

PROTECTING NURSING  
HOME RESIDENTS

September  
2006

# Arkansas Advocates for Nursing Home Residents



Next Meeting  
September 11

**MEETING PLACE:**

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

**10 a.m.**

Meeting for Members,  
Family and Friends of  
Residents (Closed to  
persons representing  
the nursing home  
industry).

**10:30 a.m.**

Public Meeting:  
(see gray box on page  
one)

**12 noon**

Bring a sack lunch, &  
stay for the Board  
Meeting

**We're on the web!**  
[www.AANHR.org](http://www.AANHR.org)

Conway (501) 450-9619 • Fairfield Bay (501) 884-6728  
Little Rock (501) 224-8431

**AANHR's Mission Statement:**

"To protect and improve the quality of care and life for residents in Arkansas nursing homes."

**Program and Speaker for the September 11<sup>th</sup> Meeting**

**STATE AND FEDERAL REGULATIONS REGARDING NURSING HOME  
RESIDENT ABUSE, THE ADULT ABUSE ACT AND HOW THEY ARE  
INTERLINKED**

Stormy Smith, Program manager with the Office of Long Term Care (OLTC) will discuss what constitutes abuse, neglect and misappropriation of property in long term care facilities, the reporting requirements and who the mandated reporters are. Handouts on the regulations and law will be provided.

During Stormy's history with OLTC, he has supervised all areas of protection for Long Term Care residents. 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 abuse act, and state and federal regulations. Since 2000, Stormy's primary function is coordinating the flow of Freedom of Information Act (FOIA) request received by OLTC.

Stormy has been employed with OLTC since 1991. He has a Bachelor of Science degree in Business and Industry and is a Certified Surveyor, Licensed Nursing Home Administrator and a Certified Public Manager. He has 30 years experience in health care with 22 of those years being in Arkansas. Stormy operated his first nursing home in 1973, was elected to the Board of Directors of the Arkansas Nursing Home Association, and in 1974 he received an appointment from then Governor Dale Bumpers to the Statewide Comprehensive Health Planning Council, and shortly afterwards served on the State Health Manpower Planning Council.

As noted in the side bar of this page, the business meeting begins at 10:00 a.m. with Stormy Smith beginning the program portion of the meeting at 10:30 a.m.



## From the President's Desk

Nancy Allison

### FROM THE PRESIDENT'S DESK:

The year 2006 is drawing to a close. When I look back I know AANHR has been quite busy finding ways to help you enhance the lives of nursing home residents. We have had some wonderful and educational speakers at our meetings and I assure you we have some great ones for the last 3 meetings of 2006.

AANHR has had nationwide recognition with National Citizens Coalition for Nursing Home Reform (NCCNHR). NCCNHR published *The Faces of Neglect*, an expose of what goes on behind the closed doors of nursing homes and several Arkansas residents are featured

AANHR has also supported NCCNHR by contacting Federal Legislators asking for support of a federal staffing bill. As we approach our November elections it is most important that you meet and talk with the candidates, both for state and federal office. Find out where they stand on issues of nursing home care and tell your story.

We understand the nursing home industry people are asking family members of residents to write their congressman regarding the **good care** they are receiving. If you have any issues with the **care your loved one is receiving** in a nursing home, it is time you let your representatives know. Candidates for office admit they depend on the people to help them understand the issues.

Our own Martha Deaver was featured in the June 2006 Ladies Home Journal story on nursing home care. The story "**It Broke My Heart That I Couldn't Protect My Mom**" tells of her determination to get her mother the quality care required by the 1987 Residents' Rights Law, also known as the nursing home reform law. If you did not get to see that story, we still have copies available.

The Consumer Report August issue featured Arkansas in a story written by Trudy Lieberman, Director of Center for Consumer Health Choices, Consumer's Union. Ms Lieberman spent several days in the state investigating nursing home care. She spoke with nursing home owners and enforcement officials as well as advocates, residents and family members.

We are now very concerned about the news of sexual predators living in nursing homes compounded by the law that now allows sick felons to be transferred out of jail into nursing homes.

The AANHR board works for you and now we are asking you to help. By attending our meetings you will get first hand information about what is going on and how you can help. We have published a wonderful book "**Good Care in Nursing Homes, Everyone's Basic Right**". Our mission is to educate you and help your loved ones in nursing homes. If you are a member of this organization we are asking you to take an active part in what we do.

AANHR needs you!

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## Working Together to Improve Quality of Life By Reducing Restraints!

Carol Compas RN, BSN, CPHQ, Project Manager for the Arkansas Foundation for Medical Care, presented compelling reasons for reducing the use of restraints in Arkansas' nursing homes to members of AANHR at their monthly meeting on July 10.

Nursing home staff and family members alike tend to look upon restraints as safety measures. Statistics show, however, that restraints are likely to CAUSE more falls and injuries than they are to prevent them. The perfect example of this was given by Nancy Allison. Nancy's mother was a wanderer. When restrained she not only tipped her wheelchair over on herself but an adjacent table as well. After restraints were discontinued she was allowed to roam and she did not fall again.

