

Annual Report of the State Long-Term Care Ombudsman of Ohio FFY 2016



ombudsman

Expect Excellence in Your Care

**BEVERLEY L. LAUBERT,
Ohio's State Long-Term Care Ombudsman**

Message from the State Long-Term Care Ombudsman

Dear Friends of Long-Term Care Consumers:



Federal Fiscal Year 2016 was a year of examination and refocusing that will continue into 2017.

We worked to comply with a new federal regulation, including a provision that prohibits ombudsmen from assisting nursing home residents to return to the community through the state's HOME Choice program. Though a loss of funding, the change will give us an opportunity to refocus on our mission to improve quality.

Complaint resolution decreased and it is my intention that, by refocusing on core services, it will improve. We will embark on a volunteer recruitment campaign in 2017, with the firm belief that problems are solved when we come together in local communities.

We also re-examined state administrative rules and will adopt revisions in 2017.

Ombudsman services for members of MyCare Ohio, a managed care demonstration program, continued for a third year. Our ongoing examination of consumer experience will intensify in 2017, as changes to long-term services and supports in Ohio are considered.

Finally, we revised our Ombudsman Mission – to advocate for excellence in long-term services and supports wherever consumers live. We must all expect excellence and demand better care and quality of life for long-term care consumers.

With determination,

A handwritten signature in blue ink that reads "Beverley L. Laubert". The signature is written in a cursive style.

Beverley L. Laubert, State Long-Term Care Ombudsman

POLICY RECOMMENDATIONS

Person-Centered Care

Consumers are entitled to execute their rights and to feel at home wherever they live. Person-centered individualized care should be the norm in all long-term services and supports.

Intermediate Remedies for RCFs

Current Ohio law allows for license revocation for residential care facilities that violate rules. A system of civil money penalties and suspension of admissions would provide intermediate tools to encourage homes to correct problems without more complex legal actions that disrupt consumers.

Enforcement of Discharge Regulations

Ombudsmen have handled complaints about involuntary discharge and discharge planning more frequently than any other complaint. We need better enforcement and more severe sanctions when a consumer is evicted, sometimes leading to homelessness.

Access for Consumers Receiving Home & Community-Based Services

Notices terminating or denying home and community-based care should include contact information for the ombudsman, just as required for facility-based providers.

The Office of the State

Long-Term Care

**Ombudsman advocates
for excellence in long-term
services and supports
wherever consumers live.**

OMBUDSMAN SERVICES

Complaint Resolution

Complaint handling accounts for 66% of ombudsman time and 78% of complaints are related to nursing homes, a reduction from prior years as awareness increased in other settings. The top five complaints handled were:



- Involuntary discharge
- Failure to respond to requests for assistance
- Not being treated with dignity & respect
- Plan of care lacking or not followed
- Personal hygiene inadequate

Advocacy & General Information

Advocacy and general information (AGI) services accounted for 34% of ombudsman time and most AGI activity involved:



- Community and provider education
- Helping people select quality services
- Advising individuals & providers on benefits, rights, and regulations

Demonstration Project

In MyCare Ohio, managed care plans coordinate care for individuals age 18 and older who are eligible for both Medicare and Medicaid. Six regional ombudsman programs provide services to members in 7 areas. To date, the Office has responded to 1,391 complaints and 895 requests for information about MyCare Ohio. Of those, 513 complaints and 401 requests were handled in FFY 2016.



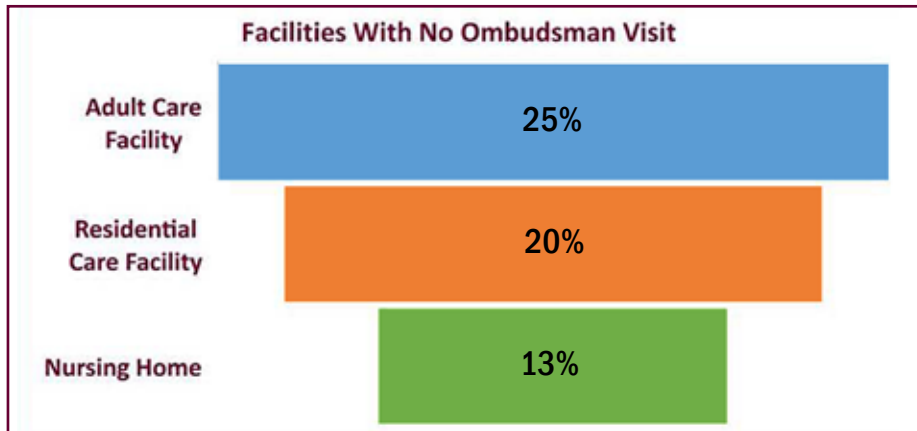
REGULAR PRESENCE

Ombudsmen provided essential access and opportunity by visiting long-term care facilities to:

- Make observations and work to prevent problems
- Educate consumers and providers about person-centered care
- Empower consumers to expect excellence
- Listen and identify consumers who are ready to return to the community

While creating a regular presence is key to ensuring consumer access to ombudsman services to improve their care and quality of life, there are many challenges:

- With over 2,500 facilities and only 80 paid staff and 250 volunteers, programs must be strategic in how they plan regular visitation to maximize existing resources.
- 40% of consumers stay in nursing homes for 3 months or less and 54% for 6 months or less (Scripps Gerontology). Ombudsmen must visit more frequently to reach consumers who need our help, indicating a need for more volunteers.



