



# AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING HOME RESIDENTS

**March 2013**

Conway (501) 450-9619

**AANHR's Mission Statement:**

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

**Next Meeting**  
**March 11**  
**Meeting Place:**  
**First Assembly of God Church**  
**4501 Burrow Road**  
**North Little Rock**  
**Directions to church**  
**On back of Newsletter.**



**March 11 AANHR Meeting Topic:**  
**Options Counseling Services**  
**Speaker: Bernie Quell, Program Mgr for Alternatives Plus (A+) Team**

The A+ Team provides Options Counseling to residents of Nursing Homes and Assisted Living Facilities at the request of the resident. Bernie will provide an overview of Options Counseling services available to the residents of Arkansas. Information will be provided on how the Division of Aging and Adult Services fulfills Legislative ACT 516 which established Options Counseling. Bernie will discuss the development of the Statewide A+ Team and the results of their efforts to date.

Bernie Quell is Program Manager for the Alternatives Plus (A+) Team within the Division of Aging and Adult Services. He is a graduate of the University of Arkansas with a Masters Degree in Rehabilitation Counseling. He is a Certified Rehabilitation Counselor (CRC) and a Licensed Professional Counselor (LPC). His background includes providing direct vocational service and community integration for individuals with traumatic brain injury, chronic mental health issues, and spinal cord injury. He has served as the Educational Director of a Central Arkansas Hospice program and has experience as an Adjunct Professor for the University of Arkansas.

Please join us at 11:00 A.M. on March 11th as we learn about useful assistance and programs to help promote better health and care for our elderly infirm.

**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.)**

**Complimentary Lunch**

The Wilkes McHugh Law Firm has graciously offered those who attend AANHR monthly meetings a complimentary catered lunch at noon following the meetings. Please feel free to stay for this time of fellowship after our meetings. AANHR thanks Wilkes McHugh for their many years of support for our organization.



*"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*



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

It is always shocking for me/AANHR to FOI the "Professional Liability Insurance Cost Reports," which AR nursing homes are reimbursed for each year. Nursing home owners' premiums go up because they continue to give bad care. Being cited for poor care also means they are violating state and federal laws. Tax payers' dollars (state & federal) pay for the reimbursement to protect the nursing home administration from the results of its poor care, to the tune of millions of dollars each year. Please take a few

minutes to read the names of AR nursing homes, who were reimbursed and the amount they were reimbursed.

Readers can note from the list (see pages 4 & 5) that the highest reimbursement in this reporting period is for Searcy Healthcare: \$985,000. Magnolia is next with \$641,000 followed by three homes in the \$500,000 range: Broadway, Batesville, & Heartland. These reimbursements come from our tax dollars.

Most of us carry liability insurance on our vehicles and homes. This covers us if a visitor falls at our home and sustains injury or if we are involved in an auto accident. Our insurance coverage pays medical bills for visitors' injuries or to repair our car, sometimes the other car(s) involved, and any personal injury caused inadvertently by us, the driver. As responsible citizens we provide for the protection of our persons and our property. The difference between us and nursing homes is that we personally pay for our insurance premiums for our protection. If we are irresponsible enough to receive a DUI or other infraction naturally our insurance premiums rise.

In the case of nursing home owners, premiums are also personally paid by us citizens through taxation that supports Medicaid. The cost for many (not all) nursing home residents' care is paid under Medicaid. Nursing home liability insurance might involve various categories of coverage such as injury accidents that visitors incur, transport van accidents, along with abuse and neglect to residents.

We have a cycle going within the nursing home industry. Medicaid reimburses for care (including liability insurance premiums); the nursing home doesn't always give good care; abuse and neglect occur; so liability insurance premiums rise thus requiring more tax dollars spent. If resident care improved, premiums could be reduced, resulting in tax savings in the federal/state budget. In a time of record deficits/national debt would that not be a welcome set of circumstances.

### 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://humanservices.arkansas.gov/dms/Pages/oltcHome.aspx](http://humanservices.arkansas.gov/dms/Pages/oltcHome.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**


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.**

[www.ualr.edu/senior\\_justice](http://www.ualr.edu/senior_justice)

## OLTC COMPLAINT SURVEYS



Lisa Thomas RN-BC, State OLTC Training Coordinator, explained to AANHR members what happens when a complaint is called in to their office. She said they accept complaints from anyone, even the coroner. While the survey team is in a facility they talk to many visitors and identify themselves as OLTC surveyors.

