



# AANHR

Arkansas Advocates for Nursing Home Residents

PROTECTING NURSING  
HOME RESIDENTS

April  
2016

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**  
**April 11th**  
**Meeting**  
**Place:**

First Assembly of God  
Church  
4501 Burrow Road  
North Little Rock  
Directions to church  
On back of  
Newsletter.

**10:00 - 11:00 A.M.**  
**Open Forum**

**11:00 A.M.**  
**Program Speaker:**  
**(See article at right.)**



**PLEASE Stay:**  
For a complimentary  
lunch after our April  
11<sup>th</sup> meeting, provided  
by Darren O'Quinn,  
Little Rock Attorney,  
an AANHR friend and  
supporter.



**April 11th, 11:00 AM Meeting topic:**  
**What's New in the Alzheimer's Realm**  
Speaker: Priscilla Pittman, MSW, MA.

The commitment made to provide care to a person with dementia requires a great deal of selflessness. Caregivers willing to take this journey must put aside much of their own life. The world of dementia is landscaped with numerous foreign terms, changing moods, challenging behaviors and unusual communication. Often, seeing and hearing about the disease creates an understanding that softens or monitors response.

This presentation looks at some of the changes possibly taking place in the brain and how these changes result in the differences occurring. Attendees will learn that speaking the language of dementia requires setting aside the desire for correctness, reality, and logical reasoning to shape a reply to verbalizations in a manner that comforts or communicates concern. In addition, caregivers will learn to utilize the sacred skills of distraction, redirection, reminiscing and flexibility to stymie arguments or corrections to remarks.

Priscilla Pittman is a Gerontological Social Worker, having received her BA from Louisiana Tech University in Ruston, LA in Sociology with a Psychology minor in 1995 and master's degrees in social work and gerontology from UALR. Since October of 2001, she has been the program director for Alzheimer's Arkansas Programs and Services. She is responsible for caregiver and educational/informational training throughout most of Arkansas. Priscilla oversees caregiver support groups and has introduced a Memory Café for persons with memory loss, their friends and families. She can be credited with a long list of professional presentations on Alzheimer's disease and other topics and is a member of numerous professional associations.

Born in Minneapolis, MN, Priscilla grew up in CA, TX and LA. She has three children, nine grandchildren and six great grandchildren. Hobbies include gardening, cooking, swimming, biking, dancing and running. Her voluntary pursuits include Camp Quality, Camp Healing Hearts, the Food Bank, and a role in a prison literacy group. Please join us at 11:00 AM as we gain some valuable insights to help in caring for Alzheimer's.



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

### **AANHR congratulates Kathie Gately on her new post!**

**FOR IMMEDIATE RELEASE**

March 15, 2015

#### **ADVA Names Administrator for New Veterans Home - State Long-Term Care Ombudsman joins ADVAcate team**

LITTLE ROCK, Ark. - Director Matt Snead of the Arkansas **Department of Veterans Affairs (ADVA)** announced **Kathie Gately** as the administrator for the new Arkansas State Veterans Home at North Little Rock.

The new home replaces the former home in Little Rock shuttered in October 2012.

“As a veteran and son of a veteran choosing the right leader was very personal to me,” said Snead, “Kathy brings years of experience and a passion that will move ADVA forward in providing the best service our Veterans and families deserve.”

Gately, a former nursing home administrator, was selected after a nation-wide search conducted by a task force comprised of experts in the long-term care field; including the Department of Veterans Affairs, Arkansas Veterans Commission, Arkansas Advocates for Nursing Home Residents, and experts within ADVA.

Gately has been employed by the Arkansas Department of Human Services, Division of Aging and Adult services, since 2000. She held a position as an adult protective consultant before being appointed State long-term care Ombudsman in 2003. In her role, she developed a statewide expansion program for Certified Volunteer long-term care Ombudsmen (CVO) increasing the number of CVOs in the state from three to over 350 active CVOs.

Gately has over 25 years of experience in social work and advocacy for long term care patients in both the public and private sectors. She holds a Bachelor's in social work from Arkansas State University.

The Arkansas State Veterans Home at North Little Rock (ASVH-NLR) is the first Veterans home in Arkansas developed from the ground-up for the sole purpose of long-term care for Veterans. It will serve Veterans, Veterans' spouses, and Gold Star family members.

