these facilities have independent living units, apartments, or other similarly defined living quarters, whether free-standing or located in a nursing facility, assisted living facility, continuing care retirement community, or any other type of senior living facility, regardless of how each state defines the facility, a license is required. This includes Videos rented, borrowed, or purchased by residents being shown to other residents. Low income senior housing units or facilities which have a Housing and Urban Development (HUD) contract that show Videos in the common areas of the facility shall pay a reduced license fee. However, the facility must provide the MPLC with (a) the project number and (b) the number of units covered under HUD to receive the discount. Members of LeadingAge and AHCA/NCAL will receive a 10% discount off the MPLC license fees. Please click here for a link to fees and more information about this agreement. <http://www.panpha.org/Portals/0/documents/Mp.pdf>

\*\*UPDATE (March 2010) - NCCAP now also has an agreement with the MPLC –and ANYONE WHO IS NCCAP Certified will also get the discount IF they are required to purchase the license.

Lastly - NCCAP has for years had certified members in different countries. Of course the number varies, but it has been about 9 – 10 members from 6 - 7 different countries to include; China, Israel, Germany, Canada, Singapore, Japan, and Puerto Rico. While there has been interest from other countries, the numbers remained about the same. One of my personal projects has been to communicate with the various countries and determine what requirements if any

they had with regard to qualifications or credentials to work with the respective nation's elderly population. In 2011, NCCAP worked with the Island of Bermuda, in training and certifying 20 people from their 18 facilities that work as Geriatric Aides and now have adopted the MEPAP 2nd edition as their minimum qualifier with the AAC through ACC levels of credentials being sought to meet the standards. Kelly and I had the privilege of working with the Government of Bermuda in developing the standards of practice, and offering the training in conjunction with the Bermuda College PACE Division, as well as we have trained individuals to continue to teach/offer the MEPAP for all new individuals in the future. I am happy to report that they are currently teaching their first MEPAP course, and are doing quite well with 14 new individuals, and a total of 22 certified in Bermuda. This was only the beginning as now NCCAP has entered discussions with 2 other countries who would also like to fashion their standards off of the NCCAP model of professionalism, certification and MEPAP training. I was also fortunate to have the support of the E. & E. Davis Foundation and Barbara Fleischmann and was able to go to England and tour the nursing homes there. A complete summary can be seen on the NCCAP.org site.

The official unveiling of the interNational Certification Council for Activity Professionals (iNCCAP), started effective 2012 with the introduction of the new International logo. This logo kept the integrity of the NCCAP brand as well as now recognizes the fact that we are now an international certification council with over 35 certified individuals in 9 different countries.

Last year ended with over a thousand



pieces of mail being opened, reviewed and processed the last three weeks of December, and first week of January 2012. Many were submitting their applications to avoid the mandated exam, and others were reviewing their current credentials. I have to commend my team at the NCCAP office. Between the hundreds of phone calls, the hundreds of emails, sometimes 100+ each day, and the mail, we were working 10-12 hr days for those 4 weeks to accommodate the members and potential member needs as timely and accurately as possible. I am able to travel to market our profession/credential because of the loyal, dedicated competent staff that I have. Audrey, Kelly, and Dana, I thank you, for without you there would be no NCCAP!

On a personal note, I am proud to share that my daughter, Kelly Bradshaw, not only works fulltime serving NCCAP as the data specialist and executive assistant, but she also completed her dual degree, with a Bachelor of Art and a Bachelor of Sociology. She will be pursuing her graduate degree in Social Work, with a specialization in Domestic Violence issues. I will be completing my Masters Degree in Aging Service Management from the University of Southern California, Leonard Davis School of Gerontology in July 2012, and Dana continues to pursue her bachelor's degree in Animation – all while working at NCCAP.

I have enjoyed the privilege of serving as your Executive Director this past year and will continue to work diligently to carry out the mission and vision of the board of directors and NCCAP association. **NN**

## ACTIVITY PICTURES NEEDED

Send NCCAP your activity photos with details and captions. Photos must be for public release.

