



AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING HOME RESIDENTS
June 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
June 12
Meeting
Place:
First Assembly of God Church
4501 Burrow Road
North Little Rock
Directions to church
On back of
Newsletter.



June 12th, 11:00 A.M.
Meeting topic: TAP
Speaker: Lynn Franquemont

10:00 - 11:00 A.M.

Open Forum

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

C.N.A.
Appreciation
Day
June 15

Lynn Franquemont will be presenting information about the Telecommunications Access Program. TAP is a program under the Arkansas Department of Career Education/Rehabilitation Services Division that provides telecommunication equipment to eligible Arkansans who are deaf, hard of hearing, deaf-blind, speech impaired, or who have a visual, mobility or cognitive impairment and need assistance accessing the telecommunication network. TAP currently serves over 13,000 customers throughout the state.

Lynn is the Program Director for the Telecommunications Access Program (TAP). As Director, Lynn is responsible for planning, coordinating and administering this statewide program. She is also responsible for marketing and outreach to ensure that the word gets out to all Arkansans in need of the program's services.

Lynn has a Bachelor's degree in Elementary Education from the University of Arkansas in Fayetteville. Upon graduation, she was an elementary schoolteacher for 9 years in the state, teaching second and fourth graders as well as a reading lab, before taking a hiatus to raise her two children.

She has been the Director of TAP for 14 years and was re-appointed by Governor Hutchinson last year to serve on the Arkansas Deaf and Hearing Impaired Telecommunication Service (ADHITS) board. This board is responsible for the provision of Relay services in the state of Arkansas.



Happy Father's Day!

"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



From the President's Desk Martha Deaver

Alzheimer's Disease seems to be one of the most dreaded of our time in part because one loses emotional, social interaction with the family member long before losing the physical person. The person is *there* but not really. Therefore, it becomes even more important to be patient when visiting/interacting and do not become upset over the level of awareness that can no longer be accomplished. Following are some tips for happier interactions with Alzheimer's patients that a fellow AANHR advocate shared





with me. These points were gleaned from a presentation at a recent family council meeting. The meeting speaker recommended family members fit themselves into the Alzheimer's patient's world instead of expecting the patient to fit into family member's world which is not possible due to the loss of short term memory. Other tips:

1. Keep it simple: give two choices: pink or blue
2. Family members use name tags when visiting such as: Your Daughter Linda
3. "Holy Fibs" okay -- go along to avoid conflicts
4. Redirect attention: If patient wants to go home: what would you do first on arriving home?
5. During meals, assist from in front of patient, not from side and call out food names while assisting.
6. Who cares if patient gets details wrong -- don't correct.

So, the next time you visit your beloved family member in a long term care facility try some or all of these tips. Go along to get along and both you and the Alzheimer's resident will have a more pleasant happier visit and part on a pleasant note. There are more important things than "being right".

Career Nursing Assistants Day (see facing page) June 15 specifically which kicks off the annual week of honoring those who care for our frailest, beloved family members. Many of our readers cared for their loved ones as long as possible before it became necessary for one reason or another to turn over their care to staff members in long term care facilities. CNAs (Certified Nursing Assistants) provide the hands on care hour by hour, day in and day out in our stead. CNAs are not family but they become our family as we interact with them while visiting our family member in the facility. CNAs work tirelessly and deserve our respect and encouragement -- every day, not just on CNA Day. Thank a CNA today for the loving care they provide!

Steps to take if you find care lacking

1. Talk to the CNAs on duty for your hall. _____ → 
2. Talk to the nurse for your hall. _____ → 
3. Talk to the Director of Nursing or the Administrator. _____ → 
4. Call the Office of Long Term Care or the Regional Ombudsman. _____ → 

❖ The Office of Long Term Care Phone in Arkansas is 1-800-582-4887.

❖ Regional Ombudsman contact information complete with a photo of the ombudsman should be posted in a prominent place in your facility. You may also have a certified volunteer ombudsman (CVO) for your facility who might offer advice.

40th Annual
National Nursing Assistants' Week
~ June 15-22, 2017 ~

Career Nursing Assistants' Day
~ June 15, 2017 ~

**“Nursing Assistants:
Specialists in the Art of Caring”**



To honor and thank

* Nursing Assistants * Direct Care Workers * Care Assistants *
* ED Techs * Home Care Assistants * Personal Care Workers * PTAs *
* Geriatric Aide/Assistants * Resident Assistants * Restorative Aides *
In nursing homes, home care, hospice, hospitals, correctional institutions,
Schools and other long term care settings

Founder and Sponsor since 1977
The National Network Career Nursing Assistants and Direct Care Workers
3577 Easton Road
Norton, Ohio 44203
Resources: www.cna-network.org.
More info: Cnajeni@aol.com

~Celebrating 40 years as a professional organization for nursing assistants~

Why You Can't Open a Nursing Home: Free-Market Competition Ignored

By Jack Whitsett

Let's say you are dissatisfied with the nursing home in town. Maybe you have a relative there who is not receiving proper care. If you had the financial backing and business acumen, you might decide to open a competing facility that would care for residents in a more professional, compassionate manner.

