



AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING HOME RESIDENTS
February 2014

Conway (501) 450-9619

AANHR's Mission Statement:
"To protect and improve the quality of care and life for residents in Arkansas nursing homes."

**Next Meeting
Feb. 10th
Meeting Place:**

First Assembly of God Church
4501 Burrow Road
North Little Rock
Directions to church
On back of Newsletter.

10:00 A.M.
Meeting for members, family and friends of residents. (Closed to persons representing the nursing home industry.)

11:00 A.M.
Public meeting (See article at right.)



Happy Valentine's Day

February 10 Meeting Topic: Care Plans and Assessment

Speakers: Cecilia Vinson, MSN, RN, Nurse Manager, DHS-OLTC
Lisa Thomas RN-BC, State Training Coordinator DHS-OLTC

This month's AANHR meeting will stress the importance of Care Plans and Assessment to facilitate good care for nursing home residents.

A care plan is essentially the "recipe" that dictates care for your loved family member. Care plans are as different as each resident is different. Each care plan should be individualized to fit the resident it is created to serve.

As the term implies, assessment is the means for measuring the results of overall care and follow through on the care plan components.



Speakers: Cecilia Vinson, Nurse Manager for the Arkansas Department of Human Services-Office of Long Term Care with over twenty years of nursing experience and a Master's Degree in Nursing, and a Post Baccalaureate Certification in Public Health. In addition, Ms. Vinson is certified as a Long Term Care Surveyor through CMS (Centers for Medicaid and Medicare Services).



Ms Lisa Thomas, State Training Coordinator for the AR Department of Human Services-Office of Long Term Care, will explain the details of assessing the follow through of prescribed care plans. Ms Thomas is responsible for the training of all new surveyors and education for all CMS regulatory updates and regulation changes to both the surveyors and the nursing home industry. She has over twenty years of nursing experience, sixteen of which are in geriatrics. Ms. Thomas has held board certification in Nursing Practice through the American Nurse Credentialing Center since 1997 and has held her present position as State Training Coordinator since 2008.

Join us on February 10th at 11:00 AM as we learn more about care plans and the assessment of the quality of care that your family member in a nursing home is receiving.



From the President's Desk Martha Deaver

I am pleased that State Veterans Affairs Director Cissy Rucker and Deputy Director Charles Johnson finally addressed many years of repeated abuse, neglect and substandard care that has been so prevalent at the Fayetteville Veterans Home.

The state's Department of Veterans Affairs leaders finally looked at the over 1,500 pages of documented regulatory violations publicly available. The documentation clearly shows that Martha Deaver never had an alleged personal vendetta against the Fayetteville administration in calling for their termination!

Fayetteville administration in calling for their termination!

Kriss Schaffer, for me, is exactly the kind of hands-on, personally involved administrator needed to turn the FVA around. Our Veterans deserve nothing less than a person of Schaffer's proven sense of skill and compassion! Our Veterans will now be treated with compassion, competence and a priority focused on their needs and care, finally!

This is the only nursing home for Veterans in AR. As President of the AR Advocates For Nursing Home Residents, I want to assure our Veterans and their families that they will now receive the best care possible that they so justly deserve.

I hope that Cissy Rucker and Charles Johnson will allow Kriss Schaffer to do his job for the sake of our Veterans!

Nursing Homes Get Insurance?????.....

On another note this past week someone reported having been told that nursing home owners cannot "buy" liability insurance. That is simply not true! Their insurance is a reimbursable expense paid out with Medicaid funds a.k.a. our tax dollars. AANHR usually publishes charts detailing insurance premium reimbursements annually. In other words we pay for insurance for nursing home owners then when their premiums escalate as a result of poor care given we pay out even more money for those higher premiums. It's a vicious cycle.

Nursing homes are unlike hospitals in that they are 24 hour long-term care healthcare facilities. This is why people who live in nursing homes are referred to by the government as residents and not patients, as they are in hospitals. Nursing homes are considered the residents home. They are afforded the same rights as we are given in our homes.

Nursing homes are for-profit businesses. They sign a contract with the state and federal government in order to receive millions of state and federal tax dollars annually. The contract states that state and federal laws must be followed in order to receive the funds.

State surveyors, who are Registered Nurses, investigate every nursing home annually. When these laws are not followed, they are documented in an investigative reports called surveys. These surveys are made public. Many times detailed horrific cases of abuse and neglect are documented in great detail in these surveys. In the last 18 months the AR data showed over 2,300 violations cited on 234 AR nursing homes for harm or the potential for death.

"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





Mike Masterson

New Day At Vets Vome?

(published with permission)

By Mike Masterson

After far too long, the state's Department of Veterans Affairs appears finally to have made a wise choice in a solid administrator for its beleaguered Fayetteville Veterans Home.

Kriss Schaffer, the former owner/ manager of the often-honored Greenhurst Nursing Center in Charleston, will assume the reins of leadership at the home. I've written previously about Schaffer's strong sense of empathy and caring for the residents of his former nursing home that even the most demanding of critics say was the best in Arkansas.