When a complaint is received indicating a potential for serious harm to a specific resident or all residents in the facility, OLTC must visit the facility within 2 business days. Less serious complaints must be checked within 10 business days and all complaints are investigated. The surveyors will time their entry into the facility with the time of the allegation so they are able to see what is being done at that hour. Staff will suspect who made the

complaint, but surveyors include several cases to protect the family from retaliation. Occasionally the staff at the facility will unwittingly give the surveyor pertinent information.

While the survey team is in the facility they have eyes on every resident, noting if people seem happy, is the food alright, are residents clean. They talk to everybody. With regard to the allegations, their investigation includes observation, record review, and interviews.

If harm is substantiated the facility and complainant are notified and the facility is cited. The findings are submitted to CMS and they determine the level of harm and the penalty. The facility must write a Plan of Correction and follow up inspections are made to ensure the problem is not ongoing. There is a review board that checks surveyors findings. Survey reports must be available for public inspection at the nursing home.

### Volunteer Ombudsmen Needed

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 the 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. After the 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. If interested, please contact Martha Deaver at 501-450-9619; 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 NCCCHR conference.

**Joshua Mayhan** for managing the AANHR website and sending AANHR email alerts.

**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 his support and assistance, and his providing POA documents pro bono.

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

**M. Darren O'Quinn, Attorney, Little Rock**, for his continued assistance to and support of AANHR.

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

**Arkansas Department of Human Services  
Division of Medical Services  
Professional Liability Insurance Cost from the 07/01/11 - 06/30/12  
Medicaid Cost Report For Arkansas Nursing Homes**

