



# AANHR

*Arkansas Advocates for Nursing Home Residents*

Conway (501) 450-9619 · Fairfield Bay (501) 884-6728  
Conway (501) 450-7405

PROTECTING NURSING  
HOME RESIDENTS

July  
2011

## Next Meeting

July 11

MEETING

PLACE:

First Assembly of God  
Church

4501 Burrow Road  
North Little Rock

Directions to church  
on back of Newsletter.

## *Please Note*

AANHR will have  
**NO** newsletter **NOR**  
meeting in August.

Have a safe  
summer and we  
look forward to  
seeing you in  
September.

10:00 a.m.

Meeting for  
members, family and  
friends of residents

11:00 a.m.

Public Meeting

**July 11<sup>th</sup> AANHR meeting topic: the National CNA Registry**  
**Speaker: Renee Davison, RN, Program Administrator,**  
**Special Programs Unit, Office of Long Term Care**

The CNA Registry is a federally mandated program that requires the State to maintain a publically accessible database for verification of an individual's status as a certified nursing assistant (CNA). The Registry must also maintain any substantiated administrative findings of resident (patient) abuse, neglect or misappropriation of resident property that occur in the State's long term care facilities. Arkansas long term care facilities are required to conduct and obtain Registry clearance prior to placing CNAs on the floor with residents.

Arkansas' Registry is titled the LTCF Employment Clearance Registry as its function also includes the listing of any individual who is disqualified to work in long term care facilities due to a disqualification based on a criminal record check as required by State law. The criminal record check program covers CNAs and non-CNAs (such as housekeepers, dietary, laundry, etc.). Therefore, the LTCF Employment Clearance Registry is a "one-stop" location for all long term care facilities to obtain employment clearances as mandated by two programs. This provides protection to the health and safety of the residents of long term facilities.

The Registry database is maintained by a joint effort between the Office of Long Term Care (OLTC) and under contract with Prometric, the CNA competency testing provider for the State. The database functions are shared through a website that is accessible for input by both parties. Prometric maintains the database and add individuals who have passed the CNA competency test. The OLTC adds substantiated abuse cases, disqualified individuals due to criminal histories and individuals who have transferred their CNA status from other states.

The Registry is accessible to the public and long term care facilities 24 hours per day through online at <http://www.prometric.com/NurseAide/ar>. Both systems are updated on a daily (Monday-Friday, except for state holidays) basis.

## Complimentary Lunch

The Wilkes McHugh Law Firm has graciously offered those who attend AANHR monthly meetings a complimentary catered lunch at noon following the meetings. Please feel free to stay for this time of fellowship after our meetings. AANHR thanks Wilkes McHugh for their many years of support to our organization.



## *From the President's Desk . . . Martha Deaver*

I'm often asked how to go about choosing a nursing home when it becomes necessary to secured skilled care for a beloved family member. The best way is probably word of mouth: getting a recommendation from someone who is now or has been in the situation. It also helps to do a bit of detective work beforehand and of course visit the prospective facilities - unannounced. One helpful tool in the process is Medicare.gov's *Nursing Home Compare* website about which I'm including information in my column this month.

### **Five-Star Quality Rating** *(Adapted from medicare.gov/NHCompare)*

The Five-Star Quality Rating System was created to help consumers, their families, and caregivers compare nursing homes more easily and help identify areas about which you may want to ask questions. This rating system is based on continued efforts as a result of the Omnibus Reconciliation Act of 1987 (OBRA '87), a nursing home reform law, and more recent quality improvement campaigns such as the Advancing Excellence in America's Nursing Homes, a coalition of consumers, health care providers, and nursing home professionals.

Nursing home ratings are taken from the following three sources of data:

1. Health Inspections
2. Staffing
3. Quality Measures

We provide a star rating for each of these three sources, in case some areas are more important to you than others. Then, these three ratings are combined to calculate an overall rating.

