



# AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING HOME RESIDENTS  
**JAN 2017**

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  
Jan. 9th  
Meeting**

**Place:**

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

**10:00 -11:00 A.M.  
Open Forum**

**11:00 A.M.  
Program Speaker:  
(See article at right.)**

**AANHR Meeting January 9th  
Topic: Freedom Of Information Requests  
Speaker: Stormy Smith, OLTC Program Mgr**

Have you ever needed information that requires using a Freedom of Information request? Our January program speaker will detail how to do that for health information within the files of the Office of Long Term Care (OLTC). Stormy Smith will explain the how, when, where, and why of this process along with which OLTC documents can't/cannot be accessed.

Stormy is a Program Manager with the Office of Long Term Care (OLTC) where he has been employed since 1991. He received his Bachelor of Science in Business and Industry from Mississippi State University. He is a Certified Surveyor, Licensed Nursing Home Administrator and a Certified Public Manager. Stormy has 42 years experience in health care, with 38 of those years being in Arkansas.

Stormy currently reviews all of the Incident and Accident Reports from nursing facilities and he is on the committee that reviews all Abuse Investigation Reports from nursing facilities. He also conducts training programs on nursing home abuse and neglect as it pertains to the Adult and Long-Term Care Facility Resident Maltreatment Reporting Acts, and state and federal regulations. He also heads the FOI department at the Arkansas Office of Long Term Care.

Please join us at 11:00 AM on January 9 for this informative program -- the beginning of a new year advocating for our frailest citizens in Arkansas' nursing homes.

**AANHR** is an ALL VOLUNTEER 501 C-3 non-profit organization. No AANHR member receives compensation for his/her advocacy activities. **THEREFORE**, AANHR is very appreciative of the ongoing financial contributions of our members and supporters. Please consider supporting our advocacy with a financial contribution. It is also time to renew your AANHR membership for 2017. Please see details on page 3 of this newsletter. Thank You!





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

### **It is time to renew your AANHR membership.**

**W**e are beginning a new fiscal year so I'm reminding you it's time to renew your membership. Occasionally I ask myself "why do I stay involved in AANHR". My immediate reaction is that, although my mother is gone and there is nothing I can

Do now to make her life in a nursing home easier, I can work to make it better for someone else. I can try to correct the things that are still wrong.

I think of the thirty years Elma Holder dedicated to improving a situation she KNEW had to be better, the obstacles she overcame in the federal government, the inspiration she gave to me when I last spoke with her, the challenge she gives us all to continue the work she started - AND I GO ON. I hope you will too.

I quote from an article by Donna Lenhoff, former executive director of the National Citizens' Coalition for Nursing Home Reform (NCCNHR). Ms. Lenhoff states that "most of America's 17,000 nursing homes are so dangerously understaffed that residents are needlessly suffering and dying from neglect, while nursing home profits climb amid nursing home corporate scandals over misuse of public funds". This is not just her opinion - she quotes from reports by the General Accounting Office and the federal Centers for Medicare and Medicaid Services. We have this information and are in contact with state and federal legislators making them aware of it. We know legislators who have pledged their help in trying to see that minimum staffing is increased to more than 80% of the time. They want to help us improve the training requirements for CNAs which will enable them to do a better job, command more respect from their superiors and the families of their patients and give them the right to a better salary.

We need each and every one of you. If you are still receiving this newsletter and are questioning whether you need to stay involved - PLEASE - reach through your pain and know how much your help can mean to this organization and the many who are tirelessly working to improve conditions for all nursing home residents. Again, I quote Donna Lenhoff who says "if nursing homes were staffed according to the minimum levels reported by the Dept. of Health and Human Services, there would be one certified nursing assistant for every five or six residents during the day. In the majority of America's nursing homes, there is one certified nursing assistant for every eight to fourteen residents. Most families of nursing home residents know the ratio is much higher - especially at night and on weekends". When the burden of doing the job of two or more people is removed from each position, it will be easier to hire and retain good CNAs.

If you can renew your membership for \$20, we will appreciate it. If you can stay active by attending our meetings, helping us make phone calls, writing letters to legislators, or attending legislative committee meetings, that is appreciated also. Either by your financial support or your help in contacting legislators, we need each and every one of you and I appreciate your dedication to staying involved in a cause that must be seen through until we are all satisfied with care in nursing homes.

