



# AANHR

*Arkansas Advocates for Nursing Home Residents*

**PROTECTING NURSING HOME RESIDENTS**  
**May 2008**

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

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

Next Meeting May 12th

**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)**



**Phyllis Watkins, Executive Director, Alzheimer's Arkansas to speak Monday, May 12<sup>th</sup>: "Alzheimer's Caring Today"**

The mission of Alzheimer's Arkansas is to provide the information and support needed so that Arkansans affected by Alzheimer's disease and related dementias are able to live with dignity and comfort until a cure is found.

Phyllis Watkins has been Executive Director of Alzheimer's Arkansas Programs and Services for fourteen years. She will provide us with information on the disease itself, care giving issues and reminders on keeping our memory fresh. We will learn how AA's funding provides assistance and support to families of Alzheimer's patients. Research reported on the Alzheimer's Arkansas website indicates one in three people over seventy have cognitive impairment and that Alzheimer's disease is the seventh leading cause of death.

Ms. Watkins received her degree in Sociology and Gerontology from Sonoma (California) State University. She is also a graduate of the DHHS Arkansas Aging and Disabilities Leadership Academy. Prior to her current position, she developed and administered a countywide visitation program for homebound older adults in Marin County, California. She also founded a program called "Neighborhood Outreach to the Elderly" (NOTE) that trained community members on how to identify older adults who needed assistance

**DID YOU KNOW?**  
The AANHR Newsletter Is Available Online At [aanhr.org](http://aanhr.org)



**Family Members Take Note**  
**Nursing Home Residents May Still Apply for Tax Stimulus Payment**

April 15 is past but it is still possible to apply for the Tax Stimulus payment of \$300 and this may be a boon to some nursing home residents. If the resident received income of \$3000 or more from Social Security, Disability benefits, VA benefits or certain Railroad Retirement benefits, and/or other pensions, they are eligible but must apply. **You have until October 15 to apply.**



## From the President's Desk Martha Deaver

I'm excitedly anticipating AANHR's 4<sup>th</sup> Annual CNA Awards luncheon which is coming soon. We (AANHR) will celebrate National Nursing Assistants' Week, honoring Arkansas' Certified Nursing Assistants (CNAs) by recognizing the very important role CNAs play in the care of nursing home residents.

A special appreciation luncheon will be held on Monday, June 9, 2008 at First Assembly of God Church at 12:30 P.M. The church is located at 4501 Burrow Drive, North Little Rock, Arkansas. Luncheon keynote speaker is Ms Carol Compas, Nursing Home Quality Initiative Project Manager for the Arkansas Foundation for Medical Care. I've found Carol to be entertaining as well as informative and look forward to hearing her words of wisdom again. The catering staff at First Assembly always prepares delicious fare for our guests.

By the time you receive this newsletter, each nursing facility in Arkansas has received an invitation to select two CNAs to be honored at the luncheon. Nominees are selected by resident and/or family councils or in some cases, the nursing staff at a home conducts a contest to determine who is honored. These honorees will receive a complimentary lunch and awards in recognition of our appreciation for their efforts in caring for the elderly. CNA honorees must be present at the luncheon to receive awards: no substitutions.

Each CNA honoree may bring one (1) person with him/her. The luncheon fee for that person is \$10.00 each, that must be remitted with the nomination application form.

The deadline for nominations is 5:00 p.m. on May 23, 2008. Reservations will be confirmed when AANHR receives the nomination form and a check for any additional persons attending with the CNA honoree. AANHR will mail confirmations to nursing homes May 26.

The luncheon has become a gala affair, well attended by CNAs and their guests from around the state. Newsletter readers are invited to attend the luncheon. If you wish to do so, please mail a check for \$10.00 before the deadline, May 23. Checks should be made out to AANHR and mailed to our AANHR treasurer: AANHR, 135 Hillview Dr # 112, Fairfield Bay AR 72088-4026. No funds will be accepted at the door on luncheon day. Should you have any questions, please call 501-450-9619 or 501-450-7405.