### **Why is this important?**

Nursing homes vary in the quality of care and services they provide to their residents. Reviewing health inspection results, staffing data, and quality measure data are three important ways to measure nursing home quality. This information gives you a "snap shot" of the care individual nursing homes give.

One of the most important things to do is to visit the nursing homes you are considering. If possible, also contact your Long-Term Care Ombudsman or State Survey Agency before making a decision. Take a copy of the [Nursing Home Checklist](#) when you visit a nursing home and talk to the nursing home staff about the information on this website.

### **Strengths and Limitations of the Five-Star Ratings**

Like any information, the Five-Star rating system has strengths and limits. Here are some things to consider as you compare nursing homes.

#### **Health Inspection Results**

Strengths:

1. **Comprehensive**: The nursing home health inspection process looks at all major aspects of care in a nursing home (about 180 different items).
2. **Onsite Visits by Trained Inspectors**: It is the only source of information that comes from a trained team of objective surveyors who visit each nursing home to check on the quality of care, inspect medical records, and talk with residents about their care.
3. **Federal Quality Checks**: Federal surveyors check on the state surveyors' work to make sure they are following the national process and that any differences between states stay within reasonable bounds.

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## CHOICES In Living Resource Center

AANHHR members received valuable information on CHOICES, a program available through the Division of Aging and Adult Services (DAAS), when Kris Baldwin spoke at the June 13<sup>th</sup> meeting. She is a Division Manager with DAAS and developed and implemented the Choices in Living Resource Center that assists Arkansans learn about long term care options by calling one toll-free number. At 1-866-801-3435 you will speak with a trained advisor who is able to pre-screen your needs and help you navigate the Long Term Care System. This resource center is a valuable link to long-term living services and supports for seniors, caregivers and people with disabilities. Kris is proud to say that

even though the number of calls is increasing, they are able to handle them quickly and efficiently.

The CHOICES Resource Center will inform you of the options available to you or your loved one and help you determine which best serves your needs. The services of the Resource Center are available to all ages, all incomes and can advise on a full range of Long Term Care Services. Your call may be anonymous if you choose to not use your name.

There are five programs available to Arkansans who are aging and/or have disabilities that offer them alternatives to living in an institution. They are Independent Choices, Personal Care, Alternatives (for adults with physical disabilities), Elderchoices and Assisted Living. For information on these services call the CHOICES Resource Center at 1-866-801-3435. This number is good nationwide.

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### **END OF LIFE ISSUES**

During the admission to a nursing home, your loved one will be asked if they have an Advance Directive, a legal document which will guide the doctor and the nursing home regarding treatment if your resident becomes unable to express his or her own wishes. If a resident does not have an Advance Directive and is or becomes unable to make their own decisions someone else will make those decisions and it may not be what the individual would have wished. It is important to understand that these documents take effect only when the resident is unable to make or express his or her own wishes and that they can be revoked or changed at any time.

There are at least three important kinds of Advance Directives:

- \* A **Living Will** tells family members and medical professionals to what extent special means should or should not be used when a person becomes incurably ill or permanently unconscious. Such a statement can relieve family members of the burden and stress of trying to guess at a very emotional what their loved one might want.
- \* **Financial Durable Power of Attorney** - in which a person is appointed to make business and financial decisions for the resident. This person is not authorized to make health decisions.
- \* **Health Care Durable Power of Attorney** - which names the person to make decisions about health care and treatment. Appointment of such a person may avoid later quarrels between family members who may disagree about treatment.

Advance Directives must be in writing, signed by the maker, and witnessed by two other adults. Forms prepared by the Health Law section of the Arkansas Bar Association are available at <http://www.arkbar.com> or from any attorney.

*Boredom, loneliness, and helplessness:  
the three main diseases in a nursing home.*



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Limits:

1. Variation between States: There are some differences in how different states carry out the inspection process, even though the standards are the same across the country.
  2. Medicaid Program Differences: There are also differences in state licensing requirements that affect quality, and in state Medicaid programs that pay for much of the care in nursing homes.
- **TIP:** The best comparisons are made by looking at nursing homes within the same state. You should be careful if you are trying to compare a nursing home in one state with a nursing home in another state.