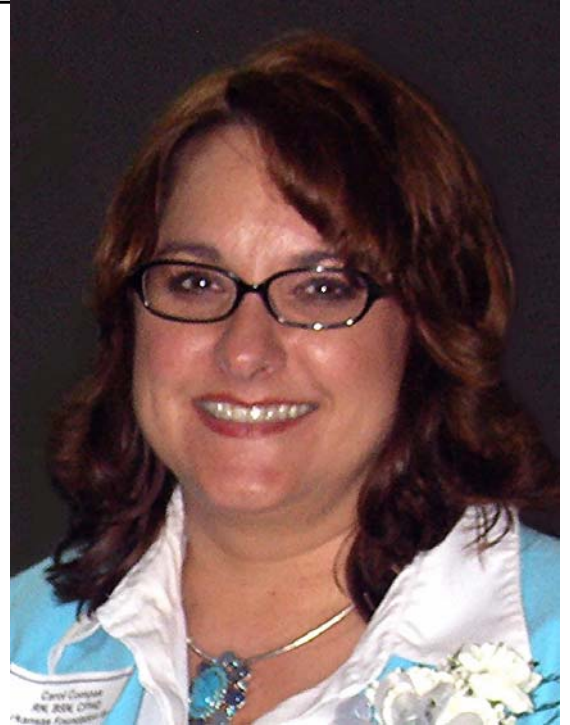
There are many risks associated with the use of restraints including death due to strangulation or chest compression. Entrapment between bed rails and the mattress is a relatively common example of this. Other risks include losses due to restricted movement: loss of muscle tone, decreased mobility leading to inability to stand, walk and turn, reduced bone mass, pressure ulcers, pneumonia, and constipation. In addition there are psychological outcomes associated with restraints such as loss of dignity, loss of confidence, boredom, depression, agitation, and feelings of being punished.

A restraint is any "manual method, physical or mechanical device, material, or equipment attached or adjacent to the resident's body that the individual cannot remove easily which restricts freedom of movement or normal access to one's body." (*official CMS definition*)

Note that this definition concerns the effect the restraint has on the resident and makes no concession for the reason for its use. Restraints can be used only when ordered by the resident's physician to treat a diagnosed medical symptom and then they must be the least restrictive possible. Families have the right to refuse use of restraints - or any treatment - but have no right to demand that restraints be used unless there is a documented medical reason.

The most common reasons given for using restraints are: 1) to prevent falls and 2) to control behavior. Instead of turning to restraints families and caregivers are advised to identify the cause of the behavior or problem and try to alleviate the cause. This may take real detective work investigating such things as environmental conditions (i.e., noise, light or lack of light), staff interactions with the resident, and social factors such the resident's life-long habits and family interactions.

Unfortunately Arkansas nursing homes report twice the restraint usage as the national average. This can and should be reduced.



## A COMMUNITY MINDED NURSING HOME

By Connie Smith

"Those poor people living and working in that nursing home . . . they must be so lonely; they need my help; I should reach out to them." When my community or church asks me to volunteer at a nursing home, it never sounds strange to me. In fact, I believe it is a good idea, and I wholeheartedly support it. However, it would sound strange to me if someone asked me to participate in an activity that involved a nursing home reaching out to me. But, that was what happened.

This past Fourth of July, our family was invited to a hot dog dinner complete with chips, a drink, and ice-cold watermelon, and a fireworks display that rivals one I saw over the Ohio River when the Cincinnati Reds had won a huge game. The invitation was from a nursing home. The nursing home was inviting me, it was a free event, I could bring friends, and there was no obligation to do anything for those poor people.

My husband and I left the lake early on the day before the Fourth, wanting to have plenty of time to visit with our son who lives in the nursing home. Since it is a two-hour drive from our home, we thought we would leave the nursing home before the fireworks began because my husband had to get to work the next day. That plan quickly changed.

When we arrived at the nursing home, we noticed that the employees had already begun parking behind the home. There was not room for their cars because tents and tables were being set up, the lawn around the pond was being mowed, a band had to assemble at the dock, and the parking lot needed to be swept. We saw huge watering troughs being brought in and filled with ice for thousands of canned drinks. The place was beginning to look festive, and you could feel the excitement.

Late afternoon on the Fourth, crowds of people began to arrive with lawn chairs and blankets. There were children and the elderly, wheelchairs and strollers, and people from town and people from the country. It appeared that the entire community and many from the surrounding county had come to this Fourth of July picnic that the nursing home sponsors each year for the community. The band was playing, there was more than enough food, and I felt as if I was in a scene from a movie. My husband looked over at me and said, "I'll get up at 4:00 AM tomorrow so that we can see all of the fireworks." I looked over at my son and noticed that his wheelchair had been not only cleaned especially for the occasion, but there were red/white/blue balloons tied to it. This time he did not look back at me, because the fireworks had begun and they were right above his head. My 22-year-old disabled son was enjoying the fireworks, and his eyes were like saucers. He sat, transfixed, staring at the beautiful light display, a contented smile on his face the entire time. He was having such a good time and, as it always does, it warmed our hearts to see it. In fact, everyone seemed relaxed and content, because those poor people at the nursing home had ministered us, rather than, on this day, having us coming to minister to them.