**AANHR looks forward to honoring Arkansas' CNAs!**

### **“Special Focus Facilities” Now Designated On The Nursing Home Compare Web Site**

Nursing Home Compare now has information on Special Focus Facilities. On November 29, 2007, CMS began publishing the names of Special Focus Facilities (SFF), nursing homes that had failed to improve significantly after being given the opportunity to do so.

Once a facility is selected as an SFF, state survey agencies are responsible for conducting twice the number of standard surveys and will apply progressive enforcement until the nursing home either (a) significantly improves and is no longer identified as an SFF, (b) is granted additional time due to promising developments, or (c) is terminated from Medicare and/or Medicaid.

The [Nursing Home Compare](#) Web site is a searchable database with the names of nursing homes that rank in the lowest 5% to 10% in quality based on state inspection results. CMS first released the information in the database as a list of Special Focus Facilities that includes about 130 of the 16,000 nursing homes in the U.S. In addition to the database, the Web site, which CMS updates monthly, includes summarized information from state inspections and data that nursing homes must submit to regulators about their residents.

The website also denotes the nursing homes with family councils and/or resident councils. Data shows that ninety-five of the nearly 240 homes in Arkansas have family and/or resident councils.

### ***Home Care Assistance is Available for the Medicaid-Eligible***

At the April 14<sup>th</sup> meeting members of AANHR learned of the programs that are available to help Medicaid-eligible persons remain in their own homes as long as possible or may make it possible for a nursing home resident to return to their own home. Ms LeAnn Edwards, from the Arkansas Division of Aging and Adult Services, told those present about several such programs.

**Elder Choices** provides one or more of the following services:

Homemaker or chore services

Home Delivered Meals

Personal Emergency Response System

Adult Day Care

Adult Day Health Care

Respite Care

Adult Foster Care

Adult Companion



To qualify for Elder Choices one must be 65 years of age or older, meet nursing home admission criteria, meet financial criteria, and have a medical need for one or more of the services offered.

**Alternatives for Adults with Physical Disabilities** is available for disabled adults aged 21-64. It allows the consumer to direct their own in-home care if they desire to do so. It also allows Medicaid reimbursement for certain in-home and community-based services that Medicaid normally does not cover, including:

Attendant Care

Case Management/Counseling

Environmental Accessibility Adaptations

Adaptive Equipment

### **AANHR Videos for Loan**

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***



## **Support the Nursing Home Transparency and Improvement Act!**

Congress is considering the most important nursing home legislation in 20 years. Two of Congress's leading supporters of nursing home reform, Senator Chuck Grassley of Iowa, Ranking Republican on the Finance Committee, and Senator Herb Kohl of Wisconsin, Chairman of the Special Committee on Aging, have introduced Senate bill 2641, the Nursing Home Transparency and Improvement Act. A companion bill is expected soon in the House of Representatives.

NCCNHR (National Citizen's Coalition for Nursing Home Reform) has worked with congressional staff to develop the legislation, which would increase transparency of nursing home ownership, operations, staffing, and expenditures; improve the consumer complaint process; increase civil monetary penalties; and expand public information about nursing home quality, including penalties and staffing levels.

***Your active support is vital to pass this legislation!***

**Please watch for NCCNHR Action Alerts, which will provide you tools to advocate for the bill. In the meantime:**

- Check the NCCNHR website ( [www.nccnhr.org](http://www.nccnhr.org) ) for information and updates.
- Download S. 2641 from <http://thomas.loc.gov>. Enter S. 2641 in the search box.
- E-mail NCCNHR policy director Janet Wells - [jwells@nccnhr.org](mailto:jwells@nccnhr.org) - with any questions about the bill or how you can get involved in passing it. Or call Janet at 202/332-2275, ext. 205.