ASVH-NLR is a “small home” design with eight individual homes that serve 12 residents each. Each resident will have a private room and private bathroom. Less than one percent of long-term care facilities across the nation are built and operated as small homes. The small home concept seeks to de-institutionalize care and provide a warm, home-like environment in a setting that encourages social activity.

ASVH-NLR is scheduled to begin accepting residents in the fall.

Check out [aanhr.org](http://aanhr.org) for valuable information and to read former AANHR newsletters.

Here is a handy checklist to help in the selection of a nursing facility, developed by the Arkansas Attorney General's office.



### Nursing Home Checklist

To support families with the difficult decision of moving a loved one to a nursing home, this list provides questions to consider when selecting a facility.

Nursing Home Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Certified

Medicaid Medicare

**QUESTIONS**

*Facility and personnel*

Yes No

Bed available?		
Needed level of care available?		
Specialized care?		
Free of odor?		
Clean, well-lit & well-kept rooms?		
Temperature comfortable for residents?		
Comfortable noise level?		
Smoking allowed?		
Smoking restricted to certain areas?		
Furniture sturdy, attractive?		
Staff polite and respectful?		
Stadd wears nametags?		
Licensed nurse(s) 24/7?		
Registered nurse present for 8 hours every day?		
Would stadd contact the doctor for medical needs?		
Do CNAs help plan the care of residents?		
Turnover in administration in the past year?		
State nurse aid registry check before hiring?		
Background checks on staff members?		
Is staff assigned for social service needs?		
Is there storage space for the residents?		
Smoke detectors and sprinklers?		
Handrail and grab bars appropriately placed in hallways and bathrooms?		
Common areas and rooms wheelchair accessible?		
Emergency evacuation plan and drills?		

Certified

Medicaid Medicare

Yes

No

**QUESTIONS Continued**

*Personal care, wellness and satisfaction*

Personal belongings allowed?		
Access to personal phone and television? Choice of roommates?		
Policies to protect residents' possessions, including lockable cabinets and closets?		
Staff assists residents with meal when required?		
Does facility accommodate special diets?		
Is there a choice of food items at each meal?		
Are nutritious snacks available upon request?		
Preventive care? (Flu shots, hearing and vision testing)		
Outdoor area for residents' use?		
Do staff members help residents go outside?		
Is there an active volunteer program?		
Planned activities for residents?		
Does facility invite residents and family to care-plan meetings?		
Arrangements with nearby hospital for emergencies?		
Will nursing home transport residents to see personal physician?		
Is the last inspection located in foyer or visible location?		

Comments: \_\_\_\_\_

For nursing home star ratings, visit [medicare.gov](http://medicare.gov).



*The Attorney General's Medicaid Fraud Control Unit is protecting Medicaid by ghting fraud and stopping patient abuse, neglect, and exploitation in Arkansas's long-term care facilities.*

Hotline: (866) 810-0016 • Office: (501) 682-7760  
 Reporting form: [ArkansasAG.gov](http://ArkansasAG.gov) • Email: [oag@ArkansasAG.gov](mailto:oag@ArkansasAG.gov)  
 323 Center Street • Little Rock, AR 72201



# Timeline Overview in Judge Maggio case:

## Justice delayed -- Justice denied?

Most of our readers are likely familiar with the Mike Maggio case where Judge Maggio allegedly took campaign contributions in exchange for lowering a judgment in a nursing home misconduct case. We offer a condensation of the timeline published in the AR Democrat-Gazette, created by Debra-Hale Shelton. More details on the timeline and details of the case can be assessed at Arkansas Online. Keep in mind that Maggio was a judge who is very familiar with the workings of the judicial system.

Some of the events that led to the sentencing, March 26, of former Circuit Judge Michael Maggio:

### 2008

**MARCH 28** – Martha Bull of Perryville enters Greenbrier Nursing and Rehabilitation Center for a 30-day rehabilitation after a stroke and abdominal illness.

**APRIL 8** – Bull becomes ill in the morning and dies in her nursing-home bed that night.

### 2012

**FEBRUARY 8** – Two of Bull's daughters refile a lawsuit against the Greenbrier nursing home, Central Arkansas Nursing Centers, Nursing Consultants Inc., Greenbrier Nursing Property Inc., nursing-home owner Michael Morton and John Does 1-5 in Faulkner County Circuit Court. The case goes to Maggio's division.

