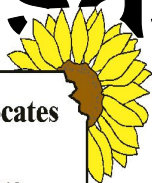


Kansas Advocate News

Kansas Advocates
for
Better Care



Making Elder Care Better for 35 Years

35 Years Strong



Our journey began in 1975, with Anna "Petey" Cerf and a small group of concerned citizens who were deeply concerned about the poor care and indignities suffered by elders in nursing homes. *Kansans for Improvement of Nursing Homes* (KINH) was formed, and these folks paved the way for better care for all Kansans in long-term care settings. Because of their actions, Gov. Bob Bennett toured Kansas nursing homes. The founders' actions launched real change - hearings were held and laws and regulations were created to strengthen consistent enforcement of health and safety rules, and provide responsible oversight.

***Most people try not to think about nursing homes ...
that's why we think about them every day***

Today, 35 years later, Kansas Advocates for Better Care energetically continues the work that Petey began. When you're facing the difficult decision of choosing a nursing home, assisted living or other long-term care setting or services, KABC's knowledgeable, caring staff is here to help:

- Guide you through the maze of information
- Provide you detailed reports on specific nursing homes and assisted living
- Connect you with helpful resources to address problems, when they arise
- Inform and educate family and caregivers
- Keep you current on trends, information and legislation that impact long-term care

What's inside...

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We stand ready when you or a loved one needs help.

KABC is honored to speak up for elders and adults receiving long term care. With **your participation our reach** to elders could be longer. Encourage other to join the ranks of KABC members and volunteers and help make elders and families aware of all we can offer - training, advocacy, and guidance when it is needed.

Our commitment has grown stronger, and with **your participation our voice** could be stronger when talking with legislators about what is right for Kansas elders.

KABC pursues its mission to improve the quality of long-term care thanks to generous members, contributors and volunteers like you. We receive no state or federal funding. All gifts are tax deductible.

Please Stand With KABC - Join and Volunteer Now!

Member Feedback

Q: *I’ve been told by the nursing home where my wife is that I must find some place else for her because they cannot provide the care that she needs. Do I have to move her?*

A: Under the Nursing Home Reform Law of 1987, there are only five reasons that a person living in a nursing home can be transferred or discharged, (known as “involuntary discharge”):

- the nursing home cannot provide adequate care for the resident,
- the resident’s health has improved so that s/he no longer needs nursing home care,
- the safety or health of others in the facility would otherwise be endangered,
- the resident has failed, after reasonable and appropriate notice, to pay for care,
- the facility ceases to operate as a nursing home.

Before proposing a transfer/discharge, a facility must identify and try to meet the resident’s individual needs by developing and implementing a specific care plan. Because most nursing homes provide complex care for sick residents, it is rare that facilities can’t find a way to provide adequate care for the resident. The nursing home assesses the care needs of people when they are admitted. Once a person has been accepted by the nursing home, the nursing home should find ways to provide safe and appropriate care. Health and safety precautions should be in place in every nursing home that protect the residents’ health and prevent the spread of infection. Eligibility determination for Medicaid takes a few months, but is not a reason for discharge.

Belinda Vierthaler, Kansas State Long-Term Care Ombudsman, reported that last year her office received 413 requests for assistance from residents or families facing involuntary discharge, the second highest area of complaint. Belinda is very committed to addressing this issue with facilities and on behalf of residents. The ombudsman is empowered by law to advocate for nursing home residents.

The threat of transfer or discharge from a nursing home can be both frightening and stressful for residents and their families. Facilities may respond to resident’s difficulties or need for increased care, repeated questions or complaints from family members by transferring or discharging. These are not legitimate reasons for transfer or discharge. Facilities must follow very specific guidelines when proposing transfer or discharge of a resident.

If you are faced with transfer or discharge that you do not want, call the State Long-Term Care Ombudsman immediately at (877) 662-8362. You can always call KABC for additional support.

KABC memberships make a great gift!

Linda Mason of Topeka has been a member of Kansas Advocates for Better Care since 2001. During that time, she has taken advantage of our services on numerous occasions, to ask questions about nursing home care, regulations, resident rights and other topics. We are always happy to offer guidance any time Linda asks.