**Begin now to inform your members, colleagues, and residents and their families about the Nursing Home Transparency and Improvement Act!**

### **Summary of Major Provisions in S. 2641**

#### **Improve transparency and accountability in the ownership and operations of nursing homes**

Corporations would be required to disclose their owners, operators, financiers, and other related parties. Facilities that were part of chains would be required to submit annual audits. Purchasers would have to demonstrate that they were financially able to run facilities.

#### **Require disclosure of how Medicare and Medicaid funds are spent**

Providers would have to report wage and benefit expenditures for nursing staff on cost reports. Cost reports would be revised to categorize spending for direct care, such as nursing and therapies; indirect care, such as housekeeping and dietary services; capital costs, including buildings and land; and administrative costs, which often include the company's profits.

#### **Establish independent monitoring of chains**

The federal government would develop a protocol for an independent monitor of chains to analyze their financial performance, management, expenditures, and nurse staffing levels. It would provide for corrective action and collection of civil monetary penalties.

**Collect accurate information about nurse staffing**

The government would collect data electronically from nursing homes on the number of RNs, LPNs, and nursing assistants, using payroll records and contracts with temporary agencies as the source. Data would include turnover and retention rates and hours of care per resident provided by each category of worker.

**Provide better public information about nursing homes**

Nursing Home Compare would be updated with more timely reporting of surveys; ownership information; accurate nurse staffing data, including turnover and retention rates; links to survey reports (Form 2567) when states put them online; enforcement actions; and all Special Focus Facilities identified for three years. The government would undertake a study on how to improve the website to make it more useful and understandable.

**Implement new consumer complaint processes**

The government would develop a standardized form consumers could use in filing complaints with the state regulatory agency or ombudsman. States would be required to establish a complaint resolution process for residents' representatives who were retaliated against, including denied access to residents, if they complained about quality of care or other issues.

**Provide for higher civil monetary penalties and other CMP reforms**

Federal civil monetary penalties would be increased for the first time since the 1987 Nursing Home Reform Act - up to \$100,000 in the case of a resident's death. Fines would be held in escrow during appeals of deficiencies, no longer delayed until appeals were resolved. Federal CMP funds, which are now returned to the U.S. Treasury, are encouraged to be used for the benefit of residents.

**Provide for reporting of closures and continuation of federal payments**

Nursing homes would be required to give 60 days notice of closure, including a relocation plan and assurances that residents would be transferred to the most appropriate facility or other setting. No new residents could be admitted after the notice was given, and the federal government could continue Medicare and Medicaid funding for residents until relocation was completed.

**Authorize studies of temporary management; special focus facilities; culture change; and nurse aide training**

The bill provides for studies of temporary management; the characteristics of Special Focus Facilities, including ownership; best practices in culture change; and training of nurse aides and supervisors. Dementia management would be added to the initial 75-hour nurse aide training.

*AANHR's annual CNA luncheon coming in June. Invitations for nominations mailed April 25<sup>th</sup>.  
**Deadline for registration for luncheon is May 23<sup>rd</sup>!***

**National Nursing Home Week: May 11-17, 2008**  
**National Nursing Assistants' Week: June 12-19, 2008**

## **GODSPEED MARK MALCOLM! AND THANK YOU!**

In 1999 Pulaski County Coroner Mark Malcolm was able to pass a "Coroners Law" (Act 499) that mandated all nursing home deaths be reported to the coroner's office. He has said that this is the one thing he is proudest of during his 13 year tenure as coroner. We know that, because of Mark Malcolm nursing home residents are getting better care. We can never thank him enough for that piece of legislation.

AANHR Board members were saddened to learn that Mark is leaving the coroner's office to become President of Disaster Management International, a worldwide disaster-management consulting and response firm with headquarters in Little Rock. Over the past several years, Mark has used his vacation and leave time to assist in the tsunami and Hurricane Katrina recovery efforts. Typical of Mark's thoughtfulness, he called to personally inform us of this decision, not wanting us to learn from the newspapers.