The American free-market way of doing business would reward the nursing home that provided the best service for the best price. Right? Maybe, but where nursing homes are concerned, it is highly unlikely that you would be allowed to turn the first spade of free enterprise dirt.

"These nursing homes are continually given approval to add onto their facilities and to build new facilities without any regard to the care they are giving," according to Martha Deaver, president of the Arkansas Advocates for Nursing Home Residents, a non-profit advocacy organization for nursing home residents and their families.

"These are for-profit businesses but they are reimbursed with tax dollars," Deaver continued. "For the past 25 years and longer many of these for-profit businesses have been cited by state and federal investigators for repeated horrible abuses and neglect. But they are repeatedly given approval through the POA process."

In Arkansas, as in many other states, the government won't issue a license to run a nursing home unless there is a demonstrated need for more beds in the area. It is unlikely you could demonstrate a need for more beds in an area that is already being served by a nursing home.

The Arkansas Health Services Permit Agency, the agency responsible for issuing Permits of Approval (also called certificates of need) for nursing homes, is directed by a commission made up mainly of people who run nursing homes and other healthcare facilities in Arkansas. The same is true for hospitals, residential care facilities, assisted living facilities, home health and hospice agencies and intermediate care facilities for the mentally retarded.

A recent review of POA applications for additional or renovated nursing home beds shows the overwhelming majority (OR CAN WE SAY ALL???) were from existing owners. "Outsiders" rarely bother to apply. The only applications from "newcomers" were for other types of long-term care facilities, such as assisted living facilities.

James C. Luker is the director of the Arkansas Health Services Permit Agency, which oversees the needs certification process. Gov. Mike Beebe appointed Luker, a former state senator, in January to replace former Director Deborah Frazier. Luker defends requiring applicants for a license to construct a nursing home or other care facility to demonstrate a need for the added beds before a license can be granted.

"It's to prevent the overbuilding of facilities and the capital costs associated with new beds," Luker said. "You will end up increasing costs (without needs certification). It will have a major impact on Medicaid costs."

Luker said the state would have to contribute more Medicaid payments for added facilities if unused beds are created. "The utilization rate is not that high," he said. At present the rate of filled beds hovers around 80%.

In addition, Luker said needs certification helps ensure that services are available in small towns and rural areas throughout Arkansas. "The fear is, there would never be much interest in serving rural areas if everybody was permitted to rush to the big urban areas," he said.

Little Rock Attorney David Couch, an advocate for nursing home residents, disagrees with much of the reasoning behind the certification process. He says it makes for "a bad nursing home, but you don't go out of business."

Letting the free market determine the success or failure of nursing homes would give residents and their families leverage, Couch argued, allowing them to choose based on quality of care, costs and other competitive factors. In addition, Couch said the system strongly favors established owners. "You can't get a new permit unless you can prove there's a need," Couch said. "You can't compete against an existing home. The problem then becomes, when you have a poorly performing home, there is no way the marketplace can deal with that."

Michael Morton of Fort Smith is both a nursing home owner and a member of the Health Services Permit Commission. He defended the system as good for the industry, the patients and the state. "I want what is best for the elderly," he said, adding that when financially stressed, such as when the need for beds is far less than those available, many home owners look at the bottom line first."

"The first thing people do (when running an unprofitable nursing home) is they cut costs," Morton said. "When they cut costs they hurt the residents. What is best in the long run is the certificate of need program."

Financing would be a problem without the current system as well, Morton said.

"It's been my experience that unless I have a certificate of need ... the bank's not going to loan money," Morton said.

Deaver said the system doesn't operate in the best interests of residents. "When new beds are needed, existing owners add them or get to build the new home," she said. "For-profit businesses have a monopoly. Where's the incentive to improve their care?"

Deaver sees part of the solution to better resident care as more free-market forces in the nursing home industry. "Until these for-profit businesses are a part of the free enterprise process, as most for-profit businesses are, then citizens will not have a choice in placing their loved ones in a facility with a repeated history of poor care," Deaver said. "Public choice and competition can only equate to better care."

Morton said that serving on the Commission that regulates his industry does not constitute a conflict of interest. Morton pointed to his actions last year when his application for a new facility in Vilonia was considered by the Health Services Permit Commission. "You recuse yourself from voting and sit in the audience," he said, adding that he did not participate in the discussion or the vote on his application.

Luker declined to comment on the the conflict-of-interest question.