Because Linda values KABC, she has given gift memberships to two of her friends who are also in need of information about long-term care in Kansas. We are very grateful for Linda’s support and generosity, and hope that you’ll consider a gift membership to someone you know by using the form on the back of this newsletter. For more information, call KABC toll-free: **800-525-1782** or email us: **info@kabc.org**.



Linda Mason & her Mom, Maxine

Making Elder Care Better for 35 Years

"Cerfer" Members

KABC is thankful that many of our members have joined or renewed at the \$100 "Cerfer" level, in honor of founder Petey Cerf. (* new since December). A Cerfer is entitled to five newsletters per year plus their choice of KABC reports and publications. We currently have 120 Cerfers - we need **1000 Cerfer members annually to sustain the work Petey started**. If you know someone who could benefit from any of KABC's services, please let us know. We will be happy to send them a copy of our latest newsletter, and membership information.

We are grateful to the following Cerfer members for their commitment to KABC's mission.

- Pauline Alexander
- Portia Allbert
- Ann Aschenbrenner
- Lou & Deanne Bacco
- Barbara Bailey
- Jill Baker
- Ross & Marianna Beach
- Bert & Joan Berkley
- Beverly Smith Billings
- Lloyd C. Bloomer
- Mick & Barbara Braa
- Marilyn Bradt
- Carolyn Brushwood
- Janet Buttery
- Pauline Buttery
- Daisy Caress
- Linda & Chuck Carlsen
- Charles Cerf & Cynthia Dunbar
- Cherryvale Nursing & Rehab
- Robert & Cynthia Claus
- J. T. Compton/ABC Foundation
- Wayne & Nancy Cottril
- Charley & Lynne Crabtree
- Morton C. Creditor
- W. Hobson & Helen Crockett
- Warren Culver
- Bob & Evie Curtis
- William Cutler
- William Dann
- J W & Florence Drury
- Terry Edwards
- Elder & Disability Law Firm
- Hilda Enoch*
- Robert & Anita Epps
- Evergreen Community of Johnson County
- James & Sara Farley
- Margaret Farley & Ron Schneider
- Marlene Finney
- William Franklin*
- Harold Friess
- William & Jackie Hadl-Fromm
- Robert Fullman
- Sidney A. Garrett
- Helen Gilles
- Annette Graham
- Nancy & William Hambleton*
- Philip Hemphill
- Emily Hill
- Stephen & Marcia Hill
- James K. Hitt
- Joseph Hollowell Jr. & Emily Russell
- Donald Janes
- Jill Johnson
- Brock Jones
- Elizabeth Dann Jones
- Lee Ketzal
- Rex Klein
- Jean Krahn
- Graham Kreicker
- Lakepoint Nursing & Rehab
- Leavenworth Co. Council on Aging
- Alice Leonard
- Mr. & Mrs. Herbert Lewis
- Bill & Jeanine Lienhard
- Marilyn Lindsay
- Joan Loehr & Jerry Howell
- Eloise Lynch
- Suzanne McColl
- H R McFarland
- Mitzi E. McFatrigh
- Toby McIntosh
- Meadowlark Hills
- Lynn Megaffin
- Midland Hospice
- Alton Morey*
- Sally M. Morse
- Don Mueller*
- Earl Nehring
- Nancy Nehring
- Neil & Maria Nehring
- Will Orvedal
- Pratt Family Foundation
- Val Quant
- Mary Rack
- Jeanne Reeder
- Cathy Reinhardt
- Warren Robinson
- Joyce Hess Rodda
- Irene Rose
- Carol Sader
- Richard & Katharine Schowen
- Arthur Alan Shaw
- Robert Simpson
- Simpson Foundation
- Fred & Lilian Six
- John Solbach
- Solomon Valley Manor
- Linda & John T. Stewart, III
- Stoneybrook Retirement
- Mrs. G.W. Swift
- Jeff Tevis/Disability Advocates
- Peter & Judith Thompson
- Robert & Ruth Tomasek
- Unity Church of Lawrence
- Eleanor Unruh
- Linda Upstill
- Karen Vincent
- Mark Vollmer
- Ruth Warren
- Ruth Weir
- Rebecca J. Wempe
- Peter Whitenight
- Windsor Place, LLC
- Mark Wolfson
- Julia Wood
- Molly Wood
- Linda Wright
- Wyandotte Co. AAA
- Ina Kay Zimmerman
- Richard & Diane Zinn

Save the Dates!

