



AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING
HOME RESIDENTS

**JUNE
2010**

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
June 14**

**MEETING
PLACE:**

**First Assembly of God
Church**

**4501 Burrow Road
North Little Rock**

**Directions to church
on back of Newsletter.**

Please Note

**There will be no
AANHR regular
meeting on June 14.
Instead, AANHR is
honoring CNAs as
part of National
Nursing Assistants'
Week. Please join
us.**

(See article at right)

DID YOU KNOW?

**The AANHR
Newsletter Is
Available Online
At aanhr.org**



Annual C.N.A. Appreciation Luncheon June 14

If you are regularly present at AANHR meetings, be prepared for a different scenario this month. AANHR is modifying its itinerary for the June meeting. In lieu of the regular meeting AANHR members will host their sixth annual CNA awards appreciation luncheon at 12:00 PM on Monday, June 14, recognizing the very important role that Certified Nursing Assistants play in the care of Arkansas' nursing home residents. You may come at the regular meeting time of 10:00 AM and help us with the finishing touches or arrive in time for lunch at noon, program, and awards presentation.

Carol Compas, Project Manager for the Arkansas Foundation for Medical Care, will deliver the keynote address. Kathie Gately, Arkansas' State Ombudsman will also offer words of wisdom.

Approximately one-hundred CNAs plus their guests from nursing homes around the state plan to attend this event to commemorate National Certified Nursing Assistant Week June 10 - 17, 2010. CNA honorees receive a complimentary lunch. The cost for all others' lunches is ten dollars. If you as AANHR members plan to attend (and haven't already paid) please remit a check for \$10.00 promptly to AANHR PO Box 1374, Searcy 72145-1374. No monies will be accepted at the door on luncheon day.

AANHR is looking forward to honoring CNAs for the selfless dedicated job that they do in caring for Arkansas' frailest citizens.

Calendar of Events

June 14	12:00 PM	CNA Appreciation Luncheon
July 12	10:00 AM	AANHR Meeting
August	-----	No meeting nor Newsletter (summer break)
Sept 13	10:00 AM	AANHR Meeting



From the President's Desk . . . Martha Deaver

I'm excitedly anticipating AANHR's 6th 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.

By the time you read 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, a

\$30 Walmart gift card, a certificate and a CNA lapel pin as 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. Additionally, perhaps as many as three fortunate CNAs will win an extra gift determined by a drawing, etc.

Reservation confirmations were mailed to nursing homes June 2. The luncheon has become a gala affair, well attended by CNAs and their guests from around the state. Should you have any questions, please call 501-450-9619 or 501-450-7405.

AANHR looks forward to honoring Arkansas' CNAs!



Volunteer Ombudsmen Needed

Do you have two hours 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.

AANHR Videos for Loan



Nursing Home Care Plans
The Importance of Nursing Home Family Councils
Bathing Without a Battle



Task Force on the Effect of Alzheimer's Disease in Arkansas

Phyllis Watkins, Executive Director of Alzheimer's Arkansas Programs and Services and a member of the task force, spoke to AANHR members at the May meeting. The 2009 Legislature created this task force to assess the current future impact of Alzheimer's Disease and other types of dementia on Arkansas, to identify existing services and resources, and to develop a strategy to mobilize a state response to this public health crisis.

Why is this disease considered a crisis? Because Arkansas has a high percentage of residents over retirement age and 75,000-100,000 Arkansans are currently affected by the disease. Also, as current Baby Boomers age the numbers will increase. Since the cause is currently unknown and no cure exists, treatment is the only means of slowing the progression of the disease. Because the disease progresses slowly over a period of years patients and the family members who care for them require many community and medical resources for an extended period of time.

The task force is composed of persons knowledgeable in the field as well as a patient and caregivers. Besides evaluating what is currently available for treatment and care, the task force is looking carefully at what is needed for training for service providers. Recommendations for what is needed to prepare for the future are to be presented to the House and Senate Committees on Public Health, Welfare and Labor by October 2010.



An elderly couple was watching television one evening. The wife said, "I am going to get a dish of ice cream now." Kindly, the husband offered to get the ice cream for his wife. "I'll write it down so you don't forget," she said.

"I won't forget," the old gent said. "But, I want chocolate syrup and nuts on it. So, I'll write it down," she replied.

"I will get you the ice cream. Don't you worry," replied the gentleman.

A few minutes later, the old man returned with bacon and eggs. His wife said, "See, I should have written it down because you forgot the toast."

(From humorvault.tripod.com)

*"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*

Care Matters?

By Ada Epstein
Resident

The Health Center at Evergreen Woods
North Branford, Connecticut

*You bet! How can one define it?
Here's my view ~ as an "insider"~*

*It's vital to observe, "How?," and, "Where"?
One benefits; From experience, "to compare...."
having been a "10 year resident" - in a "home of beauty"*

*Whose exterior surroundings, and interior décor ,
Bespeak more that duty!
For we aged, it's tough to ponder upon past chores of living....*

*But, cheerful environment, plus, "efficient care",
Make past "bad experiences", worth forgiving!*

*My "home", "Evergreen Woods," is replete with such activity....
Via ~ trips, and programs of interest, ~ all, are evidence of creativity.*

*Numerous "dwellers", volunteer their talents, in utmost measure,
Thus, adding "flavor", and, "knowledge" -
Rendering considerable pleasure!*

*So, . . . aiding the body, and the mind, "help one's soul",
~which~
Means, that "health care", alone, is never a "long-term" nursing home care's goal!*

(Reprinted from Care Matters, compiled by NCCNHR, 2006, pg 37.)



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

Hospice Care in the Nursing Home?

