



# AANHR

*Arkansas Advocates for Nursing Home Residents*

PROTECTING NURSING  
HOME RESIDENTS

May  
2010

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

**Next Meeting  
May 10**

**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!**



**AANHR Meeting Topic May 10:  
"I HAVE A DIAGNOSIS OF ALZHEIMER'S  
DISEASE, BUT I'M A PERSON FIRST"**

At the May 10<sup>th</sup> meeting, Phyllis Watkins, Executive Director of Alzheimer's Arkansas Programs and Services, will be talking about Act 92 of the 2009 legislative session. The Act established the "Task Force on the Effect of Alzheimer's Disease in Arkansas". The Task Force is charged with making final recommendations to the Governor and the Legislature in January 2011. Phyllis was appointed to the Task Force by Governor Beebe.

During her presentation Phyllis will address some of the issues that the Task Force has before it. In addition, Phyllis will talk about creating an environment of growth for those who are diagnosed with Alzheimer's disease and other types of dementia.

Alzheimer's Arkansas Programs and Services is an independent 501 (c)(3) organization dedicated to providing information and support to Arkansans affected by Alzheimer's disease and related dementias. All of the funds that they raise stay in Arkansas and all family caregiver services are free of charge.

Phyllis has been director of Alzheimer's Arkansas for 16 years. She has her degree in Sociology and Gerontology from Sonoma State University in California. Prior to her current position, she developed and administered a county-wide visitation program for homebound older adults in Marin County California. She also founded a program called "Neighborhood Outreach to the Elderly" (NOTE) that provided training for community members on how to identify older adults who needed assistance. She also serves on the Board of Directors of the Arkansas Down Syndrome Association.

**Please join us for this informative meeting on May 10.**

**Meeting Room Change for May:** As you enter usual door from alley, immediately turn to your right & go up the stairs to meeting room. If you need to use an elevator, upon entering door from alley, go straight to the end of the hall & turn left. Elevator will be in sight. Exit elevator on second floor.

## **Calendar of Events**

May 10	10:00 AM	AANHR Meeting
June 14	12:00 PM	CNA Appreciation Luncheon



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

I hope readers read the article about dining choices at White Hall Nursing Center in our April issue. I recently attended the Governors Long-Term Care Advisory Board Meeting, where Donna Morton who is also on the board and the Administrator of White Hall Nursing and Rehab, talked about Culture Change. Donna spoke about the cutting edge in fine dining that her nursing home had been doing for over four years. I was very impressed with the loving way in which Donna spoke of the residents. Donna clearly has a great loving caring staff that treats the residents with loving care. We at AANHR appreciate the efforts of Donna and others like her who are striving to make life more enjoyable for our resident family members. Thanks again, Donna!

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

- Not getting a Durable Power of Attorney or guardianship
- Accepting the facility medical director as the resident's physician
- Allowing admission on a weekend when staffing is lower
- Failing to ask to see the facility's last five annual inspection reports
- Not informing the facility that resident is not to be hospitalized without permission
- Not keeping detailed notes of care
- Failing to seriously question skin tears, bruises or do regular complete body checks
- Not taking pictures of all suspicious injuries and neglect incidents
- Not filing well-documented (who, what, when, where and why\_ ) complaints with the state
- Not calling the police and insisting on a police investigation when abuse is suspected
- 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
- 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
- Not becoming familiar with state and federal laws governing nursing home care
- Not challenging the facility when they ask to move the resident
- Failing to look at the resident's chart and asking for copies of the records periodically
- Not getting an itemized bill of all charges billed on behalf of the resident
- Failing to join an advocacy group that can provide support and advice.

**Boredom, loneliness, and helplessness: the three main diseases in a nursing home.**



## Who Will Make Decisions About Your Care If You Are Unable to Speak?

Documents that specify your wishes for care if you are unable to speak or make decisions are called advance directives. Members attending the April 12 AANHR meeting were reminded by Attorney Darren O'Quinn of the pros and cons of the various types of advance directives and the uses of each type.

The first and most basic step in making your wishes known is the Living Will. This communicates your wishes about lifesaving medical treatments in the event you are unable to communicate health-care wishes. You can state specifically what you want -- whether it be everything possible done or that you want to limit such things as resuscitation and intubation, antibiotics, hydration, and blood transfusions. Arkansas law requires that one's wishes regarding the use or avoidance of feeding tubes and other artificial methods of artificial nutrition and hydration be specifically addressed in the living will.