Send activity your pics to [info@nccap.org](mailto:info@nccap.org)



## January Chats a Success

NCCAP offered complimentary chat hours during the month of January – in honor of National Activity Professionals Month. Over 20 different chats were offered focusing on a variety of topics – including programming for men, short term residents, the baby boomers, the hearing impaired resident, sensory ideas and much more. Initially, unlimited complimentary hours were offered to NCCAP certified individuals however due to an overwhelming demand – it was decided to limit the number of free continuing education hours individuals could receive. In the end, approximately 450 potential chat hours were offered. The participants must complete the chat form, available on the chat page of the NCCAP site and send it in to NCCAP to receive a certificate.

In keeping with NCCAP educational standards, each chat followed specific objectives and attendance was taken. Special thanks go to Bryan Rife, NC; Linda Redhead, NY; Michael Bower, WA; Cindy Bradshaw, VA; Debbie Hommel, NJ and Kathy Hughes, NY for volunteering their time in moderating the chats. **NN**

## Influence of Women

*By Gwyn G. Hall, ADC*

**A**s a small child growing up in the years of the Women's Liberation movement, I must say this has been an influence in my life and my way of thinking. Along with the many women who influenced this movement and the Helen Reddy song, "I am woman, hear me roar" resonates within my soul. These women and this particular song have been mentors to the actions of my life. My wish is to also be an influence to other women by providing support, encouragement, and belief in self as women before me has been to me. Susan B. Anthony, Gloria

Steinman, and Shirley Chismon have been a few of the vibrant women of influence on the rights of women.

**Susan B. Anthony** of the Women Suffrage Movement at the turn of the 20<sup>th</sup> century was arrested for voting in the 1872 Presidential election. Ms. Anthony gave a speech to the 29 postal district of Monroe County, New York in 1873. She challenged the thinking of the legislation by giving the following in her speech:

- a) Definition of Citizen- “Webster, Worcester, and Bouvier all define citizen to be a person in the United States, entitled to vote and hold office.
- b) Question: “Are women persons? And I hardly believe any of our opponents will have the hardihood to say they are not. Being person, then, women are citizens; and no state has a right make any law, or to enforce any old law, that shall abridge their privileges or immunities. Hence, every discrimination against women in the constitutions and laws of several states is today null and void precisely as is every one against Negroes.”

It would be over 40 years later that the 19<sup>th</sup> amendment would be ratified giving women the right to vote. It is even more amazing that Virginia did not ratify the 19<sup>th</sup> Amendment until 1952.

**Gloria Steinman** was the leader of the Women’s Liberation Movement in the 1970’s or the Feminist Movement. In 1972, Ms. Steinman established the, Ms. Magazine addressing issues of women and other minorities. Over the years Ms. Steinman has been quite the advocate of women and women’s rights. Ms. Steinman’s written, spoken, traveled the United States and abroad talking about women’s right. Much to her efforts and work she has been a major influence on the opportunities now available to not only women in America but throughout

the world.

During this time as well, was **Shirley Chismon**, who the first black woman elected to Congress in 1964. Ms. Chismon



*... Women need no protection that men do not need.”... Men and women need these things equally.”*

and Ms. Steinman worked on several projects together. Ms. Chismon made a speech to the US House of Representative, Washington, DC on May 21, 1969 in which she said, “As a black person, I am no stranger to race prejudice. But the truth is that in the political world, I have far oftener discriminated against because I am a woman than because I am black.” In her speech she also referred to that there are, “about 3 ½ million more women in the United States than men” and was outraged by how women had been held back merely because of their gender. Further on in her speech she stated a “second agreement often heard

against the equal right amendment is that would eliminate legislation that many States and Federal Government have enacted giving special protection to women and that is would throw the marriage and divorce laws into chaos.”

In the very next speech paragraph of Ms. Chismon, she is quoted saying, “As for marriage laws, they are due for a sweeping reform, and an excellent beginning would be to wipe the existing ones off the books.”... Women need no protection that men do not need.”... Men and women need these things equally.” I am indeed impressed that Ms. Chismon was such an advocate for women and the Equal Right Amendment.

Ms. Chismon wanted the following to happen; “When I die, I want to be remembered as a woman who lived in the twentieth century and who dared to be a catalyst for change. I don’t want be remembered as the first black woman who went to Congress, and I don’t even want to be remembered as the first woman who happen to be black to make a bid for the presidency. I want to be remembered as a woman who fought for change in the twentieth century. That’s what I want.” Yes, Shirley, you will be remembered for making

changes for the good.