Hospice care in the nursing home was the topic of a presentation by Margaret Drangle at a recent AANHR meeting. Ms. Drangle serves on the Arkansas Partnership for Compassionate End of Life Care.

End of life care refers to the medical, social, emotional, and spiritual care that someone needs in the last several months of their life, when the goal of treatment has shifted from cure to providing comfort and dignity. Unfortunately nursing homes seldom recognize or are able to address these needs.

The most common form of end-of-life care is hospice care. Hospice recipients receive expert medical care, pain management, and emotional and spiritual support tailored to the patient's needs and wishes. Hospice care can be provided in the nursing home to provide one-on-one care in addition to that provided by the facility staff. In addition the family receives bereavement support following the death.

Hospice is paid for by Medicare. There is no deductible or co-pay requirement. Medications which are given for the primary diagnosis are also provided at no cost. Many patients have more than one diagnosis, however, and medications for those conditions may not be covered.

There are many misconceptions about hospice. The most prevalent is that it should be

utilized only when death is imminent. On the contrary, it is most valuable for the care available in chronic conditions such as stroke, Alzheimer's disease and advanced heart disease and cancer. Hospice care will not be withdrawn if death has not occurred within six months. Hospice recipients are constantly being re-evaluated and the contract will be renewed when continued care is required.

Ms. Drangle was assisted by Tara Jacobs, Community Representative. Both are available for presentations to Family Councils or facility staff. Contact them at Odyssey Healthcare, 333 Executive Court, Suite 205, Little Rock, AR 72205, www.odyhealth.com, or toll-free 1-866-407-9132.

One has only to call the above number for Odyssey listed above (or another chosen hospice provider) to begin the process to secure hospice care for a resident in the nursing home. An evaluation of the resident's health status and needs will be initiated. His/her doctor must agree that the resident's likely longevity, given the current health status is six months or less. Evaluations are done at six month intervals; hospice care is continued as long as a decline in health status (loss of weight, appetite, etc) is substantiated. Some residents have been on hospice care for several years.

What to do if you find care lacking?

Talk to the CNAs on duty for your hall. →

Talk to the nurse for your hall. →

Talk to the Charge (RN) nurse on duty for your wing. →

Talk to the Director of Nursing or the Administrator. →

Call the Office of Long Term Care or the Regional Ombudsman. →

The Office of Long Term Care phone number is 1-800-582-4887.

Contact information, along with a picture, of your Regional 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.



OMBUDSMAN

FYI: MANDATORY ARBITRATION CLAUSES IN NURSING HOME ADMISSION AGREEMENTS**AN AANHR ISSUE: (reprinted from aanhr.org)**

(Editor's note: About three years ago I accompanied my Father when he signed the papers to have my step-mother admitted to a nursing facility for rehab. Among the twenty or so pages to read and sign was an arbitration agreement. We politely stated we did not wish to sign it, so we "x'd" through that page. When the signing was complete we asked for a copy of all pages. My stepmother passed away after four days in rehab. She received good care. However, we were not willing to give up a means of recourse in the event that good care was not given - thus no arbitration agreement.)

Residents and family members need to be aware that admission contracts in nursing homes may contain clauses that would prohibit them from pursuing legal recourse in the event of abuse or injury.

BACKGROUND :

Many nursing homes are now adding mandatory arbitration clauses to the admission contracts that residents are asked to sign when entering a nursing facility . Beverly Enterprises, Inc. publicly announced in 2001 that this was their practice. A person who signs such a clause as part of the admission contract agrees to take any dispute with the facility to an arbitrator, whose finding in the matter must be accepted. There is no appeal from an arbitrator's ruling. A resident, by signing such a clause, is forfeiting the right to sue the facility for injury, should they ever wish to do so.

Mandatory arbitration clauses in nursing home admission contracts have been ruled by the Arkansas Attorney General to violate Medicaid rules and the Arkansas Office of Long Term Care has declared them to be a violation of resident's rights. The Center for Medicare and Medicaid Services (CMS) has ruled that a resident cannot be refused admission to a nursing home for refusal to sign a mandatory arbitration clause. As yet, however, the legality of such a clause has not been tested in Arkansas courts.

Residents and their family members are asked to sign many papers at the time of admission. This is almost always a bewildering experience at a time of great stress. Therefore there is great pressure to sign these contracts without carefully reading them. Of course one assumes at admission that one will receive good care. The possibility of needing legal recourse in the future is the farthest thing from anyone's mind at that time. However, if the admission agreement is not carefully read and understood prior to signing, a resident or their family may be forfeiting an important right and should be done only if they understand the ramifications .

POLICY IMPLICATIONS :

Residents and family members, at a time a great anxiety and stress, are presented with a bewildering amount of paperwork. They need to be aware that provisions may be hidden in those pages that are not in their best interests. They need to read things carefully or even have them cleared by an attorney before signing.

RECOMMENDATIONS :

Any action which places restrictions upon the right to apply for redress for injury in a court of law should be vigorously opposed. The legislature should specifically outlaw mandatory arbitration clauses in nursing home admission contracts.

AANHR Special Thanks

We extend our heartfelt thanks to the following people and groups who make our outreach possible:
Gary Miller of ProSmart Printing for assistance in newsletter and brochure publication.

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.

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 Member: 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

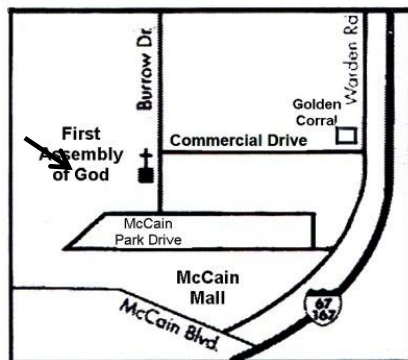
AANHR

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www.aanhr.org

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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.