



AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING
HOME RESIDENTS

April
2010

**Next Meeting
April 12**

**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)**



**Don't forget to pay
your membership
dues!**

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



**April 12th
Meeting Topic:
End of Life
Issues**

Attorney Darren
O'Quinn will

discuss end of life issues in the nursing home context including Advance Directives such as a Living Will, a Financial Durable Power of Attorney, and a Health Care Durable Power of Attorney at the April 12th AANHR meeting. These are basically legal documents which will guide the doctor and nursing home regarding treatment of your loved one in the event they become unable to express their own wishes. He will discuss these, as well as other end of life issues, and provide insight on how to successfully deal with them for your loved one in the nursing home setting. Mr. O'Quinn will also answer any questions you might have regarding other nursing home issues.

Darren O'Quinn received his Juris Doctor (with honors) from the University of Arkansas at Little Rock School of Law in 1985 and began his law career with one of the largest and most prestigious law firms in Arkansas. There, his practice emphasized the defense of medical negligence and nursing home neglect claims. This practice area was a natural fit for Mr. O'Quinn since he is also a licensed pharmacist.

Mr. O'Quinn left his partnership in 2002, formed his own firm, and began to prosecute the types of cases he formerly defended. Through his over 20

years of experience in both defending and prosecuting medical negligence and nursing home neglect cases, Mr. O'Quinn has gained valuable insight into successfully resolving them. He routinely consults with attorneys from all over the United States and has obtained numerous seven-figure recoveries for his clients.

O'Quinn is a volunteer attorney for Central Arkansas Legal Services and Arkansas Volunteer Lawyers for the Elderly, which provide free legal services for those in need and who cannot afford representation. He is a vigorous proponent and volunteer of Arkansas Advocates for Nursing Home Residents. Mr. O'Quinn trains for and runs marathons to relax in his free time.

Mr. O'Quinn is admitted to practice before all Arkansas state and federal courts, including the Arkansas Supreme Court, The United States District Courts of Arkansas, and the United States Eighth Circuit Court of Appeals. He also practices in other states with co-counsel from those areas and has helped with successful cases in Texas, Oklahoma, Louisiana, Missouri, Mississippi, Tennessee, New York, and elsewhere, and routinely consults with attorneys from all over the United States.

Please join us for this very informative meeting on April 12th.

**Coming soon:
CNA appreciation
luncheon.
June 14, 2010**



From the President's Desk . . . Martha Deaver

Where are your tax dollars going?

AANHR has "FOI" documents that reveal the millions of tax dollars that are spent to reimburse Arkansas nursing homes for their Liability Insurance premiums each year. The public should be aware that of the 34 worst performing nursing homes in AR (documented by GAO in 2009) most were reimbursed thousands of dollars for their liability insurance premiums. Many of the other reimbursed Arkansas nursing homes on the list are rated one and two stars. This is according to the government's five star rating. A rating of two stars is below average; one star is well below

average. Millions of tax dollars pay for the protection of Arkansas nursing homes every year. The state survey data shows that too many of these nursing homes are repeatedly abusing and neglecting residents year after year. Arkansas nursing home residents deserve protection NOT the nursing home owners.

If you would like information on this issue please contact me at 501-450-7405 or email me at marthadeaver@sbcglobal.net and I can mail, fax, or email you a copy of this report. Five Star ratings statistics are available at medicare.gov/nhcompare.

Nursing Home Resident Advocate Welcomes Family Inquiries

(Reprinted with permission from The Osceola Times February 4, 2010 pg 1)

By SANDRA BRAND
Times Editor

The future of the Osceola nursing home is still uncertain to the public. However, according to a nationally award winning nursing home advocate, it needs to be shut down. Martha Deaver, with Arkansas Advocates for Nursing Home Residents, told The Times Thursday her office has received several phone calls from relatives of residents at Osceola Healthcare. "They are saying their family members are being transferred to Gosnell without their permission," Deaver explained. She went on to note the Gosnell nursing home, which is owned by the same man as Osceola Healthcare, has one of the worse ratings in the state.

According to the United States General Accountability Office, the Gosnell center is

actually on a list of 580 "poorest performing" nursing homes in the nation. "Gosnell is rated below Osceola," Deaver said.

And, Osceola is no shining star. Osceola Healthcare is presently being investigated by the Attorney General's Office for abuse and medicaid/medicare fraud. Deaver requested, under the Arkansas Freedom of Information Act, a copy of Osceola Healthcare's inspection ratings from the Department of Health and Human Services Center for Medicare and Medicaid Services. She passed these documents, covering 2008 and 2009, to The Times.

There are hundreds of noted deficiencies during those two years. Deaver said the owner of Osceola Healthcare also owned Southwest Nursing Home in Little Rock, which was closed down in 2008.