The Influence of Women can be attested to by these 3 great women, Susan B. Anthony, Gloria Steinman, and Shirley Chismom and their accomplishment. Women across American should embrace these foremothers and pursue even more accomplishments for Womanhood. I feel I would like to achieve accomplishments to be an Influence to Women to provide support, encouragement and belief in one-self for this time and for women of the future. And yes, Helen Reddy, I am ready to sing your song, "I am Woman, hear me roar!"



### Introducing the newest NCCAP team member



**Dana D'Amico** has worked with NCCAP for over a year as Clerical Assistant. Dana was the person most of you spoke with about any and all information regarding the pilot exam during 2011. She is currently attending Regent University pursuing a Bachelor's degree in Animation with a Minor in Cinema-Television. After college she hopes to break into the animation industry and begin a career in feature length animated films such as Avatar or to open her own production company. Dana is 22 years old. She was born and raised in the seven cities area of Virginia and is the youngest of four children.



## NCCAP State Representative Report June, 2012

*By Debbie Hommel, ACC/MC/EDU, CTRS*

There are NCCAP state reps in nearly every state. South Carolina, Utah, Arkansas and Alaska are the only states without NCCAP representation. With NCCAP now an international certifying body, we have representatives in Bermuda and England.

Active communication with the state reps and state association contacts was maintained through monthly e-mails. This contributed to a smooth transition into the National Exam process and revision in certification standards. Questions are answered quickly (often within a 12 hour period or less) and resources forwarded as needed.

Many NCCAP state reps have activity communicated information about NCCAP at their state and local association meetings. Various hand crafted displays have been shared and posted on the official NCCAP Facebook page.

Immediate efforts in the next year will be directed toward strengthening the NCCAP state representative system, involving more of the state reps in actively communicating information about NCCAP certification. **NN**

MARY DWYER turned 100 years young on March 15, 2012. She celebrated with two wonderful parties. One with family and friends at her residence in Senior Housing in Woburn, Massachusites, and the other with family at an exquisite restaurant that she frequents. Mary enjoys attending church weekly and going to bingo on Sunday with her daughter. I often take Mary out for shopping, riding for ice cream or she takes me out for breakfast. Recently, while shopping, Mary picked out the accessories for the dress I was wearing to an upcoming wedding. (She has elegant taste) Her secret for longevity is enjoying "PEOPLE and LIFE."



## Organizational Vision Statement: What do we see for our future?

By Debbie Hommel, ACC/MC/EDU, CTRS

In the childhood classic, Alice in Wonderland, we are familiar with Alice's crazy adventures and curious characters she meets. In one scene, Alice meets the Cheshire Cat, whom she asks for directions. The Cheshire Cat responds by asking Alice where she wants to go. Alice responds with "I don't much care where, as long as I go somewhere." With that, the Cheshire Cat replies "Oh, you are sure to do that as long as you walk far enough." It is a common plight of the hard working activity profession to toil daily and wonder "when will I get there." As a profession, we plan and project daily. Days, weeks and months quickly run into years. It is not uncommon to wonder where did the time go and where do we go from here.

How can we remedy this atmosphere of working continuously, while feeling we are never within reach of our goals? How can we, as a profession, collectively join forces to move forward as a profession? An action step the National Certification Council for Activity Professionals plans to implement is the creation and adoption of an Organizational Vision Statement. You may be thinking how would creating a "policy" oriented statement help our profession? Remember what the Cheshire Cat told Alice, if you don't know where you are going - you will get there eventually. With clearly a defined Organizational Vision Statement, there will be a clearly defined goal for all certified activity professionals.

A vision statement projects to the future, defining a future state of the organization or department. Visionary thinking is difficult to master as it is seeing things as they could be, not as the currently are. Visionary thinking is "out of the box" thinking and some people may call the vision statement unrealistic or unattainable. Belva Davis once said

"Don't be afraid of the space between your dreams and reality. If you can dream it, you can make it so." Or, we are reminded by the movie "Field of Dreams" where the common theme was "If you build it, they will come."

The same thinking needs to apply to our profession. Where do we want to be? Where are we going to take ourselves? What are the possibilities? To begin the journey to a future of our own creation, the NCCAP Board will be working on an organizational Vision Statement. This vision statement will be an extension of the current strategic plan and goals which guide the NCCAP Executive Director and NCCAP Board.