Resident Rights Rally

**Monday, October 2, 2006**  
**Arkansas State Capitol**  
**Front Steps 11:00 a.m.**

## Invited Speakers:

**Dustin McDaniel**

Democratic Attorney General Candidate

**Gunner DeLay**

Republican Attorney General Candidate

**Kathie Gately**

Arkansas State Ombudsman

**Maria Diaz**

Arkansas State Director of AARP

**NATIONAL RESIDENTS' RIGHTS WEEK**  
**Affirming Residents' Rights**  
**In Long-Term Care Facilities**

## Resident Rights Education

Please Join Us!

Arkansas Advocates for Nursing Home Residents  
[www.aanhr.org](http://www.aanhr.org)

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### Public Notice

Arkansas Advocates for Nursing Home Residents are here to help with any problems you might face in dealing with nursing home care. As consumers, you need to know, there had not been a congressional report written in the past twenty years documenting that nursing home residents are being cared for and protected the way the federal laws require.

In order that you are better informed, we urge you to order GAO congressional reports illustrating the serious problems government investigators have found in nursing homes.

To receive the government studies free of charge either:

- Telephone AANHR at (501) 450-9619
- Go to our web site at <http://www.aanhr.org> and click on "Contact Us."

*Consumer Reports* has included its Nursing Home Quality Monitor in the September issue:

- Learn which homes in each state to consider and which to avoid.
- Learn which 12 nursing homes have been on all of the *Consumer Reports* Watch Lists since the first one appeared in 2000.
- Get unbiased *Consumer Reports* advice on how to choose a nursing home.
- What type of homes are likely to provide better care?
- What can family members do to find the best possible home for a loved one?

The *Consumer Reports* Nursing Home Quality Monitor, a national database of homes to choose and homes to avoid, will be available free as of August 6, 2006 at [www.ConsumerReports.org/nursinghomes](http://www.ConsumerReports.org/nursinghomes)

AANHR has several wonderful videos that we would like to loan for use at Family Council meetings, or to help any family member seeking to learn more about receiving good care of residents in nursing homes. If you cannot attend our monthly meetings in Little Rock, please contact one of the officers listed in this Newsletter and make arrangements to have one of these helpful videos mailed to you. The Videos are:

- NURSING HOME CARE PLANS
- THE IMPORTANCE OF NURSING HOME FAMILY COUNCILS
- BATHING WITHOUT A BATTLE

## AANHR Special Thanks

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

1. **Darren O'Quinn** of The Law Offices of Darren O'Quinn, PLLC, for assistance in the publication of this newsletter, meeting rooms, lunches and donations.
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10. **David Couch** of Grayson and Grayson, PA, for employing Brent Birch of One6media, LLC, to do AANHR's new website design.
11. **Dan Sorey and Chad Trammel** for gift memorials and support.

## AANHR Officers and Board Members

**President** - Nancy Allison, Conway

**Vice President** - Nancy Johnson, Fairfield Bay

**Secretary** - Martha Blount, Searcy

**Treasurer** - Ralph Erwin, Little Rock

**Members of the Board:** Marce Best, Maumelle; James Brooks, North Little Rock; Lela Burns, Sherwood; Martha Deaver, Conway; Gleason McGuire, Bryant; Horace McGuire, Alexander; Larry Wakefield, Fairfield Bay.

**Honorary Board Members:** Jim and Faye Sandstrum, Pine Bluff.

## 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://www.medicaid.state.ar.us/General/units/oltc/index.htm](http://www.medicaid.state.ar.us/General/units/oltc/index.htm)

You should also report complaints to the 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;**

**(501) 225-4082 in Little Rock.**

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 the nursing home. You may also call your local Area Agency on Aging to secure **the name and phone number** of the Ombudsman

## 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 until December 31, 2006.

We are so appreciative of people like you who support us and our cause, because together we can make a difference.

- 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 PO Box 22421, Little Rock, AR 72221

## AANHR Meeting Directions

### First Assembly of God Church, 4501 Burrow Road, North Little Rock, Arkansas

From Little Rock on Highway 67-167, take the West McCain Blvd. Exit. Immediately after crossing under the McCain Blvd. bridge, turn right (east) onto the newly constructed ramp. Get into the left lane as you will be turning left (north) at the first opportunity onto Landers Road. Once on Landers Road, keep in the far left hand lane as you will be turning left when you get to the new "turn around." At the turn around, you will go under Highway 67/167 and enter Warden Road going southbound. As soon as you can move safely, get into the far right hand lane as you will be turning right immediately past the Golden Coral Restaurant onto Commercial Street.

Commercial Street dead ends in about three blocks into Burrow Road at the church, which will be recognized by its three large crosses. Proceed straight into the church's parking lot and turn right at the west end 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.



## Arkansas Advocates *For* Nursing Home Residents

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www.aanhr.org

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