# 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, 2017.

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:

Annual                      \$20.00

Please make your checks payable to: **AANHR**  
and submit them to **111 River Oaks Blvd, Searcy AR 72143-4519**. 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,

*Nancy Patterson, 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.  
 ( ) \$20 per family or organization membership enclosed.  
 ( ) Waive dues because of financial hardship.

**Please make checks payable to "AANHR" and mail to  
111 River Oaks Blvd., Searcy AR 72143-4519**

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

- Not getting a Durable Power of Attorney or guardianship. DPOA is a necessary step for the resident's protection because the DPOA can ask for medical records etc and tend to business on the resident's behalf. Keep in mind though that DPOA does not apply as long as the resident can speak for self and tend to his/her business.
- Accepting the facility medical director as the resident's physician. Retaining a physician outside the facility probably tends to yield more objective opinions on diagnoses and care plan.
- Allowing admission on a weekend when staffing is lower. Many times this can't be avoided.
- Failing to ask to see the facility's last five annual inspection reports. These reports can be accessed online and most recent reports should be posted somewhere near the main entrance so they are available for inspection.
- Not informing the facility that resident is not to be hospitalized without permission. Theoretically, a family member/responsible party should be contacted BEFORE a resident is transported to a hospital.
- Not keeping detailed notes of care. It's very important to keep a journal!
- Failing to seriously question skin tears, bruises or do regular complete body checks.
- Not taking pictures of all suspicious injuries and neglect incidents. In this day & time of cell phones it's easy to document. A word of caution: be discreet about taking pictures in order not to attract attention or create suspicions.
- Not filing well-documented (who, what, when, where and why) complaints with the state. Always document! The OLTC will want facts!
- Not calling the police and insisting on a police investigation when abuse is suspected. Never "let it go"! Better to be safe than sorry.
- 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. This time is well spent discussing care choices and deficiencies in care. Normally, staff members present will review the resident's meds, weight changes, dietary choices, illnesses since last care plan meeting, and ask for suggestions for improving care. Follow-up on plans will be necessary to assess whether the plan is carried through properly.
- 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. This one is critical for good care. Also, check staff sign-in sheets which should be posted in a prominent place, to determine whether staffing numbers for the current shift are adequate.
- Not becoming familiar with state and federal laws governing nursing home care. The nursing home will not volunteer rules/regulations so family members must do research to learn the rules which are many!
- Not challenging the facility when they ask to move the resident. A resident's room is his/her home so moving is sometimes critical since older folks do not adapt well to change.
- Failing to look at the resident's chart and asking for copies of the records periodically. You should get better care for your resident family member if staff knows you will be checking out the paperwork periodically.
- Not getting an itemized bill of all charges billed on behalf of the resident. Medicaid residents should have personal funds set aside each month from their social security check for personal needs (usually \$30 or so).
- Failing to join an advocacy group that can provide support and advice. Comfort, support, and safety in numbers! Don't be a "lone ranger".

## *A thought for your new year:*

What Will Be Your Legacy - Wayburn Dean

We are all on a journey, a destiny  
That for sure will come to an end  
Life's gonna pass with certainty on this you can depend  
Time is on your side  
Still you can decide  
What you'll leave behind  
God is standing by  
Tell me do you like what you see  
Have you been what you've wanted to be

Chorus

What will be your legacy  
Are you known for the good that you've done  
What will be your legacy  
You have one chance to write your story  
So what's it gonna be, your legacy

So often we are living in the moment  
Not thinking about this vapor of time  
It's time to get your house in order  
With the love of God in mind  
Time is on your side  
Still you can decide  
What you'll leave behind  
God is standing by  
Now tell me do you like what you see  
Have you been what you've wanted to be

(Chorus)

Bridge

Will you have fortune or fame to show  
Is it your name that you want them to know  
Do you want it known that you loved the Lord  
Will they say it was God that you adored

© 2008 Coach Beiden Music/BMI/Wayjade Music/ASCAP

<http://www.youtube.com/watch?v=Wc8AyJg1fEM>



## A Brief History of AANHR

In 1995 several letters to the editor about poor conditions in nursing homes were printed in the Arkansas Democrat-Gazette. The writers contacted one another, met, and formed an advocacy group. Invitations to the first meeting in late 1995 went to people in the nursing home industry, Office of Long Term Care, and family members. Officers were elected and the group continued to meet monthly.