The Board is welcoming input from membership regarding content for the NCCAP Vision statement. Consider these helpful hints in creating a vision statement:

- Think of a mental image of a future desirable state within our profession.
- Think of an attractive future, one that is better than the one that now exists.
- The statement should include inspirational, energizing and motivating ideas and language.
- Don't let negative thinking or current limitations get in your way of thinking for the future.

Some visionary ideas for NCCAP might include:

- To be the world leader in certification for the activity professional.
- To be the standard for all activity professionals working in eldercare.
- To lead the world's activity professional through exemplary certification standards.

These are neither grandiose nor unrealistic suggestions, and they are achievable. These ideas will only be achievable if they are articulated and communicated routinely. **NN**

**Please submit your "vision" for the  
NCCAP Vision Statement to  
Debbie Hommel, NCCAP Board  
Secretary at  
debbiehommel@comcast.net**



# Nomination Chair Board Report

*By John R. Rowlett, ACC, NCCAP Nominations Chair*

First of all I want to thank everyone who allowed me to serve on the NCCAP Board as the Nomination Chair during the past three years. I have truly enjoyed working with all of the NCCAP Board who are outstanding professionals and have enjoyed trying my best to encourage members to run for positions on the board.

Each of us has enjoyed the fruits of many of our past board members who worked so hard to raise the level of this profession way beyond the concept of the “three Bs” (Bingo, Bible and Birthday Parties) and I applaud the individuals who were willing to step up to the plate and were willing to give back their talents, time, and dedication to NCCAP. I still encourage those who were not elected to please reapply again next year and each of you to consider offering your special talents to NCCAP by applying to be nominated to the NCCAP board in 2013.

I would also like to thank Cindy Bradshaw for her total and, I emphasize the word total, life dedication to NCCAP. I currently serve on a number of other boards and have served on a number of boards in the past and I have never seen an Executive Director more dedicated than Cindy. Until you serve on the NCCAP board you can never know the endless hours that Cindy gives to NCCAP. Each and every one of you should be very thankful and proud that we have Cindy as the Executive Director of NCCAP.

I am proud to announce that we had nine individuals who were officially on the NCCAP 2012 ballot. They included: Sherry Barzak ADC, Debbie Hommel ACC, Romaine Kaufman ACC, Andrea Newbury ADC, Jennifer Nichols ADC, Tammy Lea Point ACC, Linda Redhead ACC, Bryan Rife ADC, and Renee J. Markle ADC. There were over 7,000 ballots sent out for the election and there were 900 ballots returned.

Based off of the above information, I am very happy to welcome Debbie Hommel on the NCCAP board for another term and am also very happy to welcome Bryan Rife as a new board member. Please take some time to congratulate them and as always we look forward to your continue support for all of the members of the NCCAP board. **NN**

# 2012 NCCAP PRESIDENT'S REPORT

*By Michael A. Bower, BA, ACC,  
President, NCCAP Board of Directors*

**A**nother year gone by and it has been a busy one.

Thanks to the vision of Cindy Bradshaw and the many members of the NCCAP Education Committee, NCCAP has finalized the MEPAP 2<sup>nd</sup> Edition project with the National Exam. As 2011 ended hundreds of new certification applications rolled into the NCCAP office and we topped 7,000 certified members! The NCCAP staff must be commended for the excellent job they did in processing the applications in a timely and professional manner. I especially would like to thank Debbie Hommel for the work she did on preparing the tests for the testing company.

Our goal of reaching out to other nations was furthered by a preliminary trip to England by Cindy Bradshaw and by our continued support of Bermuda as they bring national standards to long term care for the first time.

NCCAP has continued to further the standing of Activities in the professional community by speaking and having booths at national and state conferences, as well as sitting on many committees. NCCAP also had representatives attend several of the Alzheimer's Association “Town Hall Meetings” that were held across the nation in a campaign to get consumer input for the new Alzheimer's Strategic National Plan that is being developed. This was an opportunity to get language into the plan that supports activities and our role in quality of life. Rest assured that NCCAP will continue to look for ways to promote the profession.

