



# Will They Start Regulating This?

By Susan Saldibar

We all love the convenience of technology, don't we? We marvel at each new app and smart device. What crazy cool new thing will Apple invent next? Can we get it on Amazon? And all this technology isn't geared just to millennials. It's starting to infiltrate senior care, as devices and apps evolve to help an aging population remain in their homes longer. And, wonder of wonders, it's even creeping into assisted living environments to help residents live a more independent life within the community.

So here's something to ponder. What will happen as regulators "catch up" with all this technology? And, more importantly, will your community be ready to meet those regulations?

## **With technology moving so fast, how will regulators keep up?**

The attaching of new regulations to new technologies is nothing new. But when have we ever had so much innovative technology moving this fast? I spoke recently with Jacquie Brennan, VP of [Vigil Health Solutions](#) (a Senior Housing Forum partner) about some of the exciting new technologies introduced at CES2019 last month. Jacquie brought up the issue of regulations as technologies continue to bring convenience with potential privacy concerns attached. "Many of our current regulations are over twenty years old," she tells me. "What will it look like when they begin to catch up with newer technologies?"

Here are a couple areas, right off the bat, where Jacquie sees regulations emerging on the technology horizon.

- **Privacy regulations.** We see this already with drones. As drone operators become more adept (and devious) and image resolution gets clearer the potential for privacy violations increases. We're already seeing plenty of regulations spring up in response. And with good reason. Drones (as well as lasers) have wreaked havoc at airports. Real estate droning has become, at best, an irritant in neighborhoods. Robots are another new technology that can pose potential privacy violation issues, especially in senior care. Robots that dispense medications or take temperatures record data that could be used for nefarious purposes. How will all this be regulated?
- **Performance regulations.** Senior living operators may need to use more advanced technologies just to comply with new healthcare reporting regulations. Jacquie brought up the potential for regulators to mandate things like call system response times. With that potential, however, comes a whole host of questions. First of all, how will they determine what an acceptable response time is? How will it differ based on level of care or model of care? And now that call systems have the ability to track call response data, will regulators come to expect communities to have that information readily available? Finally, what about those communities whose policy it is to wipe that data from their system databases each day? How will that impact them? On the plus side, Jacquie noted some potential marketing benefits. Would objective data showing great response times allow communities to get a better rating or a "gold star" of some kind? All are great questions that will need to be answered as technology enables a deeper level of reporting.

#### **Bottom line on regulations on technology? Be ready.**

These are just a couple areas where regulators are catching up to technology advances. But what about all the great stuff coming down the pipeline? Jacquie noted that, at CES2019 last month, one of the car companies came up with a wide screen display that shows the driver basically everything going on, both inside and outside the car, including phone controls, and a photo of who's calling. "We already have regulations on 'don't text' while driving. What about 'don't watch' while driving?" No kidding!

Jacquie believes, however, that a dose of common sense will go a long way. "It's important for senior living community operators to evaluate each new piece of technology first and foremost on its value to your residents and staff," she tells me. "As you embrace each technology advancement, make sure you are aware of any regulations and that your community is prepared to comply."

Whether you embrace regulations or despise them, one thing is clear. The senior living industry has to be in an ever-ready state for new regulations that come down the line as all this hot new technology becomes mainstreamed.



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