"That really is a policy issue for the governor and the legislature to decide," he said. "The Commission is made up of a number of individuals representing various industries, not just nursing homes."

The Arkansas Health Services Permit Agency is directed by the Arkansas Health Services Permit Commission, a nine-member board representing different healthcare interests. Commission members are appointed by the governor and confirmed by the Arkansas Senate. Members serve without pay for a maximum of two, four-year terms.

The current Commissioners are:

Nina Alter, Ark. Residential Assisted Living Association

Janie Pugsley, Ark. Home Health Association

Michael Morton, Ark. Health Care Association

Kevin Hodges, Ark. Hospital Association

Dr. Kimberly Curseen, Practicing Physician

Dewery Watkins, AARP Volunteer

Breck Hopkins, Ark. Dept. of Human Services

David Laffoon, Business Health Insurance

Jim Petrus, Ark. State Hospice Association

The Commission meets quarterly;
the next meeting will be in June.
For more information call
501-682-2509
or write them at
Freeway Medical Tower,
5800 W. 10th St., Suite 805
Little Rock, AR 72205-1763



I want to stay at home for as long as I can!

How can I do that?

Bernie Quell, LPC, Program Manager for the Alternatives Plus (A+) Team within the Division of Aging and Adult Services, spoke to AANHR meeting attendees in May about Options Counseling for nursing home residents. Options Counseling guarantees that information will be provided to Arkansas residents on "Community Resource Options" (Long Term Support Services) that may assist the individual to live in the least restrictive location possible. Services that an individual might need include: Meals on Wheels, Transportation to/from medical services, hands on care with bathing and getting dressed, housing -- things most of us take for granted in daily living.

Today's nursing home population is a mix of elderly to young adult individuals with physical limitations, mental health issues, chronic medical conditions, and short term rehabilitation goals. Medicare pays for rehab but not nursing home care. Medicaid covers nursing home care for qualified applicants. Many times a few community services will allow a patient to return to his/her own home -- definitely a less restrictive environment than a nursing facility; that's where Options Counseling comes into play.

Arkansas' Options Counseling program began with Act 516 implemented in 2008 that created Arkansas Options Counseling for Long Term Care. Previously, in 1999, the Supreme Court's Olmstead Decision ruled that "No person should have to live in a nursing home or other institution when other supports for care in a least restrictive setting are available". This decision mandated that each state provide information to consumers in need of long term care and supports to ensure they were able to make an informed choice regarding the care available to them. Nursing homes are required to ask ALL residents upon admission to their facility whether the resident would like to speak to someone about Options that might allow them to live elsewhere.

Nursing facilities refer possible applicants to the Nursing Home Options Counseling site and employees from the division of Aging and Adult Services called the A+ Team follow up in person with each referral. The A+ Team will follow along and follow up with nursing home residents who indicate they want to transition to a least restrictive setting. Not all referrals will transition. Can the resident realistically transition from 24/7 care to a maximum of less than 8 hours of care per day? National Statistics from the Centers for Medicare/Medicaid Studies indicates that approximately 10% of all nursing home residents have the potential to be served in the community.

Care in the community is more economical than institutional care. It is recognized that the State of Arkansas can serve approximately three individuals through Long Term Support Services, for every one person served in a nursing home. Also, individual quality of life is better in the community setting where social networks are maintained. Therefore, it's a win-win situation if an individual can continue to live in familiar surroundings with community support services.

In the 2015-2016 time period, 4456 residents were referred for Options Counseling; 488 transitioned out of the facility. Two-hundred-eighty-one were on Medicaid; 207 on Medicare, VA, or Private Insurance. The average length of nursing facility stay for the 281 Medicaid residents was 203 days. If all transitioned residents remained out of the nursing facility for one year, the savings to the State of Arkansas would be approximately \$7.8 Million dollars.

The ADRC (Aging and Disability Resource Center) is a resource center to all who have questions about care for the elderly and adult individuals with disabilities. Call toll free: 1-866-801-3435; www.choicesinliving.ar.gov.

For more info on the A+ Team contact: Bernie Quell, LPC, 501-320-6548; bernie.quell@dhs.arkansas.gov

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.

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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)

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

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 a

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



Arkansas Advocates for Nursing Home Residents

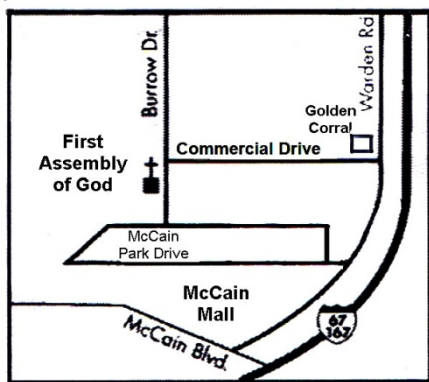
AANHR

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www.aanhr.org

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June 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, 2018.

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.