### 2013

**FEBRUARY-** Between this month and about mid-2014, Maggio "corruptly" accepted and agreed to accept campaign contributions in exchange, "at least in part," for reducing the \$5.2 million judgment, his plea agreement says.

**MAY-** Morton is contacted at an unspecified time during this month about donating money to political action committees, aimed at helping Maggio's campaign, Morton later told the Arkansas Ethics Commission staff. Morton said he ran into lobbyist and fundraiser Gilbert Baker and lobbyist Linda Leigh Flanagin at a Little Rock restaurant, was asked to support Maggio and said yes.



**May 8** – Bull lawsuit goes to trial.

**May 16** – Individual B, identified only as a lobbyist and political fundraiser, texts Maggio about 10:33 a.m. to say, "I have a LR lunch today with the nursing home folks. The topic will be judicial races. You are at the top of the list," according to Maggio's plea agreement.

**16** – Jury returns verdict awarding Bull's family \$5.2 million about 5:50 p.m.

**JUNE 17** – Morton's Greenbrier nursing home files motion at 10:05 a.m. asking Maggio for a new trial or a reduced judgment in the Bull lawsuit.

**17** – At 10:29 a.m., Individual A, the nursing-home owner, makes a five-second call to Individual B, the fundraiser.

**27** – Maggio formally announces his campaign for the Arkansas Court of Appeals.

**29** – Individual B, the fundraiser, sends Maggio a text message at 8:15 a.m. stating in part, "Well your first 50K is on the way."

### **JULY**

**8** – Three cell phone calls and one text message are exchanged between Maggio and Individual B between 9:32 a.m. and 9:49 a.m. Early that afternoon, Maggio presides over a hearing on the Greenbrier nursing home's motion for a new trial or a reduction in the lawsuit's judgment. That same day Morton writes or has someone write checks on his behalf to eight PACs after, he said, Baker faxed him the PACs' names with specified amounts, Morton later told the Ethics Commission staff.

8 – Morton also signs a \$100,000 check to the University of Central Arkansas Foundation. Baker was a top UCA administrator at the time.

9 – Morton’s PAC checks arrive at Baker’s Conway home via FedEx at 10:31 a.m., according to a FedEx receipt and to Morton’s testimony before the commission staff.

9 – Individual B, the fundraiser, calls Maggio three times starting at 3:30 p.m.

10 – Maggio cuts jury’s \$5.2 million judgment to \$1 million.

19 – Someone takes Morton’s checks to PAC attorney Chris Stewart’s office.

23 – Stewart sets up post office boxes for the eight PACs.

## 2014

### AUGUST

6 – The judicial commission and Maggio announce they have agreed to sanctions that, if approved by the Supreme Court, would suspend him from all judicial duties until year’s end, then prohibit him from serving again as a judge in Arkansas. The panel reviewed various allegations, including the online comments Maggio made, but did not address the PAC donations in its findings.

### SEPTEMBER

11 – The Supreme Court orders Maggio removed from judicial office.

### OCTOBER

2 – The FBI confirms it is investigating PAC contributions to Maggio’s campaign.

## 2015

### JANUARY

9 – Maggio pleads guilty to felony bribery before Judge Brian Miller in U.S. District Court.

## 2016

### JANUARY

19 – Maggio fails a polygraph test taken at the request of federal investigators ; then Maggio divulges previously withheld details to investigators about his communications with Individual B, the fundraiser, prosecutors later disclose.

### FEBRUARY

5 – Maggio retains a new attorney, James Hensley Jr. Prosecutors later say they invited Hensley to look at Maggio’s post-polygraph interview and to discuss the case but that Hensley declined to review the evidence.

10 – Prosecutors advise the federal probation office that Maggio has failed to comply with his plea agreement and addendum.

11 – The probation office submits a revised pre-sentencing report.

12 – Hensley asks to withdraw Maggio’s guilty plea, in part, Hensley says, because Maggio’s previous attorneys provided ineffective counsel.

16 – Miller grants Maggio’s previous attorneys “limited waiver” of attorney-client privilege.