### Staffing

Strengths:

1. Overall Staffing: The quality ratings look at the overall number of staff compared to the number of residents and how many of the staff are trained nurses.
2. Adjusted for the Population: The ratings consider differences in how sick the nursing home residents are in each nursing home, since that will make a difference in how many staff are needed.

Limits:

1. Self-Reported: The staffing data are self-reported by the nursing home, rather than collected and reported by an independent agency.
  2. Snap-Shot in Time: Staffing data are reported just once a year and reflect staffing over a 2 week period of time.
- **TIP:** Quality is generally better in nursing homes that have more staff who work directly with residents. It is important to ask nursing homes about their staff levels, the qualifications of their staff, and the rate at which staff leave and are replaced.

### Quality Measures

Strengths:

1. In-Depth Look: The quality measures provide an important in-depth look at how well each nursing home performs on ten important aspects of care. For example, these measures show how well the nursing home helps people keep their ability to dress and eat, or how well the nursing home prevents and treats skin ulcers.
2. National Measures: The ten quality measures we use in the Five-Star rating are used in all nursing homes.

Limits:

1. Self-Reported Data: The quality measures are self-reported by the nursing home, rather than collected and reported by an independent agency.
  2. Just a Few Aspects of Care: The quality measures represent only a few of the many aspects of care that may be important to you.
- **TIP:** Talk to the nursing home staff about these quality measures and ask what else they are doing to improve the care they give their residents. Think about the things that are most important to you and ask about them, especially if there are no quality measures that focus on your main concerns.

### Use the Five-Star together with other information

The Five Star Quality Rating System is not a substitute for visiting the nursing home. This system can give you important information, help you compare nursing homes by topics you consider most important, and help you think of questions to ask when you visit the nursing home.

Use the Five-Star ratings together with other sources of information. For example, you can use Nursing Home Compare to search and compare nursing homes by city, state, or zip code. Choosing a nursing home that is near family and friends can be very important to your quality of life in the nursing home. Having family and friends nearby allows for more frequent visits and opportunities for outings. Family members and friends can also talk to the nursing home staff about your care needs, preferences, and gaps in care. Therefore, you may wish to start your search by considering how close you want to be to family and friends, and then use the rating system to compare nursing homes in the area you are considering.

***MISTAKES FAMILIES SOMETIMES MAKE***  
**WHEN PLACING A LOVED ONE IN A NURSING HOME**

- Not getting a Durable Power of Attorney or guardianship
- Accepting the facility medical director as the resident's physician
- Allowing admission on a weekend when staffing is lower
- Failing to ask to see the facility's last five annual inspection reports
- Not informing the facility that resident is not to be hospitalized without permission
- Not keeping detailed notes of care
- Failing to seriously question skin tears, bruises or do regular complete body checks
- Not taking pictures of all suspicious injuries and neglect incidents
- Not filing well-documented (who, what, when, where and why\_ complaints with the state
- Not calling the police and insisting on a police investigation when abuse is suspected
- Not taking residents seriously when they complain of abuse; failing to pay attention to body language that may indicate fear or anxiety
- Not attending quarterly, required Care Plan meetings and asking for a written copy
- Ignoring the appeal process when complaint determinations come back "invalid"
- Failing to visit often and at "off" hours like evenings, weekends, midnight and early morning
- Not becoming familiar with state and federal laws governing nursing home care
- Not challenging the facility when they ask to move the resident
- Failing to look at the resident's chart and asking for copies of the records periodically
- Not getting an itemized bill of all charges billed on behalf of the resident
- Failing to join an advocacy group that can provide support and advice.