Truthfully, there was much disagreement about the purpose and the function of the group. However, that the mission of the group was to improve the quality of care and life for residents in Arkansas nursing homes was never in doubt. All agreed that education of residents and family members about resident rights was paramount. However two factions arose as to how best to promote better care practices. There were those who felt that the way to improve care was to work with administrators and the Arkansas Health Care Association (AHCA) care models, such as a model nursing home. Others felt that regulations and policies needed to be changed and that working through the political process would be necessary. By the end of the first year this disagreement split the group. However a small number continued to meet monthly and with the help of the State Office of Volunteerism, wrote by-laws and incorporated Arkansas Advocates for Nursing Home Residents as a 501 -(c)-3 organization. Later Advocates for Nursing Home Residents, with the same Board of Directors, incorporated as a 501 -(c)-4 organization to allow active lobbying.

AANHR has attempted to educate residents and family members by being available for counseling, providing topical speakers at monthly meetings, speaking to senior citizen organizations and groups, by actively promoting Family Councils, and the publication of information regarding residents' rights and what constitutes good care. We continue to be active in the National Citizens' Coalition for Nursing Home Reform.

Our first Resident's Rights Rally was held in October of 2004 with good attendance and great publicity. This has been repeated annually since.

In June of 2005 we held our first CNA Recognition Banquet honoring thirty CNAs from around the state. For the following five years we honored nominated CNAs from facilities around the state, for their dedicated service. In 2010 we honored more than 100 of them.

On the legislative front we have been successful in setting minimum staffing ratios and requiring that direct-care staff on duty at any time be posted in plain sight on every hall. We have been unsuccessful in fighting tort reform. In 2005 and again this past legislative session, we had high hopes for the passage of a bill allowing surveillance cameras in residents' rooms only to see the bill amended in such a way as to give all the rights to the nursing home and none to residents. The initial bill was defeated; this past year's bill never made it out of committee.

AANHR is beginning its twenty-second year advocating. Members sense improvement in care but hope to see much more such as moving from institutional models to individual care.



### AANHR Special Thanks

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

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.

The Law Office of Bob Edwards and Mrs. Edwards for providing financial assistance as well as AANHR Good Care booklets

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 - Pat McGuire, Alexander, (501-847-1016)

Secretary - Julie Shaw, Memphis (901-508-0558)

Treasurer - Nancy Patterson, Searcy (501-305-4034)

Members of the Board: Nancy Allison, Conway (501-327-3152; Linda Brimer, Searcy (501-268-4699); James Brooks, North Little Rock (501-454-6279); Julie Edwards, Alexander (501-425-9959); and Ann Pinney, Benton (501-249-1084);

Newsletter Editors: Martha Blount, Searcy (501-278-9168); Marcy Wilson, Sherwood

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](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.

[www.ualr.edu/senior\\_justice](http://www.ualr.edu/senior_justice)



Arkansas Advocates for Nursing Home Residents

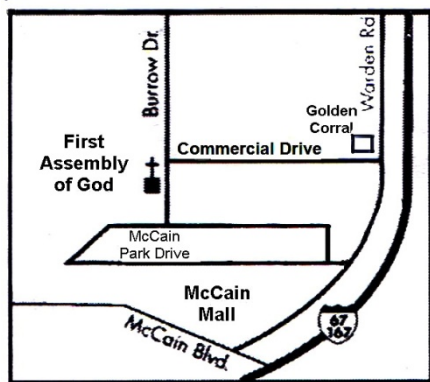
AANHR

P.O. Box 165641 Little Rock, AR 72216

www.aanhr.org

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JAN 2017



**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, 2017.

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

Name \_\_\_\_\_

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

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

Phone \_\_\_\_\_

Email \_\_\_\_\_

- I wish to receive the AANHR newsletter.
- \$20 per family or corporate membership.
- Waive dues because of financial hardship.

Please make checks payable to: AANHR and mail to 111 River Oaks Blvd, Searcy AR 72143.

**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 on the left.