Vendor	PROVIDER NAME	LIAB. INS.	Vendor	PROVIDER NAME	LIAB. INS.
859	ALMA HEALTHCARE & REHAB	\$102,320.00	192	DEWITT NURSING HOME	\$44,107.00
709	ARBOR OAKS HEALTHCARE & REHAB	\$384,986.00	853	DIERKS HEALTH & REHAB	\$31,762.00
9	ARKANSAS CONVALESCENT CENTER	\$101,938.00	855	EAGLECREST NURSING & REHAB	\$258,263.00
8	ARKANSAS NURSING & REHAB	\$100,121.00	6	FAYETTEVILLE HEALTH & REHAB	\$348,840.00
7	ASH FLAT HEALTH CARE & REHAB	\$441,977.00	876	FAYETTEVILLE VETERANS HOME	\$0.00
879	ASHLEY HEALTH & REHAB	\$146,348.00	856	FIANNA HILLS NURSING & REHAB	\$55,596.00
874	ASHTON PLACE HEALTH & REHAB LLC	\$120,379.00	231	FOUNTAIN LAKE HEALTH & REHAB	\$204,400.00
31	ATKINS NURSING & REHAB CENTER	\$140,521.00	240	GARDNER HEALTH, LLC	\$174,190.00
434	AUTUMN HILL INC	\$46,227.00	236	GARLAND NURSING & REHAB	\$459,461.00
486	BAILEY CREEK HEALTH & REHAB	\$190,670.00	243	GOOD SAMARITAN SOCIETY HOT SPRINGS	\$24,639.00
366	BATESVILLE HEALTHCARE CENTER	\$531,223.00	261	GOOD SAMARITAN SOCIETY MT HOME	\$28,009.00
824	BEEBE RETIREMENT CENTER INC	\$174,090.00	873	GOSNELL THERAPY & LIVING CENTER	\$187,433.00
839	BELLEVIEW ESTATES REHAB & CARE	\$336,600.00	865	GREENBRIER NURSING & REHAB	\$135,841.00
500	BRADFORD HOUSE NURSING & REHAB	\$151,621.00	285	GREENE ACRES NURSING HOME	\$98,271.00
867	BRIARWOOD NURSING & REHAB CENTER	\$140,521.00	290	GREENHURST NURSING CENTER	\$27,623.00
217	BRIGHTON RIDGE	\$43,802.00	249	HEALTHCARE & REHAB	\$106,657.00
451	BROADWAY HEALTH CARE CENTER	\$544,961.00	833	HEARTLAND REHAB & CARE CENTER	\$500,920.00
632	BROOKWOOD NURSING & REHAB	\$101,604.00	837	HEATHER MANOR NURSING & REHAB	\$187,321.00
523	BROOKRIDGE COVE REHAB & CARE	\$496,200.00	321	HERITAGE LIVING CENTER	\$200,618.00
84	BYRD HAVEN NURSING HOME	\$234,743.00	590	HERITAGE SQUARE NURSING & REHAB	\$142,588.00
88	CABOT NURSING & REHAB CENTER	\$0.00	869	HIGHLAND HEALTH CARE & REHAB	\$131,529.00
841	CARE MANOR NURSING & REHAB CENTER	\$193,025.00	326	HILLCREST CARE & REHAB	\$0.00
822	CAVE CITY NURSING HOME	\$6,964.00	325	HILLCREST HOME	\$0.00
110	CHAMBERS NURSING HOME CENTER, INC	\$152,493.00	334	HILLSBORO MANOR LIFE CARE CENTER	\$0.00
497	CHAPEL RIDGE HEALTH & REHAB	\$149,220.00	871	HIRAM SHADDOX GERIATRIC CENTER	\$0.00
847	CHENAL REHABILITATION & HEALTHCARE	\$53,435.00	355	HUDSON MEMORIAL NURSING HOME	\$56,933.00
125	CLA-CLIF NURSING & REHAB CTR	\$43,680.00	828	INDIAN ROCK VILLAGE LLC	\$51,563.00
41	CONCORDIA HEALTH & REHAB LLC	\$136,000.00	846	INNISFREE HEALTH & REHAB LLC	\$124,750.00
221	CONWAY HEALTHCARE	\$449,709.00	886	JAMESTOWN NURSING & REHAB LLC	\$143,755.00
888	CORNING THERAPY & LIVING CTR	\$225,960.00	889	KATHERINES PLACE AT WEDINGTON	\$180,722.00
512	COUNTRYSIDE MANOR	\$7,931.00	446	LAKE VILLAGE REHAB & CARE CENTER	\$429,000.00
445	COURTYARD REHAB & HEALTHCARE	\$262,721.00	412	LAKESIDE NURSING CENTER	\$124,350.00
30	COVINGTON COURT HEALTH & REHAB	\$174,343.00	420	LAKEWOOD CONVALESCENT HOME INC	\$0.00
175	CRAIGHEAD NURSING CENTER	\$43,434.00	836	LAKEWOOD NURSING & REHAB	\$0.00
315	CRAWFORD HEALTH CARE & REHAB	\$50,722.00	601	LAUREL PLACE HEALTH & REHAB	\$21,238.00
431	CRESTPARK DEWITT LLC	\$31,775.00	425	LAWRENCE HALL NURSING CENTER	\$22,667.00
173	CRESTPARK FORREST CITY LLC	\$47,828.00	540	LEGACY HEALTH & REHAB	\$142,095.00
176	CRESTPARK HELENA LLC	\$47,770.00	426	LEGACY HEIGHTS NURSING & REHAB	\$124,800.00
177	CRESTPARK MARIANNA LLC	\$41,742.00	704	LINCOLN HEIGHTS HEALTHCARE	\$55,028.00
891	CRESTPARK RETIREMENT HELENA LLC	\$27,791.00	260	LINDLEY HEALTH & REHAB	\$7,009.00
178	CRESTPARK STUTTGART LLC	\$64,076.00	210	LINROCK HEALTH & REHAB	\$29,399.00
179	CRESTPARK WYNNE LLC	\$60,826.00	438	LITTLE RIVER NURSING HOME	\$0.00
539	CROWNPOINT HEALTH & REHAB	\$0.00	432	LONGMEADOW NURSING CENTER CAMDEN	\$0.00
185	DARDANELLE NURSING & REHAB	\$171,721.00	436	LONGMEADOW NURSING CENTER MALVERN	\$0.00
834	DAVIS EAST	\$0.00	848	LONOKE NURSING & REHAB	\$0.00
187	DAVIS LIFE CARE CENTER	\$0.00	880	MADISON HEALTH & REHAB LLC	\$0.00
830	DERMOTT CITY NURSING HOME	\$0.00	428	MAGNOLIA HEALTH & REHAB	\$641,131.00
189	DES ARC NURSING & REHAB	\$272,035.00	524	MALVERN NURSING & REHAB	\$19,533.00