The face of long term care is rapidly changing, and the Activity profession must not only react to those changes, but we must help to shape that change. We can do that by getting involved as our state's regulations change. We need to find creative ways to provide quality activities to seniors in adult family homes. NCCAP stands ready to help. Let us know what is happening in your state so that NCCAP can support your efforts.

I want to take this opportunity to honor and thank the NCCAP office staff. Every day they answer questions patiently, calm

people who are upset, explain the certification process, and do everything they can to help each member, soon-to-be member, and other consumers. These four people handle the day to day business of NCCAP and support over 7,000 members. They see that every certification application and renewal is reviewed in a timely manner. It is an enormous job and they do it professionally and efficiently. Cindy Bradshaw sees that the decisions made by the Board of Directors are translated into actions and makes that interface seem effortless.

It has been a pleasure to serve with the NCCAP Board of Directors. Each brings a special talent to the board. John Rowlett has done a wonderful job with Nominations, finding many qualified applicants for board positions, thus offering our members a true choice for representation. We will miss him as he leaves the board. As we welcome a new member, we know that he too will bring his strength and ideas and make us an even stronger board and organization. **NN**

Last year, the senior living and health care associations American Health Care Association (AHCA/NCAL) and LeadingAge, reached an agreement with the Motion Picture Licensing Corporation (MPLC) to establish guidelines for the use of motion pictures and other programs in senior living and health care facilities. You may have been one of many activity professionals who read about this agreement in April 2011, and obtained an MPLC Umbrella License® for the public performance of motion pictures within your community.

As a result of feedback from our membership which membership?, NCCAP has also partnered with the MPLC to better educate activity professionals on the need for copyright compliance when movies are shown within senior living facilities. Additionally, NCCAP is excited to announce a new agreement with the MPLC that will provide NCCAP certified members with a 10% discount on the Umbrella License.

### **What is a Public Performance?**

According to the US Copyright Act, Title 17 of the United States Code, copyrighted motion pictures and other programs that are available for rental or purchase in any legal format, are intended for personal, private, home use only. Exhibitions outside of a private residence, such as exhibitions within common areas of senior communities and health care facilities or exhibitions transmitted via an in-house television channel or closed circuit television system are not defined as “home use,” and therefore require a public performance license.

This legal requirement applies equally to non-profit and for-profit communal living facilities, including mobile home parks, condominiums, apartment buildings, master planned communities, continuing care retirement communities, assisted living and nursing facilities. Civil penalties for unauthorized exhibitions start at \$750 for each inadvertent infringement and go as high as \$150,000 for each egregious

violation. It does not matter who plans or conducts the exhibition. In fact, senior communities that allow residents to program movies without the appropriate license can be seen as “contributory infringers” and subject the entire community to substantial fines.

### **Is this a New Law?**

Title 17 of the U.S. Copyright Act was adopted in 1976, and grants copyright owners control over the use of their works, including the right to “perform” the work publicly. The MPLC was founded in 1986 to provide organizations with a simple and affordable way to comply with federal copyright law. The Umbrella License grants organizations copyright coverage for the public performance of audiovisual works. In April 2011, the MPLC worked with LeadingAge and AHCA/NCAL to promote licensing guidelines for senior living and health care facilities. In recent months NCCAP has worked with the MPLC to better inform our membership of the need for copyright compliance and negotiate a discount on the Umbrella License.

### **How do we comply with Federal Copyright Law?**

The MPLC is an independent copyright licensing agency authorized by motion picture studios and producers to grant an annual Umbrella License for the public performance of copyrighted audiovisual works. The Umbrella License allows communal living and health care facilities to publicly perform motion pictures and other programs. Once licensed, movies may be obtained from any legitimate source, whether purchased, borrowed, rented, downloaded or streamed.

The Umbrella License provides the most comprehensive programming available from over 415 producers, ranging from Disney to Warner Bros. In addition to major Hollywood studios, the MPLC represents independent, specialty, foreign, documentary, and television producers. The license covers thousands of titles currently available in any legal format.

# NCCAP ANNUAL REPORT FOR ASSISTED LIVING

May 2012

By *Bonnie Ruggles-Ruechel BS/ACC/  
EDU/ALF/MC*

Being on the advisory council of Center of Excellence in Assisted Living (CEAL), is one of my responsibilities, as NCCAP Assisted Living Liaison. Attachment 1 is a list of CEAL Advisory Council members.