Deaver welcomes any family member of local nursing home residents to call her office for assistance.

(Editor's note: AANHR's contact numbers are listed at the top of page 1 of this newsletter.)



What Happens When a Nursing Home is Surveyed?

Members who attended the March AANHR meeting learned exactly what surveyors look for when they conduct a survey from the person who is responsible for training them: Lisa Thomas, RN, BC, AR State Training Supervisor for the Arkansas Office of Long Term Care.

In Arkansas the Office of Long Term Care conducts several types of surveys. The most common or standard one is conducted every nine to fifteen months in every facility which accepts Medicare or Medicaid funding. The purpose of this survey is to evaluate whether the facility complies with federal requirements for residents' rights and care which meets the highest practicable level of well-being. More frequent surveys may be conducted in response to a complaint or to see if problems have been corrected. A few private facilities do not accept federal funding and these facilities are overseen by state survey teams, also from the Office of Long Term Care.

Surveys are conducted by teams which may include nurses, therapists, dietitians, and pharmacists who look at all aspects of the living situation at the nursing facility. This includes the upkeep and safety of the physical plant, the social atmosphere, and the dietary department as well as nursing care.

The survey process begins before the team enters the facility with a review of the on-going reports from the facility, compliance history of the facility over the past four surveys, any complaints against it, etc. After arriving on site there is an assessment of general conditions

both outside and inside the building. On the initial tour every resident is observed. Then more detailed attention is paid to records, whether care plans are being carried out, evaluation of the dining experience, observation of medication storage and distribution, interviews with residents and family members, etc. Even the records of residents who have been discharged or have died are reviewed. Attention is paid to potential safety hazards including infection control. The facility will be rated on whether or not it has taken steps to identify potential risks and address them before problems occur. Hiring and training procedures are evaluated. The survey is detailed and comprehensive.

Failure to meet a requirement is considered a deficiency. At the end of the survey the survey team meets with the administrator and staff to discuss their observations. The team's final findings are mailed to the facility within ten working days after the exit. The facility must then present a plan to correct each deficiency which was cited. The final report must be readily available to the public and must be placed in a conspicuous spot in the facility. The reports are also forwarded to the Center for Medicare and Medicaid Services (CMS) which posts an overall evaluation of each facility on their website at www.medicare.gov/nhcompare.

Residents and family members are encouraged to speak with members of the survey team and should take advantage of this opportunity to voice opinions on the quality of care being provided. They are also encouraged to locate the survey reports in the facility and read through them to gain a better understanding of the level of care provided by the facility.

The detailed survey reports can be difficult for the average person to interpret. AANHR plans to address this topic at a future AANHR meeting. Watch for the announcement.

White Hall Nursing & Rehab Offers a Better Dining Experience



Big changes are happening at White Hall Nursing and Rehabilitation Center in White Hall, Arkansas, especially when it comes to our residents' fine dining experience. We have had our independent buffet style dining room up and running for several years now, with much success with our residents and families. It has always offered a buffet style dining experience with a "restaurant" type feel to it. As long as a resident is independent with their eating, and the resident is on a "regular" diet with no alterations, they may experience this dining room first hand. They can feel free to come, sit down, talk with other residents, and stay as long as they would like.



Now we have decided to change things up a bit, add some excitement so to speak. The residents are using dinnerware versus plastic, such as china, glassware, linen napkins which match the linen tablecloths. Bibs, which have been used in nursing homes for years to protect clothing, are a thing of the past. If you

wouldn't use a bib at home, you wouldn't use one at the nursing home. We are really striving for that home like feel, because after all when a resident comes to live here, it becomes their home.



The independent dining room also includes a coffee bar and kitchenette complete with coffee, tea, or their drink of choice and a snack bar that can be accessed at any time of the resident's choosing. For the residents that don't want a "big breakfast" there is alternate room service and a continental breakfast that is served daily. We are here to serve our residents on an individual level in order to make their stay as pleasant as possible. After all, each one of our residents is special and they certainly deserve to be spoiled just a bit.

Also something new and exciting: every Wednesday, Chef Derrick Williams, presents a live cooking show for our residents who are qualified to eat in the independent dining room.



He will cook breakfast and lunch in front of their very eyes. For breakfast, a resident can expect made to order pancakes, French toast, omelettes, etc. and for lunch we have let Chef Derrick exercise a bit of creativity. He has cooked meals such as fajitas, Philly cheesesteaks and an Asian style buffet. Picture it as a hibachi style restaurant, where you come and enjoy the food as well as the company. The residents have also been involved with planning the menus as well. We have received no complaints about this first class service. Our residents cannot wait until Wednesdays, and we can attest first hand, that everyone that smells the delicious aromas coming from the dining room, starts to drool and their stomachs start to growl immediately. White Hall Nursing and Rehabilitation is taking great pride in becoming cutting edge by giving our residents a non-institutionalized way of living their

life to the fullest. We believe these things, along with many other changes, are the future of long term care.