I'm speaking primarily, of course, about Martha Deaver of Conway, the firebrand advocate for nursing-home residents who has been nationally recognized for many efforts and a sustained insistence on quality care.

Schaffer, for me, is exactly the kind of hands-on, personally involved administrator needed to turn the Fayetteville home around and set its sails toward a much more positive direction. Our veterans deserve nothing less than a person of Schaffer's proven sense of skill and compassion in a largely corporate-controlled industry beset for decades by its own shortcomings, usually sparked by callousness and profit-mongering.

I asked Deaver, who has publicized the Fayetteville home's documented serious deficiencies for many months, how she feels about this appointment.

"I'm pleased to hear a person of such high caliber, capability and competence has been named," she said. "It's my observation only a handful of nursing homes are operated with compassion, competence and a priority focused on the needs and care of their residents. Schaffer and his family have owned and managed the Greenhurst Center for decades in a way that puts it head and shoulders above any other facility in Arkansas. It's one of the best in the nation."

Deaver said she was pleased that state Veterans Affairs Director Cissy Rucker and Deputy Director Charles Johnson finally addressed two years of repeated abuse, neglect and substandard care that has been the norm at the Fayetteville home. "They have been primarily responsible for creating [the problems] through their tolerance and promoting incompetent individuals to the senior management positions."

"Apparently, with the November termination of the home's administrator, the state's DVA leaders finally looked at the 1,500 pages of documented regulatory violations my colleagues and I compiled that they have always had copies of, which clearly show Mark Diggs (director of the Arkansas Military Veterans Hall of Fame) and I never had an alleged personal vendetta against the Fayetteville administration in calling for their termination," said Deaver.

Now Deaver and Diggs await a public apology from Johnson for his allegation. I told you she's a firebrand.

Choice of long-term care setting and day-to-day decisions

Accountability of facilities and regulators to residents

Rights respected and care directed by residents

Empowered residents, families, advocates, and staff

Reprinted from *CARE Matters to Residents, A Collection of Essays and Poems* (compiled by NCCNHR, 2006 in honor of Residents' Rights Week).

Here is a checklist for families contemplating the placement of a loved one in a nursing home:

- *Obtain a Durable Power Of Attorney with provision that does not allow the DPOA to sign an arbitration clause.
- *Determine how nursing home bill will be paid: Medicaid? private pay? Medicare usually pays only for a limited amount of time in a nursing home, usually for rehabilitation after a hospital stay.
- *Go to www.medicare.gov/nursinghomecompare to view past history of nursing home
- *Find out whether the prospective nursing home has liability insurance coverage.
- *Visit after hours & weekends
- *Are there smells of urine and other bad odors present?
- *Speak with other families in nursing home
- *Read latest survey required to be posted in the nursing home
- *Observe whether call lights are going unanswered.
- *Do residents look sedated or alert?
- *Are residents clean?
- *Are residents happy/content?
- *Check staffing posted log sheet...required to be posted within twenty feet from the front entrance
- *Visit during meal time to observe how food is presented and served.
- *Check to see if residents that need assistance with eating are being fed.
- *Check to see if rooms have fresh water in arm's reach in pitchers located in residents' rooms.
- *Are employees taking care of the residents needs? Are the employees relating to the residents?
- *Does the nursing home have an active Family Council?
- *Make sure you are NOT required to sign a arbitration agreement. Simply state during admission document signing process that you do not desire to sign. Request a copy of all admitting documents.
- *Remember, this nursing home will become your family member's next home, whether temporary or permanent. Stay involved. Visit often. Speak up when problems arise.
- *Always attend Care Plan meetings and follow up on plans for action.



Check out aanhr.org for valuable information and to read former AANHR newsletters.

Arkansas Advocates for Nursing Home Residents

Dear Friend of AANHR:

AANHR is a nonprofit organization run entirely by non-paid volunteers. Please lend us your support by joining or rejoining our organization this year, 2014.

Your memberships and contributions are our primary source of revenue and are necessary for us to continue our work. Your past generosity is greatly appreciated and we earnestly ask that you continue to support our mission, which is "to protect and improve the quality of care and life for residents in Arkansas nursing homes." We are so appreciative of people like you who support our cause, and us; because together we can make a difference.

Annual Dues Structure:

Families or Organizations	\$20.00
Individual Membership	15.00
Students	4.00

Please make your checks payable to: **AANHR** and submit them to **2336 Riverview Circle, Benton AR 72019-9468**. All contributions and donations to AANHR, (a 501(c)(3) organization), are tax deductible to the fullest extent of the law.

Our by-laws make persons affiliated with or representing the nursing home industry and its regulatory agencies ineligible for membership although we welcome them at AANHR open meetings and urge them to enter into dialogue with us.