You can go to the web site [www.theceal.org](http://www.theceal.org) and find answers to a lot of your questions on Assisted Living. Henry Ford said, "Coming together is a beginning. Keeping together is progress. Working together is success" It has been a privilege to work with the CEAL board and CEAL Advisory members.

Please go to the CEAL web site and you can download information on:

1. Person-Centered Care in Assisted Living: An Informational Guide
2. Person Centered Care Domains of Practice General Home and Community Based Services; Attributes and Assisted Living Indicators
3. Under National Initiatives you can read the alw report from April 2003

CEAL also sent a report called NCHS Data Brief-Resident Characteristics from the National Survey and you can get this as Attachment 2.

The Advisory Council meets 3 or 4 times a year by phone. I am also on the Education Committee of CEAL and the recommendations for 2012 are the following:

Develop electronic (1) consumer and (2) provider person-centered checklists(using work developed from the CEAL PC attributes and indicators project, UNC-CEAL- PC research project, and other efforts).

Suggest that the 2012 focused topic of resource materials for the Clearinghouse be "meaningful life and engagement."

Serve as a collaborator on the "non-pharmacologic approaches to dementia care" initiative.

Collaborate with the National Certification Council of Activity Professionals (NCCAP) on a national "Meaningful Life and Engagement" Initiative to:

- Reach out to the small ALF homes throughout the country to provide information about how to help provide information about how to help provide meaningful life and engagement for AL residents. Since small home AL operators are hard to access, suggest co-collaborating with NARA (National Association of Regulatory Agencies) and AHFSA (Association of Health Facility Survey Agencies).

- Project could produce: (1) free webinars; (2) pocket guides sold by MED-PASS; (3) conference presentations at ALFA, NCAL and LeadingAge. **NN**

NATIONAL  
ASSISTED LIVING WEEK  
THEME

**Art for the Ages**  
SEPTEMBER 9-15, 2012

Visit [NALW.org](http://NALW.org)

**STATES ACTIVELY  
CHANGING  
REGULATIONS**

About 1/3 of the states made statutory, regulatory, or policy changes, with 4 states Georgia, Nevada, North Carolina, and South Dakota are making major changes. Go to [ncal.org](http://ncal.org) and you can download abbreviated state regulations

I am also chairman of the Regulatory Committee. The committee has two areas that need to be finish. One area was dementia. More and more states are requiring training in dementia from all workers in long term care. President Obama signed into law the National Alzheimer's Project Act.

By *Bonnie Ruggles-Ruechel BS/  
ACC/EDU/ALF/MC*  
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## Treasurers 2012 Annual Report

The 2011 Profit and Loss Statement shows:

Income	\$264,766
Expenditures	\$268,125
*with a net loss	< \$3,359

We continue to have 2 CD's in the amounts of \$42,000 as of July 2011.

Fidelity investments \$528,475 as of March 31, 2012.

Continued from page 9.

Over 250,000 facilities in the United States and over 200,000 locations in more than 20 countries have the Umbrella License for copyright compliance. From the smallest camps and public libraries, to the largest multi-national corporations and federal government agencies, organizations turn to the MPLC for their licensing needs.

**What Performances Need to Be Licensed?**

Your community may be one of many that already holds an Umbrella License for the public performance of copyrighted movies and other programs. With affordable technology making on-site video use ubiquitous, it is important for activity professionals to understand when an Umbrella License is required.

In recent years, closed circuit television systems or in-house channels have become popular amenities within senior communities and healthcare facilities. These systems have the ability to notify residents of meal times, activities, and weather conditions with a customizable automated system. Some systems also have the ability to transmit movies from a DVD player or computer directly into resident’s rooms. In light of this popular technology, please be aware that any senior community or facility, regardless of its type or license status, which has a closed circuit television system that plays movies, must obtain an Umbrella License in order to comply with federal copyright law.

Additionally, virtually all senior communities offer some form of movie entertainment. Often times, these movies are shown in common areas within the community, where any resident may attend. As the activity professional at your community, you may occasionally schedule movies in a community room or lounge. Maybe your community features amenities such as a theater, recreation room, or ballroom where residents can bring in videos to watch on the big screen? Your community may even rent or own an inflatable movie screen for twilight films under the stars. All of these uses require an Umbrella License.