EXPECT EXCELLENCE

The Long-Term Care Consumer Guide operated by the Office and found at www.ltc.ohio.gov contains results of a Family Satisfaction Survey. Here are some comments from that survey from families that expect excellence and why ombudsmen offer such an important service to those in need.

“I do not believe my mom should have to wait 45 minutes to go to the bathroom because there are never enough people around to help.”

“Low staff causes rushed workers and care suffers. Staff focus is on getting their work done when focus should be on what is best for the resident.”

“The quality of the service you receive depends on the individual providing the service.”

“Staff turnover is very high leading to gaps in care, the most difficult being that my mom is bathed just once per week.”

“Residents should always be served with a smile and respect.”

“My mom loves this facility and it is a shame that she hates the food. She said it’s the same thing all the time.”

OMBUDSMAN VOLUNTEERS

Program Effectiveness through Volunteer Engagement

Certified Ombudsman Associates volunteer their time providing information and access for consumers. Our corps of volunteer associates continued to decline as regional resources dedicated to recruiting, screening, training, and retaining associates declined.

Regional programs with a dedicated full-time volunteer coordinator demonstrated higher volunteer engagement. Volunteers need ongoing training and staff support to be effective advocates. The Office needs at least ten more volunteer coordinators to effectively train and support associates.

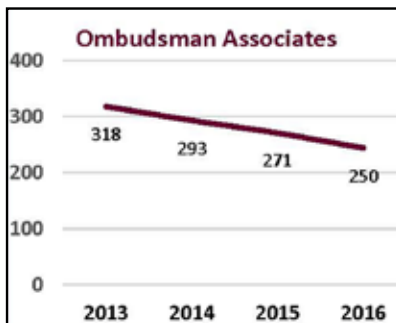
A corps of about 250 volunteer associates contributed to our regular presence as follows:

- 62% of nursing home advocacy visits
- 11% of adult care facility visits
- 43% of residential care facility visits

Associates used their knowledge of consumers & homes to assist paid staff with complex complaints, most commonly about:

- Failure to respond to requests for assistance
- Not being treated with dignity and respect
- Menu quality, quantity, variation, and choice
- Medication administration

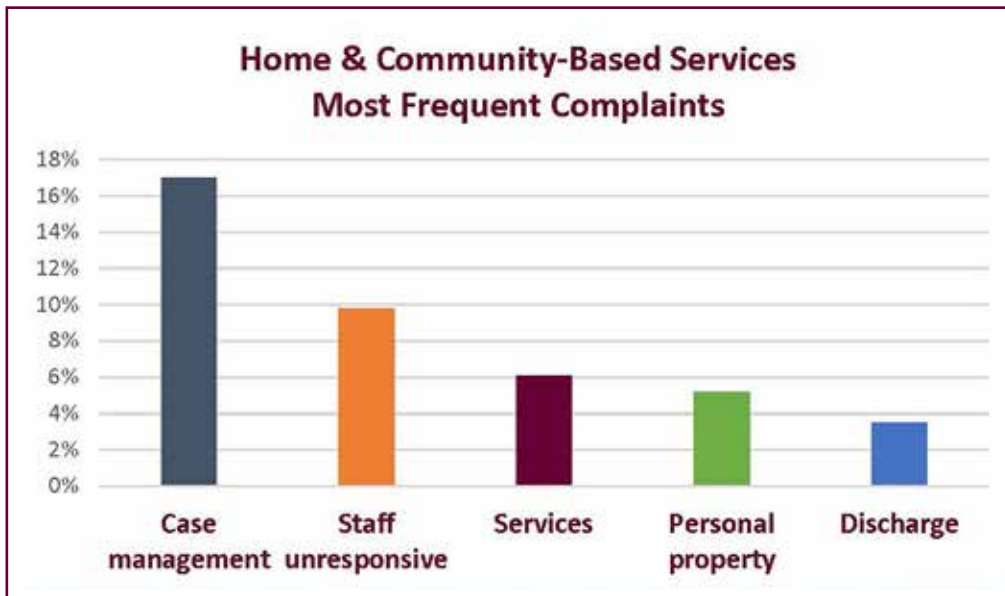
More volunteers are needed to meet the need. When associates assisted paid staff, complaints were resolved at a higher rate than when staff worked without the benefit of volunteer engagement.



HOME & COMMUNITY-BASED SERVICES (HCBS)

HCBS brings unique challenges to the ombudsman program:

- It is more difficult to reach consumers receiving services in their home to educate about the ombudsman program, their rights, or to help them resolve a problem.
- Consumers are more reluctant to share information about caregivers on whom they rely.



When addressing facility-based complaints, ombudsmen can impact all residents through policy changes and other mechanisms. In HCBS, it's more difficult to achieve a broader impact because the parties involved are in different locations. On average, HCBS cases are open 16 days longer than facility-based cases.

