



AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING HOME RESIDENTS
June 2014

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
June 9
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.)

Career CNA Day
Thursday
June 12th, 2014



June 9 Meeting Topic:
Complaints To The Office of Long Term Care
Speaker: Stormy Smith



If readers have spent very much time hanging out at a nursing we have either experienced or heard about complaints to care or lack thereof. Stormy Smith deals with such issues on a day to day basis and will share his wealth of knowledge and information on this issue.

He will explain the vast difference in Maltreatment Reporting vs. Complaint Reporting: how they are totally different but yet many times they come together. You can have a finding against an individual but not a failed practice against the facility. The facility can have serious deficiencies but yet we don't have the evidence for a Finding. Also, the flow of the IA's (Incidence/Accident) reports and who all receives reports for review and how we track and tie them together. Did you know I & A's and Investigation together are exempt from FOIA?

Stormy Smith is a Program Manager with the Office of Long Term Care (OLTC) where he has been employed since 1991. Stormy received his Bachelor of Science in Business and

Industry from Mississippi State University. He is Certified Surveyor, Licensed Nursing Home Administrator and a Certified Public Manager. Stormy has thirty-one years experience in health care with twenty-nine of those years being in Arkansas. Stormy operated his first nursing home in 1973 and shortly afterwards was elected to the Board of Directors of the Arkansas Nursing Home Association, where he served for several years. In 1974 he received an appointment from then Governor Dale Bumpers to the statewide Comprehensive Health Planning Council, and subsequently served on the state Health Manpower Planning Council.

Since 2000 Stormy's primary function is coordinating the flow of Freedom of Information Act (FOIA) requests received by OLTC. Stormy currently reviews all of the Incident and Accident (I&A) Reports from nursing facilities and he is on the committee that reviews all Abuse Investigation Reports from nursing facilities. He also conducts training programs on nursing home abuse and neglect as it pertains to the adult abuse act, and state and federal regulations. Please join us at 11:00 A.M. on June 9 to learn about these important topics related to our frailest family members and loved ones' care. Hope to see you there!



From the President's Desk Martha Deaver

Follow the Medicaid Money

I am rarely surprised to learn that nursing home owners give funds to candidates for public office. What does catch me off guard is the staggering amounts they give relative to what other entities give candidates. Members of the Arkansas Healthcare Association made up of nursing home owners all across Arkansas are known to be some of the largest contributors to elections. One has to wonder how/why they chose which candidates to support. In some cases they may support both leading candidates in a race.

The interesting element in this giving is that most nursing home owners receive the overwhelming bulk of reimbursement for care given from us taxpayers in the form of Medicaid monies. So, if you follow the money flow, it runs from the taxpayer, through the government, then on to the nursing home owner for care provided; then some of the profits from the Medicaid reimbursements flow to political candidates. Profits from care provided must be bountiful given the amount of funds nursing home owners have available to support candidates and thus influence laws governing their businesses.

In the primary campaign just past, (according to campaign reports readily available online from the

AR Secretary of State website) nursing home owners gave forty thousand dollars to an Arkansas Supreme Court candidate and at least fourteen thousand dollars to his opponent. Nursing home owners also gave funds to Supreme Court candidates who did not have an opponent. Folks, this is a lot of money (profit) from the care of our frailest nursing home residents that went to elect a particular judge/candidate to a position of influence. One has to wonder what is expected in return.

According to a recent AR Democrat Gazette article, the FBI is in the process of investigating Judge Mike Maggio who received campaign funds from nursing home owner Michael Morton of Fort Smith on the same day that Judge Maggio reduced a judgment against Mr. Morton's nursing home from 5.2 million to 1 million dollars. AANHR reported on this case in its April newsletter and still feels the Arkansas Ethics Commission should thoroughly investigate nursing home PACs and their influence on campaigns. Nursing home residents and their family members are little match for the influence that Medicaid dollars flowing through the nursing home owners bank accounts to judicial and other candidates, who determine laws and judgments relative to nursing home care in Arkansas. Follow the money!

Steps to take if you find care lacking

1. Talk to the CNAs on duty for your hall. —————→



2. Talk to the nurse for your hall. —————→



3. Talk to the Director of Nursing or the Administrator. —————→



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

OMBUDSMAN

❖The Office of Long Term Care Phone in Arkansas is 1-800-582-4887.

❖Regional Ombudsman contact information complete with a photo of the 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.

37th Annual National Nursing Assistants' Week
June 12-19, 2014
Career Nursing Assistants' Day
June 12, 2014

*“Nursing Assistants
 @ the Heart of Caring” ©*



To honor and thank

* Nursing Assistants * Direct Care Workers * Care Assistants * * ED Techs *
 Home Care Assistants * Personal Care Workers * PTAs * * Geriatric
 Aide/Assistants * Resident Assistants * Restorative Aides * In nursing homes,
 home care, hospice, hospitals, correctional institutions,
 schools and other long term care settings

Founder and Sponsor since 1977
The National Network Career Nursing Assistants and Direct Care Workers
 3577 Easton Road
 Norton, Ohio 44203
 Resources: www.cna-network.org
 More info: Cnajeni@aol.com

~Celebrating 36 years as a professional organization for nursing assistants~

Here is a checklist for families contemplating the placement of a loved one in a nursing home:

- *Obtain a Durable Power Of Attorney with provision that does not allow the DPOA to sign an arbitration clause.
- *Determine how nursing home bill will be paid: Medicaid? private pay? Medicare usually pays only for a limited amount of time in a nursing home, usually for rehabilitation after a hospital stay.
- *Go to www.medicare.gov/nursinghomecompare to view past history of nursing home
- *Find out whether the prospective nursing home has liability insurance coverage.
- *Visit after hours & weekends
- *Are there smells of urine and other bad odors present?
- *Speak with other families in nursing home
- *Read latest survey required to be posted in the nursing home
- *Observe whether call lights are going unanswered.
- *Do residents look sedated or alert?
- *Are residents clean?
- *Are residents happy/content?
- *Check staffing posted log sheet...required to be posted within twenty feet from the front entrance
- *Visit during meal time to observe how food is presented and served.
- *Check to see if residents that need assistance with eating are being fed.
- *Check to see if rooms have fresh water in arm's reach in pitchers located in residents' rooms.
- *Are employees taking care of the residents needs? Are the employees relating to the residents?
- *Does the nursing home have an active Family Council?
- *Make sure you are NOT required to sign a arbitration agreement. Simply state during admission document signing process that you do not desire to sign. Request a copy of all admitting documents.
- *Remember, this nursing home will become your family member's next home, whether temporary or permanent. Stay involved. Visit often. Speak up when problems arise.
- *Always attend Care Plan meetings and follow up on plans for action.



May Meeting Topic: Care Plans and Assessment

If you are currently involved in the oversight of a family member's care while he/she resides in a nursing home, have you attended a Care Plan meeting lately? A care plan is essentially the "recipe" that dictates care for your loved family member. Care plans are as different as each resident is different. Each care plan should be individualized to fit the resident it is created to serve.

As the term implies, assessment is the means for measuring the results of overall care and follow through on the care plan components.

What's a care plan in a nursing home? *(Reprinted from Medicare.gov)*

The nursing home staff will get your health information and review your health condition to prepare your care plan. You (if you're able), your family (with your permission), or someone acting on your behalf has the right to take part in planning your care with the nursing home staff.

The basic care plan includes:

- A health assessment (a review of your health condition) that begins on the day you're admitted, and must be completed within 14 days of admission
- A health assessment at least every 90 days after your first review, and possibly more often if your medical status changes
- Ongoing, regular assessments of your condition to see if your health status has changed, with adjustments to your care plan as needed

Nursing homes are required to submit this information to the federal government. This information is used for quality measures, nursing home payment, and state inspections.

Depending on your needs, your care plan may include:

- What kind of personal or health care services you need
- What type of staff should give you these services
- How often you need the services
- What kind of equipment or supplies you need (like a wheelchair or feeding tube)
- What kind of diet you need (if you need a special one) and your food preferences
- Your health and personal goals
- How your care plan will help you reach your goals
- Information on whether you plan on returning to the community and, if so, a plan to assist you in meeting that goal

Need a Specialized Telephone? TAP May Provide one For You!

The Telecommunications Access Program (TAP) was legislated in 1995 and is funded through a one cent surcharge on land phone lines. To qualify for one of the free specialized phones, an individual must be an Arkansas resident, 75 years of age or over, have a phone line and an annual income of less than \$50,000. The application can be processed in two weeks or less. TAP does not pay for phone service, but provides the equipment needed. If you are interested in getting more information or seeing a demonstration, please call 1-800-981-4463 or go to www.arkansasrelay.com.

The equipment provided by TAP enables the deaf, deaf-blind, hard of hearing, those with mobility or cognitive impairment, legally blind/low vision, speech or voice impairment to communicate with others using the telephone.

Each applicant is evaluated and a TAP representative will work with them to determine what will best serve their needs. A wide range of instruments include amplified phones which allow the user to adjust the tone of the incoming voice, captioned phones (CapTel) allowing a severely hard of hearing user to speak for themselves and read incoming text through a captioning service. There are amplified telephones with talking keypads and photo phones with photo auto-dial memory buttons that allow easier dialing for those with cognitive impairments. Some types of signaling devices alert the individual to the ringing phone. The TAP program is keeping up with new technology and is now able to provide these services on cell phones and on an internet line.



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:

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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.

AANHR Officers and Board Members

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

Vice President - Nancy Patterson, Searcy (501-278-6577)

Secretary - Nancy Allison, Conway (501-327-3152)

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); Pat McGuire, Alexander (501-847-1016); and Ann Pinney, Benton (501-249-1084).

Newsletter Editors: Ernie and Martha Blount, Searcy.

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

www.ualr.edu/senior_justice



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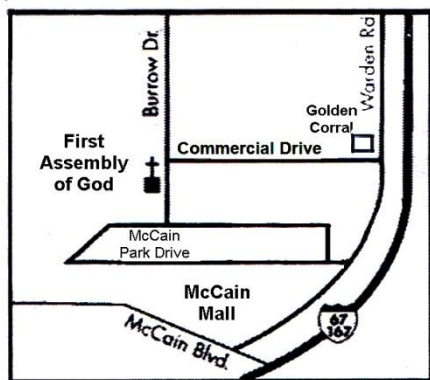
AANHR

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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.

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, 2015**.

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 PO
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 (#102) is immediately inside the entrance door.