Vendor	PROVIDER NAME	LIAB. INS.
465	MANILA NURSING CENTER	\$116,060.00
870	MAPLES AT HARBER MEADOWS	\$232,120.00
878	MAUMELLE HEALTH & REHAB	\$119,098.00
496	MEADOWVIEW HEALTHCARE & REHAB	\$139,480.00
435	MENA MANOR	\$94,583.00
510	METHODIST HEALTH & REHAB	\$9,185.00
452	MINE CREEK HEALTHCARE CENTER	\$357,201.00
515	MITCHELLS NURSING HOME INC	\$31,546.00
424	MONETTE MANOR	\$47,994.00
521	MONTGOMERY COUNTY NURSING HOME	\$633.00
358	MURFREESBORO REHAB & NURSING INC	\$0.00
532	NASHVILLE NURSING & REHAB INC	\$116,060.00
534	NEWTON COUNTY NURSING HOME	\$13,651.00
868	NORTH HILLS LIFE CARE & REHAB	\$152,536.00
852	NURSING & REHAB GOOD SHEPHERD INC	\$187,321.00
544	OAK MANOR NURSING & REHAB CENTER	\$187,321.00
549	OAK RIDGE NURSING HOME	\$159,022.00
877	OAKDALE NURSING CENTER	\$195,692.00
885	OSCEOLA THERAPY & LIVING CENTER	\$308,638.00
557	OUACHITA NURSING & REHAB	\$486,312.00
769	OZARK HEALTH NURSING CENTER	\$0.00
570	OZARK NURSING HOME	\$65,231.00
815	PARIS HEALTH & REHABILITATION	\$164,663.00
592	PERRY COUNTY NURSING & REHAB CTR	\$148,321.00
111	PINE LANE THERAPY AND LIVING CTR	\$282,450.00
609	PINK BUD HOME FOR THE GOLDEN YEARS	\$113,646.00
610	PIONEER THERAPY & LIVING CTR	\$277,632.00
854	PLEASANT VALLEY NURSING & REHAB	\$19,190.00
620	POCAHONTAS HEALTHCARE & REHAB	\$389,102.00
501	PRAIRIE GROVE HEALTH & REHAB	\$36,892.00
9010	PRESBYTERIAN VILLAGE INC	\$72,911.00
613	PRESCOTT MANOR NURSING CENT E R	\$112,033.00
842	QUAPAW CARE & REHAB CTR LLC	\$196,681.00
616	RANDOLPH COUNTY NURSING HOME	\$18,328.00
858	RECTOR NURSING & REHAB CENTER	\$200,130.00
631	RICH MOUNTAIN NURSING & REHAB	\$499,516.00
439	RIDGECREST HEALTH & REHAB	\$137,614.00
872	RIDGEWOOD HEALTH & REHAB	\$204,171.00
633	RIVER CHASE REHAB & CARE CTR	\$370,200.00
829	RIVER RIDGE REHAB & CARE CTR	\$420,600.00
843	ROBINSON NURSING & REHAB CTR LLC	\$171,721.00
849	ROLLING HILLS NURSING CENTER	\$187,202.00
652	RUSSELLVILLE NURSING & REHAB	\$156,121.00
158	SALEM PLACE NURSING & REHAB CTR	\$187,711.00

Vendor	PROVIDER NAME	LIAB. INS.
887	SANDALWOOD HEALTHCARE LLC	\$106,479.00
449	SEARCY HEALTHCARE CENTER	\$984,594.00
266	SHERIDAN HEALTH CARE & REHAB	\$430,795.00
835	SHERWOOD NURSING & REHAB	\$137,401.00
881	SHILOH NURSING & REHAB LLC	\$124,750.00
800	SILOAM SPRINGS NURSING REHAB CTR	\$0.00
443	SILVER OAKS HEALTH & REHAB	\$172,432.00
698	SKILCARE NURSING CENTER	\$204,100.00
827	SOUTHERN TRACE REHAB & CARE	\$487,800.00
547	SOUTHFORK RIVER THERAPY LIVING CTR	\$225,980.00
410	SOUTHRIDGE VILLAGE NURSING & REHAB	\$393,851.00
838	SPRING BROOK HEALTH & REHAB CTR	\$29,508.00
831	SPRING CREEK HEALTH & REHAB	\$180,722.00
619	SPRINGDALE HEALTH & REHAB	\$157,429.00
376	ST ANDREWS PLACE	\$72,511.00
866	ST ELIZABETH'S PLACE	\$182,380.00
701	ST JOHNS PLACE OF ARKANSAS LLC	\$264,800.00
705	STELLA MANOR NURSING & REHAB	\$224,761.00
375	STONERIDGE HEALTH & REHAB LLC	\$0.00
725	SUMMIT HEALTH & REHAB	\$147,100.00
133	THE GREEN HOUSE COTTAGES OF SOUTH	\$232,725.00
237	THE PINES NURSING & REHAB	\$327,713.00
665	THREE RIVERS HEALTHCARE & REHAB	\$21,759.00
875	TIMBERLANE HEALTH & REHAB	\$159,168.00
9006	TRINITY VILLAGE MEDICAL CTR	\$44,102.00
498	TRUMANN HEALTH & REHAB CTR	\$119,098.00
603	TWIN RIVERS HEALTH & REHAB	\$0.00
884	VALLEY RANCH NURSING & REHAB	\$62,411.00
81	VAN BUREN HEALTHCARE & REHAB	\$91,373.00
36	WAGNON PLACE HEALTH SERVICES LLC	\$178,650.00
606	WALDRON NURSING CENTER INC	\$0.00
883	WALNUT GROVE NURSING & REHAB	\$51,489.00
758	WALNUT RIDGE NURSING & REHAB	\$422,489.00
339	WESTWOOD HEALTH & REHAB INC	\$124,350.00
860	WHITE HALL NURSING & REHAB	\$187,321.00
785	WHITE RIVER HEALTH CARE	\$5,773.00
826	WILLOWBEND AT MARION	\$19,730.00
337	WINDCREST HEALTH & REHAB INC	\$122,804.00
799	WOOD LAWN INC	\$45,302.00
823	WOODBRIAR NURSING HOME	\$60,144.00
863	WOODLAND HILLS HEALTHCARE & REHAB	\$175,634.00
797	WOODRUFF COUNTY HEALTH CENTER	\$88,632.00
812	YELL COUNTY NURSING HOME	\$61,582.00