AANHR members can only wish him well in his new venture. He has been one of our strongest advocates for the care of nursing home residents. We will miss him, but he has indicated he will be available to us if we need him. In the meantime, we look forward to meeting his successor, Garland Camper. It is good to know that Mr. Camper was Chief Deputy under Mark Malcolm and has indicated policy in the coroner's office will not change.



National Nursing Home Week  
May 11-17, 2008

**The 2008 theme for National Nursing Home Week is  
"Love Is Ageless".**

National Nursing Home Week begins on **Mother's Day, May 11, 2008** and continues through **May 17, 2008**. The American Healthcare Association (AHCA) established the week-long celebration in 1967.

Activities are designed to foster intergenerational relationships, collect and preserve patient's reminiscences, strengthen relationships with family members, celebrate quality, and recognize all staff members who demonstrate excellent care giving.

Nursing homes around Arkansas will celebrate the week, observing various activities. As an example, Byrd Haven Nursing Center in Searcy begins Monday of the week with "Hugs Day." Other activities include strawberry capping and an ice cream social. "Elvis" will be in the building to cap off the work week on Friday, May 16.

*"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:**

- 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.
- 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.
- First Assembly of God Church** in North Little Rock for providing AANHR a meeting room.
- Bob Davidson** of the Law Offices Of Bob Davidson, PLLC, for advising AANHR's Board of Directors.
- Chad Trammel and Don Sorey** of The Law Offices of Nix, Patterson and Roach for gift memorials and financial support.
- Brian Reddick and 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.
- Eric Wewers** of The Law Offices of Eric Wewers, PLLC, for advising AANHR's Board of Directors.
- Hare Wynn Newell & Newton** for financial and promotional support over the years.
- Todd Griffin** of The Law Offices of Todd Griffin, PLLC, for advising AANHR's Board of Directors.
- Jack Waggoner and Gene Ludwig** for keeping AANHR supplied with copies of the book *DANGER ZONE*.
- Brandon Clark** of the Law Offices of Brandon Clark, PLLC, for ongoing support of AANHR activities.

### AANHR Officers and Board Members

- President** - Martha Deaver, Conway
- Vice President** - Nancy Johnson, Fairfield Bay
- Program Chairman** - Nancy Allison, Conway
- Secretary** - Betty Buckta, Judsonia
- Treasurer** - Nancy Johnson, Fairfield Bay
- Members of the Board:** Martha Blount, Searcy; James Brooks, North Little Rock; Betty Buckta, Judsonia; Martha Deaver, Conway; Julie Edwards, Mabelvale; Gleason McGuire, Bryant; Ann Pinney, Benton.
- Honorary Board Members:** Jim and Faye Sandstrum, Pine Bluff.
- 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:

[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 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.**

## 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, 2008.

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  
135 Hillside Dr #112 Fairfield Bay AR 72088-4026

## 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 #1 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:

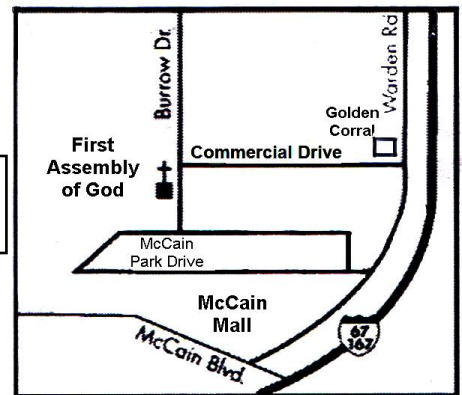
If you are on either I-30 or I-40, take Highway 67/167 North. Take exit #2 onto Landers Road. Stay in the left-hand lane, as you will be turning left and going under Highway 67/167 and enter Warden Road going southbound. As soon as you safely can, move into the right-hand lane, as you will be turning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

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

Map To  
Meeting



**AANHR**

P.O. Box 22421 Little Rock, AR 72221-2421  
www.aanhr.org

NON-PROFIT  
ORGANIZATION  
U.S. POSTAGE PAID  
LITTLE ROCK, AR  
PERMIT NO. 1886