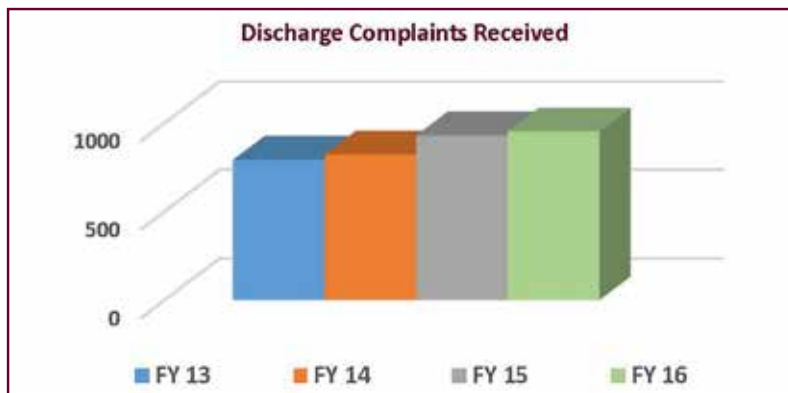
COMPLAINT RESOLUTION

Involuntary Discharge

Consumers have rights and protections related to discharge from a long-term care facility. Before discharge, consumers must be informed of their rights, may appeal, and are entitled to appropriate discharge planning to ensure a safe and orderly discharge.

These rights are not universally respected. For many years, complaints about discharge have been the most frequent received by the Office. Most notably, complaints about discharge:

- Were 10% of the 10,664 complaints received by the Office
- Were primarily about nursing homes (82.3%) and assisted living (13%)
- Involved lack of planning to ensure a safe and orderly discharge in 64% of cases
- Had investigations started within 3 days to ensure due process
- Were verified through investigation in 85.9% of complaints and resolved to the consumer's satisfaction in 80.8%
- Were resolved without an administrative hearing in 67%, a quality measure of the Office

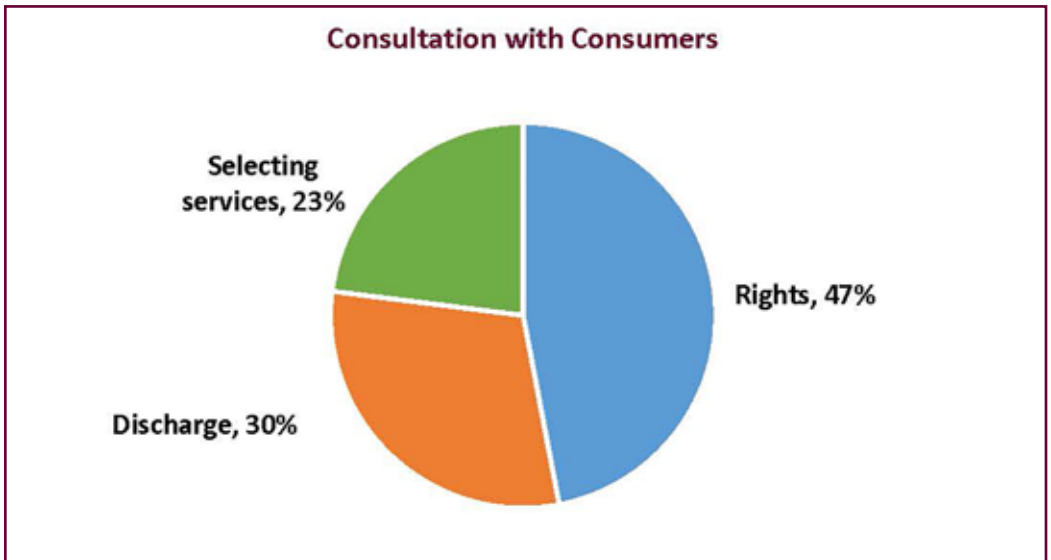


CONSULTATION, SERVICE SELECTION, & EDUCATION

Ombudsmen help people select quality services, educate, and advise individuals & providers on benefits, rights, and regulations.

Ombudsmen conducted 280 community education events, most frequently about the ombudsman program, abuse/neglect/exploitation, & MyCare Ohio. Through education, ombudsmen equip people to make informed decisions and get help when needed.

Ombudsmen are a resource to providers & consumers. Through consultation, ombudsmen educate and empower consumers. Ombudsmen consulted with individuals 5,491 times about topics in the following chart:



REGIONAL OMBUDSMAN PROGRAMS

Anyone may call the ombudsman to voice a concern or obtain information about long-term care.

State Office

1-800-282-1206

OhioOmbudsman@age.ohio.gov

aging.ohio.gov/services/ombudsman/

REGION	TELEPHONE NUMBER	REGION	TELEPHONE NUMBER
Cincinnati	800-488-6070	Wheelersburg	800-582-7277
Dayton	800-395-8267	Marietta	800-331-2644
Lima	800-282-1206	Dover	800-967-0615
Toledo	800-542-1874	Cleveland	800-365-3112
Mansfield	800-860-5799	Akron-Canton	800-421-7277
Columbus	800-536-5891	Youngstown	800-589-5826