**AANHR Officers and Board Members**

**President** - Martha Deaver, Conway (501-450-9619)

**Vice President** - Nancy Patterson , Searcy (501-305-4034)

**Secretary** - Betty Buckta, Batesville

**Treasurer** - Frances Walker, Benton (501-316-0260)

**Members of the Board:** Martha Blount, Searcy (501-278-9168); Linda Brimer, Searcy (501-268-4699); James Brooks, North Little Rock (501-454-6279); Kim Brown, Jonesboro; Pat McGuire, Alexander (501-847-1016); Ann Pinney, Benton (501-249-1084) and Carolyn Pollett, Sherwood.

**Newsletter Editors:** Ernie and Martha Blount, Searcy.

**Honorary Board Members:** Faye Sandstrum, Searcy.

## Staffing Dictates Quality of Care

*(Reprinted from Mature Arkansas, Feb. 2013, pg 19)*

By Jack Whitsett

**Staffing lies at the root of virtually all abuse and neglect suffered by Arkansas' nursing home residents.**

Staffing has the greatest effect on quality of care. It is the largest expense for nursing home owners. And, for government nursing home inspectors, most complaints involve staffing. Federal regulations are maddeningly vague, only requiring "adequate staffing" to care for residents' needs. Staffing is chiefly left to the discretion of facility owners and administrators.

Advocates for nursing home residents insist that management regularly abuses the system and chronically under staffs facilities to increase profits. Cutting costs leads to neglect and, in some cases, mistreatment and even death, advocates say.

Little Rock Attorney David Couch, who specializes in protecting the rights of nursing home residents, identified the problem in simple terms. "The reason nursing homes are understaffed is because the people that own and control nursing homes care more about profits than people. Federal regulation says that nursing homes are required to be staffed to meet the needs of the residents. So whatever amount of staff are needed ... they are required to have them," Couch said.

Martha Deaver, president of Arkansas Advocates for Nursing Home Residents (AANHR), supported Couch's claim. "The federal law only requires them to have enough staff to meet the needs of the residents," Deaver said. "With the latest data showing over 2,800 violations for actual harm (in Arkansas, for the period Jan. 1, 2011 to Jan. 31, 2012), it is clear that not enough staff is the number one quality indicator for poor care. Also, every government report documents that fact," Deaver said.

### Staffing reports unreliable

Monthly staffing reports are based on numbers turned in by the facilities themselves, which are only checked independently during annual state survey inspections, and then only for the two weeks prior to the survey date. "Nursing homes are required to send in monthly staffing reports on an honor basis," Deaver said. "Nursing homes are only audited during their annual survey when the surveyor looks at the staffing sheet/time cards only for the two weeks prior to the inspection."

Couch said some facilities make an honest effort to provide good staff coverage. "There are nursing homes in Arkansas that do try to do their best," Couch said. "'Mom and pops' are usually good, as opposed to chain-run homes. Local owners tend to feel more accountable because they are often friends or relatives of the residents," Couch said.