**Great Source of Information!**

AANHR would like to recommend the publication AGING ARKANSAS as a source for helpful news relevant to senior citizens. One can subscribe to this monthly newsletter for one year by mailing a \$12.00 check to AGING ARKANSAS, 706 South Pulaski St., Little Rock, AR 72201. Phone 501-376-6083

## My RCF Family

By Carolyn Templeton  
CVO (Certified Volunteer Ombudsman)



Eight years ago I was struck by rheumatoid arthritis seemingly overnight with severe pain and unable to drive because my fingers locked up. I had to quit work and it took months before I could get an appointment with a rheumatologist. After a year, I was able to drive to water exercise in Searcy which helped my RA also.

It was on one of these trips I read about ombudsman training. Now, I could not pronounce or spell this word and didn't have a clue what it meant. Not being a housekeeper or cookie mom, I took the training hoping to get out of the house.

There was a RCF (Residential Care Facility) in an isolated rural area for the mentally challenged with no ombudsman. The facility is a 40 bed old school building. It is coed with all age residents. Only a few have family members who visit. The only outside visitors at that time were mostly Veterans Administration employees and surveyors. I felt drawn to serve at this facility. The residents thought I was "government!" and the few who would speak to me just said they were happy at RCF and were treated well and retreated to their rooms. I quickly realized they were fearful I might somehow remove them or make a change in their life. My new job would take time and patience.

That was six years ago. Now we are family. We laugh, cry, and pray together. They prayed me through cancer treatment even giving me a party with gifts of their pictures and a shirt with their names on it -- I will always cherish. God has sent several churches to them who give cookouts and have purchased shoes and blankets. They also visit often. The local VFW gives monthly bingo games. My adopted family now get simple things they cherish such as birthday and Christmas cards. They are no longer the lost and forgotten.

My new family is my blessing from God. All this joy for a little piece of time.

### Make a Difference: Volunteer Ombudsmen Needed

Do you have one hour per week to visit with residents (those who have few/if any visitors) in a nursing home? We have a place for you. After one day of training and a short orientation period one can become a Certified Ombudsman and can choose to be assigned to a specific nursing home where just two hours service per week is expected.

Regardless of whether or not you end up becoming a volunteer ombudsman, your knowledge will increase greatly by attending an ombudsman training session. Volunteer Ombudsman training takes only one day and can make an incredible difference in the life of a nursing home resident. A volunteer ombudsman is authorized to help residents with any concerns. Protecting the resident's rights is a priority. The volunteer ombudsman is authorized to take complaints and report things they see that are questionable to their regional ombudsman, who can take steps to remedy the situation. A volunteer ombudsman can make a big difference brightening the life of a nursing home resident. If interested, please contact Martha Deaver at 501-450-7405; she will put you in touch with your regional ombudsman.

#### Definition:

An **ombudsman** is a person who acts as a trusted intermediary between an organization and some internal or external constituency while representing not only but mostly the broad scope of constituent interests.



*"Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy." Proverbs 31:8 NIV*

## AANHR Special Thanks

We extend our heartfelt thanks to the following people and groups who make our outreach possible:

**M. Darren O'Quinn**, Attorney, Little Rock, for his continued assistance to and support of AANHR.

**Bob Edwards** of Wilkes and McHugh for its financial assistance in the printing and mailing of AANHR's newsletter and other publications as well as financing the attendance of two board members to the annual NCCNHR conference.

**Paschall Strategic Communications** for their continued assistance with public relations needs.

**First Assembly of God Church** in North Little Rock for providing AANHR a meeting room.

**David Couch** of The Law Offices of David A. Couch, PLLC, PA, for employing Brent Birch of One6 Media, LLC, to create and maintain AANHR's website.

**Gary Miller** of ProSmart Printing for assistance in newsletter and brochure publication.

## AANHR Officers and Board Members

**President** - Martha Deaver, Conway

**Vice President** - Gary Melton, Searcy

**Secretary** - Betty Buckta, Judsonia

**Treasurer** - Frances Walker, Benton

**Program Chairman** - Gary Melton, Searcy

**Members of the Board:** Nancy Allison, Conway; Martha Blount, Searcy; Linda Brimer, Searcy; James Brooks, North Little Rock; Julie Edwards, Mabelvale; Pat McGuire, Alexander; Nancy Patterson, Searcy; and Ann Pinney, Benton.