Thank you in advance for your support,



Francis Walker, Treasurer

Please return this portion with your dues:

Today's Date _____

Name _____

Organization _____

Mailing Address _____

City _____ State _____ Zip Code _____ - _____

Phone (_____) _____ - _____

Email Address _____

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

**Please make checks payable to "AANHR" and mail to
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Residents' Personal Funds

Stormy Smith, Program Manager with the Office of Long Term Care (OLTC) recently explained resident trust funds to those attending an AANHR meeting. The standard monetary amount for personal needs is currently \$40.00 per month. If a resident's social security check is sent directly to the home to help pay for his/her care then the \$40.00 designated for the resident's personal needs should be set aside for the resident's personal needs in a trust fund account. If the resident's responsible party or some other "trustee" has oversight of the resident's social security funds then he/she (the responsible party) is obligated to see that the \$40.00 for personal needs is used for the resident's personal benefit. Certain parameters exist to govern these funds.

Resident Trust Fund Facts:

1. The management of resident trust funds, personal funds and reporting of violations are governed by federal and state regulations.
2. Upon written authorization of a resident, the facility must hold, safeguard, manage, & account for the personal funds of a resident deposited with the facility.
3. Individual account funds with a balance greater than \$50 (Medicaid) and \$100 (Medicare) must be placed in an interest bearing account.
4. The facility must provide that upon request of a resident/representative up to \$50 (Medicaid) and \$100 is available for the resident/representative the same day request is made. Amounts greater than those should be available within three banking days of the request. Residents should have access to petty cash on an ongoing basis.
5. Residents' funds are not to be co-mingled with facility funds or with another person's funds.
6. Quarterly statements should be provided to residents in writing within 30 days after the end of each quarter.
7. The facility must notify the resident/representative when an account balance reaches \$200 less than the resource limit to maintain eligibility for Medicaid/SSI. (This notice must include info that if the amount in the trust fund plus the value of the resident's non exempt resources reaches the SSI limit for one person, the resident may lose their eligibility for Medicaid/SSI).
8. Trust fund monies should not be used for any item/service for which Medicaid/Medicare pays.
9. Proper bookkeeping for trust funds requires an individual ledger card, ledger sheet or equivalent established for each resident on which only those transactions involving his/her personal funds are and maintained. (The record should have info on when transactions occurred, what they were, as well as maintain the ongoing balance for every resident).
10. Any allegation, suspicion or proof of the misuse or theft of resident trust funds must be reported to the OLTC. Report must be made, using the proper form by 11:00 AM the next business day after incident occurs. Also, the local law enforcement authority must be called!
11. Theft/misuse of resident trust funds is a criminal act; it is theft of property. \$500.00 or more is a Class C Felony. \$2,500 or more is Class B Felony. If \$70.00 is misused from 10 residents, it equals \$700.00 which, under the cumulative provision is a Class C Felony.
12. The facility must convey the resident's funds and provide a final accounting to the individual/probate jurisdiction for the resident's estate within 30 days of the resident's death.

Senior Moments.....

Two elderly ladies had been friends for many decades. Over the years they had shared all kinds of activities and adventures. Lately, their activities had been limited to meeting a few times a week to play cards. One day they were playing cards when one looked at the other and said, "Now don't get mad at me.....I know we've been friends for a long time.....but I just can't think of your name! I've thought and thought, but I can't remember it. Please tell me what your name is. Her friend glared at her. For at least three minutes she just stared and glared at her. Finally she said, "How soon do you need to know?"

AANHR Special Thanks

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

Joshua Mayhan for managing the AANHR website and sending AANHR email alerts.

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 his support and assistance, and his providing POA documents pro bono.

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

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

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

AANHR Officers and Board Members

President - Martha Deaver, Conway (501-450-9619)

Vice President - Nancy Patterson, Searcy (501-278-6577)

Secretary - Nancy Allison, Conway (501-327-3152)

Treasurer - Frances Walker, Benton (501-316-0260)

Members of the Board: Martha Blount, Searcy (501-278-9168); Linda Brimer, Searcy (501-268-4699); James Brooks, North Little Rock (501-454-6279); Pat McGuire, Alexander (501-847-1016); and Ann Pinney, Benton (501-249-1084).

Newsletter Editors: Ernie and Martha Blount, Searcy.

Honorary Board Members: Faye Sandstrum, 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:

[Http://humanservices.arkansas.gov/dms/Pages/oltcHome.aspx](http://humanservices.arkansas.gov/dms/Pages/oltcHome.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

Visit our website at www.aanhr.org or e-mail us at 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.**

www.ualr.edu/senior_justice



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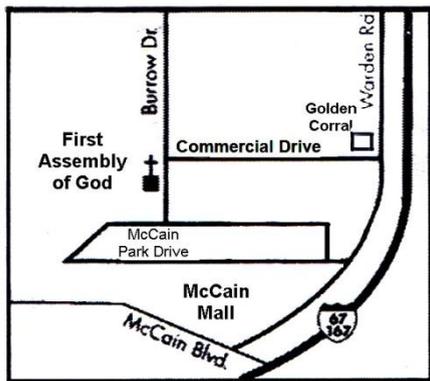
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Strength in Numbers, AANHR Needs You!!

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.

Won't you please lend your support to us by joining our organization? 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, 2014.**

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.
- Waive dues because of financial hardship.

Please make checks payable to: AANHR and mail to PO 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 (#102) is immediately inside the entrance door.