

# OFFICE OF THE STATE LONG-TERM CARE OMBUDSMAN

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## STAFF

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## GEORGIA LEGISLATIVE UPDATE

### MELANIE MCNEIL, ESQ., STATE OMBUDSMAN

The Georgia General Assembly is considering several issues that impact the residents we serve. Access to oral health care, that would allow hygienists to provide some services in facilities without having a dentist on site, is in two bills – HB 154 and SB 12. HB 154 passed out of the House and is in the Senate for consideration. SB 12 passed out of the Senate and is in the House for consideration.

SB 202 would increase the personal needs allowance to \$70 for nursing home residents. The bill is now in the House for consideration. If passed by both chambers and signed by the Governor, the increase will not take effect until the funds are appropriated. No funding has been included in the SFY 2018 budget at this point. Likely the funding will not be included until the SFY 2019 budget at the earliest.

To follow the progress of bills, use LegiScan state dashboard for Georgia legislative information, data, and overviews. Click here to access: <https://legiscan.com/GA>

## Capitol Ombudsman Program

Capitol volunteer Ombudsman program overview through February FY17: “We have surpassed our yearly goal of 12 with 16 certified volunteers. In January and February, we added 4 volunteers who have completed their ACV training, 2 has been certified and 2 are awaiting certification. We also have 3 volunteers training for their ACV. Cumulatively we have completed 100% of our goals for this year. In February, there are twenty-one active certified volunteers and fifteen candidates are in the process of training.” GJ



## Volunteer Spotlight

Greetings!

I'm Ombudsman Sharon Thomas. I've had the privilege of serving Long Term Care Residents in Gwinnett and Cobb Counties for three years. I enjoy serving in this capacity. It has been proven time and time again that the care residents receive often is due to caring advocates fighting for them. The real change I've notice during the time I've served is seeing a difference in care once Ombudsman visits became regular to a facility. Thanks for the opportunity to make a small difference. Kindly, Sharon

### **Congratulations to Our Newly Certified Long-Term Care Ombudsman Representatives**

Dawn Gould – East Ombudsman Program

Melody Tuminello – East Ombudsman Program

Rebecca Folkes – West Region Ombudsman Program

Andrew Hales – West Region Ombudsman Program

Sylentheia Street – South Ombudsman Program

### **2017: FEBRUARY TRAINING AT A GLANCE**

#### **Ombudsman Representative Certification Training**

The Office of the State Long-Term Care Ombudsman conducted classroom training from February 7<sup>th</sup> to 9<sup>th</sup>. Attending the training were four Ombudsman Representative candidates from the West and North Ombudsman Programs. According to the SurveyMonkey evaluation, trainees found that the training from all of the presenters was very helpful.

#### **Wesley Woods Towers Personal Care Home Staff In-Service Training**

The Office of the State Long-Term Care Ombudsman Program received a request from facility Administrator, Jennie Deese, to conduct a staff in-service. On February 22, 2017, Melanie McNeil, Esq., State Ombudsman and Kim Johnson-Prince, Ombudsman Services Coordinator educated approximately 35 staff members and residents on Resident Rights and Abuse Reporting. According to Jennie Deese, "The in-service was very well received by staff and residents alike. Having attendees read scenarios followed by discussion of resident's rights was most engaging. This style of information delivery offered the audience an opportunity to learn by participation. Staff felt comfortable asking tough questions and sharing tough situations which is common in long term care. Wesley Woods Towers appreciated the effort that was made by the SLTCO in preparing a well-suited educational program. Hats Off!"

In addition to attending presentation was April Martin, who is an intern with the Division of Aging Services. Before the presentation, April was able to connect with the staff members to get some information on how the facility relates to the Ombudsman Programs and take authorized photos of the participants. April shared her experience, "I really enjoyed this experience and gained the necessary knowledge as to what exactly Ombudsman facilitate for their clients. The Ombudsman Representatives even sometimes have to advocate not only at the facility were a client lives, but also advocating to family members as well as physicians. Although a person has become up in age, does not mean that they should not have rights, or be able to be a part of the decision making process when it comes to their day to day living choices. This was a great experience."

*Pictures below are from Wesley Woods.*



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## EVENTS

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Congratulations Ann Williams, recipient of the 2017 Distinguished Older Georgian award!



From left, Abby Cox, Division of Aging Services Director, Ann Williams, and Robyn Crittenden, Commissioner, Department of Human Services



From left, Tina Lawrence, OSLTCO staff, Ann Williams, Melanie McNeil, SLTCO, and Tracey Williams, OSLTCO staff

## RESOURCES

### Contact Us

#### Georgia Long-Term Care Ombudsman Program

2 Peachtree Street, NW, 33rd  
Atlanta, GA 30303

1-866-552-4464, option 5

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

### U.S. Supreme Court questions validity of arbitration agreements for nursing homes

The U.S. Supreme Court on Wednesday, February 22, 2017 heard arguments on Kindred Nursing Centers Limited Partnership v. Clark, wherein the court will once again be asked to decide whether binding arbitration agreements are permissible. The Kentucky Supreme Court ruled that arbitration agreements signed by legal representatives of nursing home residents were invalid, unless the ability to sign is specified as a power of the representative, as being against the right to have a jury trial. For details go to

<http://www.modernhealthcare.com/article/20170223/NEWS/170229962>

### Sexual Abuse in Nursing Homes

There are interesting reports from the Exclusive "Raped in America's Nursing Homes". It's a compilation of several investigative reports, articles, and an emotional essay by the daughter of an 88-year-old woman who tragically was the victim of rape in her nursing home. This CNN online exclusive is extremely disturbing and supports the critical role of the Ombudsman program.

<http://www.cnn.com/2017/02/22/opinions/nursing-home-rape-essay/index.html>

<http://www.cnn.com/interactive/2017/02/health/nursing-home-sex-abuse-investigation/>

### Tax Identity Fraud

As tax season starts, the IRS is warning people about a scam that has caused billions of dollars in annual losses for the US Treasury. If you know that someone has stolen your identity, the Federal Trade Commission (FTC) recommends these steps:

- File a complaint with the FTC at <https://www.identitytheft.gov/>
- Contact one of the three major credit bureaus to place a "fraud alert" on your credit records:
  - Equifax, [www.Equifax.com](http://www.Equifax.com), 1-800-766-0008
  - Experian, [www.Experian.com](http://www.Experian.com), 1-888-397-3742
  - TransUnion, [www.TransUnion.com](http://www.TransUnion.com), 1-800-680-7289
- Contact your financial institutions and close any financial or credit accounts that you did not give permission to open or that identity thieves tampered with.

### Recorded Webinar Available

Did you miss the OSLTCO WebEx and you really wanted to attend? Continuing Education Contact Hours (CE) are available through the OSLTCO – post event. Please contact Kim Johnson-Prince about obtaining CE credit.