A regular will goes into effect only after death. The living will goes into effect when one becomes unable to make or communicate his or her own wishes about care decisions -- but only if family members and health care providers know that it exists! A living will can be a simple statement witnessed and signed by two witnesses. It does not have to be notarized to be legal.

It is also wise to appoint someone to act as your Durable Power of Attorney for Health Care. This document appoints someone to make decisions for you for situations that may not be covered in the living will. It is important that this person be someone who will know what you would want and is likely to make the decisions that you would make. A regular power of attorney becomes null and void when you become incapacitated. But because you need this when you become incapacitated it is important to make it a durable power of attorney, which stays in effect until you cancel it. You can, however, nullify or change it at any time if you choose to do so.

You may also want to consider naming someone to act as your power of attorney for financial affairs. You can select the responsibilities you want your agent to have. You can authorize them to do only one thing, such as pay a specific bill, or you can give them entire control of all your assets. Obviously this is an important responsibility and should be considered carefully. It needs to be remembered that signing a financial power of attorney will not automatically give that person access to your bank accounts. For that you will need to sign the bank's authorization forms.

You do not give up the right to manage your own affairs just by signing an advance directive. As long as you remain legally competent you retain full control over your affairs and you can cancel these documents or make changes at any time. Advance directives go into effect only when you become incapacitated.

Sample forms may be found @ [www.arkbar.com](http://www.arkbar.com).

## The Health Care Reform bill included many provisions affecting nursing homes, including:

- Developing a standardized form for reporting nursing services hours;
- Developing a nurse staffing data system that provides adequate information about RNs, LPNs, and CNAs; the ratio of nursing staff to residents; and turnover;
- Training workers in care of residents with Alzheimer's disease;
- Assessing direct care worker compensation levels;
- Prohibiting retaliation against those who complain about poor care;
- Providing equal rights for Medicaid beneficiaries in community-based settings;
- Developing a system to gather comprehensive ownership information and posting it on Nursing Home Compare;
- Creating national criminal background checks and screening all personnel involved in care of elderly and incapacitated persons;
- Training law enforcement and other emergency response personnel to respond to crimes in nursing homes, including forming interdisciplinary investigation teams;
- Incorporating deep culture change as an important component of quality of care in long-term care settings; and
- Safeguarding residents when nursing home ownership is transferred.

*(Adapted from NCCNHR website)*

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### **AANHR appreciates these Memorials & Gifts:**

Betty Buckta, Judsonia, in memory of Wanda Collison  
Martha Blount, Searcy, in memory of Wanda Collison  
Gift: Geoffrey Oelsner, Fayetteville  
Frances Walker, Benton, in memory of Mary Lee Caldwell



## Residents' Rights Relating to Individualized Care 42 CFR 483

The care plan meeting and care planning are the best ways to help staff individualize care for each resident.

- Residents have the right to accommodation of individual needs and preferences.
- Each resident has the right to a comprehensive assessment of his/her needs.
- Each resident has the right to care and services to attain or maintain his/her highest practicable level of well-being.
- Residents have the right to participate in the planning of their care and treatment or changes thereto.
- Residents have the right to choose a personal attending physician.
- Residents have the right to be fully informed in advance about care and treatment and any changes in that care and treatment.
- Residents have the right to be cared for with dignity and respect and in full recognition of their individuality.
- Residents have the right to choose activities, schedules, and health care consistent with their interests, assessments, and plans of care.
- Residents have the right to make choices about aspects of their life in the facility that is significant to them.



**How Dinosaurs became extinct.**  
*The very first "senior moment"*



**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 Volunteer 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.



**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***

4301 West Markham Slot 748  
Little Rock, Arkansas 72205

Phone: 501-686-7984

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Email: SRBennett@uams.edu

LubinSandraA@uams.edu

www.arkansaslane.org

www.nhqualitycampaign.org

*“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:

**M. Darren O'Quinn**, Attorney, Little Rock, for his offer of free assistance in preparing advance directives, to those present at the April AANHR meeting.

**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](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.



Arkansas Advocates for Nursing Home Residents

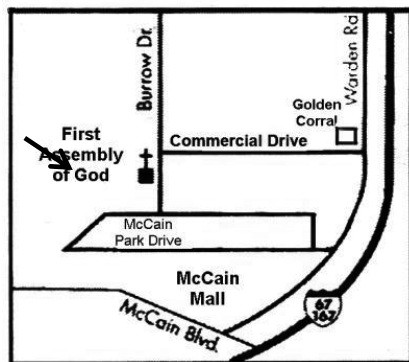
**AANHR**

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

[www.aanhr.org](http://www.aanhr.org)

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

May 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.