21 – Hensley says he is withdrawing his argument of ineffective counsel but cites other reasons for plea withdrawal.

23 – Maggio’s sentencing, already postponed twice, is delayed again. On February 26 – Miller hears arguments on whether to let Maggio withdraw his plea.

### MARCH

10 – Miller rules that Maggio’s plea will stand.

22 – For the first time, prosecutors say the Maggio fundraiser had “orchestrated straw donations” in addition to “urgently” seeking PAC funds for Maggio’s appeals court campaign.

24 – Miller sentences Maggio to 10 years in a federal prison and to two years of supervised release.



## Frances Jean Walker

(January 15, 1938 - March 20, 2016)

Our AANHR Board members are saddened to report the unexpected passing of our Treasurer, Frances Walker, who served well and very capably in this capacity for several years. Reportedly, she succumbed to breast cancer that spread into her body without her being aware of her disease. Board members knew she had been ill for a few months but did not learn how dire the situation was until the week before she passed away.

Frances loved to cook and AANHR meeting attendees always enjoyed the homemade cakes she brought when it was her turn to treat. Frances brought her years spent as a professional Bookkeeper to her duties as AANHR Treasurer. She was always prompt to meetings -- carrying her briefcase with record keeping materials. Board members appreciated her careful, watchful expertise over our advocacy finances.

Volunteers do not grow on trees these days when life has become more complicated it seems. Frances was always ready to help with any AANHR activity we were engaged in -- from our October Rally at the Capitol Rotunda to perusing legislation that affected nursing home residents. We will miss her kind, thoughtful demeanor and wish to express our appreciation for her years of service to our advocacy group. Frances will be missed.

Frances Jean Walker went to be with her Lord on March 20, 2016 with her family by her side. She was born January 15, 1938 in Belleville, Arkansas to Dow and Mary Caldwell. She loved to cook for her entire family. She is survived by her two sons; Wayne (Becky) Walker and Lewis Walker. Four grandchildren Christi (Brad), Alicia (Aaron), Amanda (Richie) and Adrienne (Sean). Five great-grandchildren Allie, Conley, Kambree, Austin and Ainsley. She will be missed by a host of friends and relatives. Frances is preceded in death by her parents and husband Thomas Walker. Visitation was held on Wednesday, March 23, 2016 at Dial and Dudley Funeral Home in Bryant from 6-8 PM. A Celebration of Life was held Thursday, March 24, 2016 at 10:00 AM in the Chapel of Dial and Dudley Funeral Home. To sign online guestbook visit [www.dialanddudleyfuneralhome.com](http://www.dialanddudleyfuneralhome.com)

### Make a difference: become a Certified Volunteer Ombudsmen

Sometimes the passing of loved ones brings a time of reflection and reevaluation of goals and dreams. Perhaps you are looking for a new direction in life -- a reason to get up in the morning if you are retired. 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.

# OMBUDSMAN

### AANHR Special Thanks

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

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

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

The **Law Office of Bob Edwards and Mrs. Edwards** for providing financial assistance as well as AANHR Good Care booklets

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

### AANHR Officers and Board Members

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

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

**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); Julie Edwards, Alexander; Pat McGuire, Alexander (501-847-1016); and Ann Pinney, Benton (501-249-1084); Julie Shaw, Hot Springs.

**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](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)



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AANHR

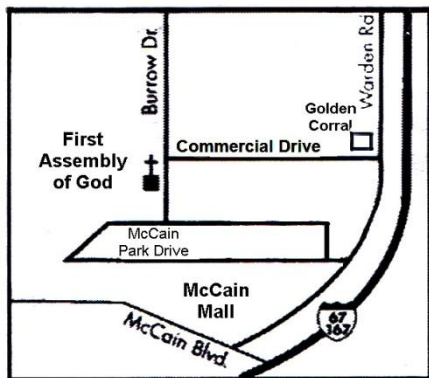
P.O. Box 165641 Little Rock, AR 72216

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

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April 2016



### 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, 2016**.

Today's Date \_\_\_\_\_

Name \_\_\_\_\_

Mailing address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

- I wish to receive the AANHR newsletter.
- \$20 per family or corporate membership.
- Waive dues because of financial hardship.

Please make checks payable to: AANHR and mail to P.O. Box 165641, Little Rock, AR 72216

### 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.