Great Source of Information!

AANHR would like to recommend the publication AGING ARKANSAS as a source for helpful news relevant to senior citizens. One can subscribe to this monthly newsletter for one year by mailing a \$12.00 check to AGING ARKANSAS, 706 South Pulaski St., Little Rock, AR 72201. Phone 501-376-6083

Join the *Advancing Excellence in America's Nursing Homes Campaign* as a Consumer to make a difference for resident-directed care.

Name: _____

Email Address: _____

Address: _____

☐ I would like to be included on the Arkansas LANE electronic mailing list to receive updates on educational opportunities and events.

☐ I do not wish to be included at this time.



RETURN TO: Arkansas LANE *Advancing Excellence in America's Nursing Homes*

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Care Matters

By Henry Webster
Orchard Health Care Center
Hayneville, Alabama

I'm getting old, where do I turn, who do I trust,
It's hard to give in, I feel that I must.
My body doesn't work as well as it did,
I'm losing my mind, it's destroying my id.
I wake up in the morning and turn in my bed,
What are these images I have in my head.

I try to get up and reach for the door,
All at once I am lying on the floor.
I think oh no my dream has come true,
I think to myself, now what do I do.

When I fell on the floor, I busted my lip,
I also discovered I had broken my hip.
I stayed on the floor for an hour or more,
Waiting for someone to come to the door.

I guess I looked scary when someone came in,
Because all they could see was the blood on my chin.
While I lay in the hospital, I stop and stare, my eyes in a gaze,
I feel like a rat trapped in a maze.

My mind is racing to and fro, not knowing where I'll go,
My life is over, this I know, how can I handle such a blow.
Don't lock me up and throw away the key,
Don't take my life from me.

I am in this place away from home, now I feel that I was wrong,
This is the place that I belong.
They gave me a place and keep me fed, I even have a spot to lay my head.

Now I am happy my fears were shattered, this is truly a place where all care matters.

(Reprinted from Care Matters, compiled by NCCNHR, 2006, pg 34.)

Make a Difference: Volunteer Ombudsmen Needed

Do you have one hour per week to visit with residents (those who have few/if any visitors) in a nursing home? We have a place for you. After one day of training and a short orientation period one can become a Certified Ombudsman and can choose to be assigned to a specific nursing home where just two hours service per week is expected.

Regardless of whether or not you end up becoming a volunteer ombudsman, your knowledge will increase greatly by attending an ombudsman training session. Volunteer Ombudsman training takes only one day and can make an incredible difference in the life of a nursing home resident. A volunteer ombudsman is authorized to help residents with any concerns. Protecting the resident's rights is a priority. The volunteer ombudsman is authorized to take complaints and report things they see that are questionable to their regional ombudsman, who can take steps to remedy the situation. A volunteer ombudsman can make a big difference brightening the life of a nursing home resident. If interested, please contact Martha Deaver at 501-450-7405; she will put you in touch with your regional ombudsman.

AANHR Special Thanks

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

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.

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

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 employing Brent Birch of One6 Media, LLC, to create and maintain AANHR's website.

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

AANHR Officers and Board Members

President - Martha Deaver, Conway

Vice President - Gary Melton, Searcy

Secretary - Betty Buckta, Judsonia

Treasurer - Frances Walker, Benton

Program Chairman - Gary Melton, Searcy

Members of the Board: Nancy Allison, Conway; Martha Blount, Searcy; James Brooks, North Little Rock; Julie Edwards, Mabelvale; Nancy Johnson, Fairfield Bay; Pat McGuire, Alexander; and Ann Pinney, Benton.

Honorary Board Members: Jim and Faye Sandstrum, Searcy.

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:

<https://www.medicaid.state.ar.us/InternetSolution/General/units/oltc/index.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;

(501) 884 - 6728 in Fairfield Bay;

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.



Arkansas Advocates for Nursing Home Residents

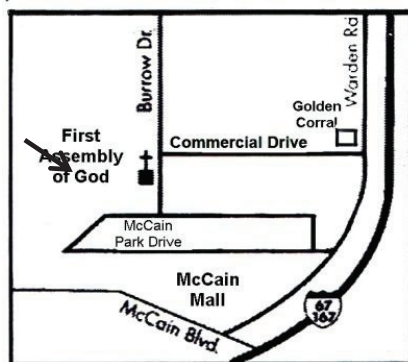
AANHR

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

www.aanhr.org

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April 2010



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.

Please lend your support by joining AANHR? 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, 2010.**

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.
- ☐ \$4 per student or CNA membership.
- ☐ Waive dues because of financial hardship.

**Please make checks payable to: AANHR and mail to
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 #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.