**Honorary Board Member:** Faye Sandstrum, Searcy.

**Newsletter Editors:** Martha & Ernie Blount, Searcy

## Helpful/Important Numbers

### The Office of Long Term Care (OLTC)

has a toll-free number for information, assistance and complaints for residents and family members:

1 - 800 - LTC - 4887 between 8 a.m. and 4:30 p.m. on weekdays.

You may also write to: Office of Long Term Care (OLTC) P.O. Box 8059, Slot 400 Little Rock, AR  
72203-8059

OLTC website:

<https://www.medicaid.state.ar.us/InternetSolution/General/units/oltc/index.aspx>

You should also report complaints to the Arkansas Attorney General

**Toll Free: 1 - 866 - 810 - 0016**

**Little Rock Local: 682 - 7760**

For additional assistance or a listening ear, call AANHR at

**(501) 450 - 9619 in Conway;**

**(501) 884 - 6728 in Fairfield Bay;**

Visit our website at [www.aanhr.org](http://www.aanhr.org) or e-mail us at [Info@aanhr.org](mailto:Info@aanhr.org)

Your local Ombudsman's number should be posted in a prominent place in the nursing home, preferably near the front entrance. You may also call your local Area Agency on Aging to secure the name and phone number of the Ombudsman.

The UALR Senior Justice Center can be reached at: **501 - 683 - 7153.**



Arkansas Advocates for Nursing Home Residents

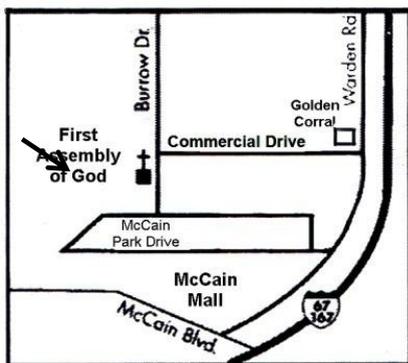
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[www.aanhr.org](http://www.aanhr.org)

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### Strength in Numbers-AANHR Needs You!

AANHR is a nonprofit organization run by non-paid volunteers dedicated to protecting and improving the quality of care and life for Arkansas residents in long term care facilities.

Please lend your support by joining AANHR. Your membership dues help to pay for our activities that support our mission statement. Memberships are available on a calendar year basis. Join now and you will be a member through **December 31, 2011.**

Today's Date \_\_\_\_\_

Name \_\_\_\_\_

Mailing address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

- ( ) I wish to receive the AANHR newsletter.
- ( ) \$15 per individual membership enclosed.
- ( ) \$20 per family or corporate membership.
- ( ) \$4 per student or CNA membership.
- ( ) Waive dues because of financial hardship.

**Please make checks payable to: AANHR and mail to 2336 Riverview Circle, Benton AR 72019**

### Driving directions to First Assembly of God Church, 4501 Burrow Road, North Little Rock

#### Coming from the North:

When driving South on Highway 67/167, take exit #1A onto Warden Road. As soon as you safely can, move into the right-hand lane, as you will be turning right at the Golden Corral Restaurant onto Commercial Drive.

#### Coming from East, West or South:

If you are on either I-30 or I-40, take Highway 67/167 North. Take exit #2 onto Landers Road. Stay in the left-hand lane, as you will be turning left and going under Highway 67/167 and enter Warden Road going southbound. As soon as you safely can, move into the right-hand lane, as you will be turning right at the Golden Corral Restaurant onto Commercial Drive.

Commercial Drive terminates at the church. Proceed straight across Burrow Road into the church's parking lot and turn right at the far side of the building into the narrow alley-like drive.

The entry door is located about half-way down this side of the church and the meeting room (#113) is immediately inside the entrance door.