Frank GoBell, an attorney for the Arkansas Office of Long Term Care (OLTC), that oversees nursing home audits, explained the situation from the government's point of view. "The OLTC frequently receives complaints of inadequate staffing," he wrote in an email. "The system requires that facilities accurately assess the needs of each resident and ensure that it has both the appropriate numbers and type of staff to meet those needs. Without that, any system of staffing is subject to either abuse or failures to meet resident needs. The current Arkansas staffing law is a minimum; if residents need additional staff to meet needs, facilities are required to hire that additional staff."

But, does the OLTC know when facilities need to increase staff and, when needed, are facilities actually adding more staff? The answer is probably no, according to the 299 staffing audits, covering about a third of the state's 239 nursing homes, that were conducted by the OLTC for 2004 to 2009. Independent review of those staffing audits found 90% were not accurate.

Staffing is one of three quality indicators used by the federal government in its Five-Star Quality Ratings (see [medicare.gov/nursinghomecompare/](http://medicare.gov/nursinghomecompare/)). All nursing homes in the country, if they receive federal Medicare or Medicaid reimbursement, are included on the website. This website is designed to help consumers find and objectively evaluate long-term care facilities in each state.

The federal site cautions consumers about the reliability of staffing reports: “The staffing data are self-reported by the nursing home, rather than collected and reported by an independent agency. There is currently no system to fully verify the accuracy of the staffing data that nursing homes report...You should be cautious when interpreting the data,” according to the website.

### **More staff = better care**

A study reported in October 2011 by the University of California at San Francisco highlighted the important connection between good resident care and staffing: “Higher staffing levels in nursing homes have been associated with higher quality of care. Nursing homes with more registered nurse hours per patient were associated with positive outcomes such as being alive, having improved physically, being discharged to home, and higher quality of care on a number of measures.”

The federal government only requires “adequate staff to meet residents’ needs.” The only other federal requirements are to have at least one registered nurse (RN) on duty for at least eight straight hours per day, seven days a week, plus, either an RN or LPN (licensed practical nurse) or LVN (licensed vocational nurse) on duty 24 hours per day.

In Arkansas the law only requires one LPN to be on duty per 40 residents on the two day shifts (7:00 AM-11:00 PM) and only one LPN per 80 residents on the midnight shift. Certified nursing assistants (CNA) are the chief providers of direct resident care. Arkansas law only requires one CNA for six residents on the day shift, nine residents on the evening shift, and 14 residents on the midnight shift.

### **How much is needed?**

Although there are no specific staff requirements under federal law, experts recommend a minimum of 4.1 hours of direct care per day, per resident. Arkansas falls below that with a requirement of 2.8 hours of direct care per resident, per day.

Arkansas’ minimum of 2.8 direct care hours per resident, per day is simply “a mechanism to ensure compensation for nursing homes,” Couch said. “That’s the bare minimum that the law requires just to get paid. It has nothing to do with how many people you really need to care for residents.” The amount of staffing actually needed per resident “varies because it’s based on the level of care each resident needs,” Couch said, noting that residents who are bedridden or incontinent, for example, need far more care than those who are ambulatory and can handle most of their own needs.

“Nursing homes in Arkansas pretty much staff to that level because that’s how they get paid,” Couch said. “The solution to the problem is simple,” Couch said. “Greater enforcement is the key. You have a rule. There’s no incentive (to improve staffing). Most (nursing homes) float around meeting the minimum.”

**EDITOR’S NOTE: The Arkansas Health Care Association (AHCA) represents 93% of the state’s nursing homes and long-term care facilities. The organization lobbies for the industry and normally speaks on behalf of the homes. They have consistently failed to respond to repeat phone calls and emails asking for comment about this article.**



Arkansas Advocates for Nursing Home Residents

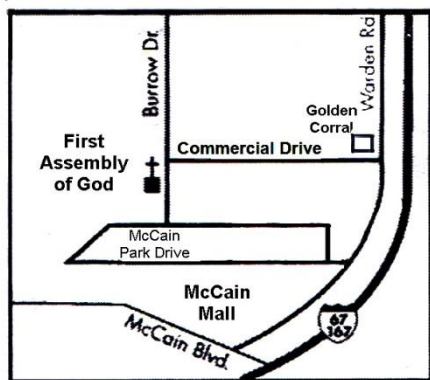
AANHR

P.O. Box 165641 Little Rock, AR 72216

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

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March 2013



### 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 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, 2013**.

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.
- 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 #1A 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.