**Are there any Exclusions or Discounts?**

The MPLC has agreed to refrain from collecting license fees from free-standing nursing or assisted living facilities that conduct movie performances in common areas. However, if these facilities have independent living units or apartments, or any other similarly defined independent living quarters (whether located in a separate building on the same campus or in a free-standing nursing or assisted living facility, continuing care retirement community, or any other type of senior living facility, regardless of how each state defines the facility) a license is required for all such units and

NCCAP Approved

## Home Study Courses for Activity Professionals



**Home Study Courses** (Includes a Book and Test Delivered by Priority Mail)

SOS II: Navigating Through Grief .....	2 HRS .....	\$20
This Way Out of Grief.....	4 HRS .....	\$40
Cheese: Making Change Work for You .....	6 HRS .....	\$60
Overworked? Time Management .....	7 HRS .....	\$70
Small Stuff: Eliminating Workload Stress.....	8 HRS .....	\$80
The Art of Comforting.....	10 HRS .....	\$100
Reading, Writing & Speaking Alzheimer's .....	12 HRS .....	\$120
Everyday People.....	14 HRS .....	\$140

**Group Rates:** Several of the Home Study Courses listed above and on our website are available for a group discount. You pay the full price for the first course and \$50 for each additional test – for up to three more tests – total of four. All orders must be placed at the same time as the original order.

**The Courses below are available in three different formats.**

Abuse I: Protecting the Resident (Printed, Download, Internet).....	2 HRS .....	\$20
Pain: The Fifth Vital Sign (Printed, Download, Internet)....	3 HRS .....	\$30
How To Recognize Depression (Printed, Download, Internet).....	5 HRS .....	\$50
Introduction to Hospice (Printed, Download, Internet).....	6 HRS .....	\$60
Culture Change (Internet only).....	7 HRS .....	\$70

**Printed Courses** (Written Article and Exam Are Delivered By Priority Mail)  
**Downloadable Courses** (Written Article and Exam Are Sent to Your Email Address)  
**Internet Courses** (Written Article and Exam Available at [www.medicalupdate.com](http://www.medicalupdate.com))

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**medup12@gmail.com ~ [www.medicalupdate.com](http://www.medicalupdate.com)**



National Certification Council  
for Activity Professionals (NCCAP)  
P.O. Box 62589  
Virginia Beach, Virginia 23466  
(757) 552-0653 - FAX (757) 552-0491  
[www.nccap.org](http://www.nccap.org) - [info@nccap.org](mailto:info@nccap.org)

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apartments. A license is also required for any closed circuit television system or in-house channel use, regardless of the community's type or license status.

Low income senior housing units or facilities that have a Housing and Urban Development (HUD) contract and show movies in the common areas of their community will receive a reduced rate on the annual Umbrella License through the MPLC. The facility must provide its project number and indicate the number of HUD units to receive the discount.

In addition, all NCCAP members will receive a 10% discount on the annual Umbrella License. NCCAP has negotiated this reduced rate to encourage our members to comply with federal copyright law and to obtain the appropriate license for any planned or inadvertent video use.

#### **Movies: A Simple and Affordable Amenity**

In almost all senior living communities, movie showings are an amenity that residents have come to expect. Activity professionals have long used movies as an easy and affordable way to entertain and engage residents of all care levels. Common area exhibitions in a theater or lounge

foster a sense of community with activities like Sunday matinees and classic movie screenings. Special events, like an outdoor family film, create the perfect environment for families to visit their loved ones and engage in a group activity. Closed circuit television systems can provide entertainment for residents with restricted mobility that may be otherwise unable to join their fellow residents for a group screening. The programming choices are numerous, but in some instances an Umbrella License must be obtained from the MPLC.

The cost of an annual license is much less than the penalties for copyright infringement. Pricing for closed circuit transmission is \$12 per closed circuit connection, and common area pricing is \$6 per independent living unit (\$3 for HUD properties), and further discounts are available for properties with more than 300 units. There is a minimum annual license fee of \$300 per community. **NN**

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(800) 462-8855 or online at [www.mplc.org](http://www.mplc.org)  
Be sure to mention your NCCAP membership  
to receive a 10% discount.

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