SAVE THIS DATE and help celebrate *35 Years of Making Elder Care Better!*

- Sunday, October 17, 2010 2-5 p.m.
- SpringHill Suites by Marriott, Lawrence Kansas
- KABC Caring Award presentation -2nd Annual
- Music provided by The Fabulous Torque’s
- Music & dancing, good things to eat, and door prizes



	<p>Senior Summit 2010 The Future of Long Term Care</p> <p>Maner Conference Center, Topeka, KS May 6, 2010</p>	<p>Presented by the Kansas Department on Aging. Register online: http://www.agingkansas.org/SeniorSummit/senior_summit.html or call 800-432-3535 for details.</p>
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Gov. Parkinson and Attorney General Steve Six present the **13th Annual Crime Victims’ Rights Conference**, April 21 & 22 at the Capitol Plaza Hotel & Convention Center, Topeka. If you have any questions regarding the conference, please call 785-291-3205 or email Tracy Khounsavanh at tracy.khounsavanh@ks.gov
To download the booklet and registration info visit:
http://www.ksag.org/files/2010_CVRC_Brochure_PDF.PDF

<p>Crime Victims’ Rights: Fairness. Dignity. Respect.</p>	<p>Governor Mark Parkinson and Attorney General Steve Six host 13th Annual Crime Victims’ Rights Conference April 21-22, 2010</p>
	<p>Preconference Institute April 20, 2010 Capitol Plaza Hotel and Convention Center 1717 SW Topeka Boulevard Topeka, Kansas www.governor.ks.gov www.ksag.org</p>

~Gifts Honoring Leadership~

KABC gratefully acknowledges the generosity of **Mr. William Franklin** and the **Vanguard Charitable Endowment Program**, for the gift in honor of the leadership and good purpose of **Mitzi McFatrigh**.



KABC gratefully acknowledges **Hilda Enoch’s** gift in honor of **Barbara Braa’s** leadership



Making Elder Care Better for 35 Years

KABC's Advocacy in Action

Elders and Families: 1,000 total requests for Information & Guidance in January 2010; an increase of 38% over the prior year.

Agencies with Regulatory and Enforcement Responsibilities for Adult Care Homes: Recently, KABC's Executive Director was invited to participate as an advisor on a special task force convened by Attorney General Steve Six and chaired by former AG Robert Stephan. The task force, called the Senior Consumer Advisory Council, was created to combat fraud against seniors and to better serve and protect elders from scams, abuse, neglect and exploitation.

Public Education: Four newspapers and one radio station across the state responded to nursing home information provided by KABC in January 2010. Extensive coverage of good and poor performance trends in nursing home inspections ran in: Great Bend, Bonner Springs, Topeka, Hiawatha and Lawrence.

2010 Legislature: If you are interested in supporting/opposing legislation and need guidance about how, please call the KABC office. Bills may be viewed at www.kslegislature.org Many of the bills this session are aimed at closing the large revenue gap the state has, in order to meet the 2010 & 2011 budget needs. Most programs serving seniors have already received five separate reductions in 2010. The most recent 10% cut to Medicaid providers is having a serious impact on care, meals, and other senior services. Budget cuts last year resulted in the Kansas Soldiers Home loss of 15 workers and Kansas Veterans Home loss of 26; both homes are state operated.

- **KABC initiated legislation - HB 2242** would expand the authority of the State Long-Term Care Ombudsman to advocate for residents who are eligible for nursing home level of care, but who reside in their home in the community. KABC testified on behalf of this legislation in the House Aging and Long-Term Care Committee.
- **HB 2323** - adds felony theft to the list of prohibited crimes for employment in a nursing home, requires finger printing and background checks on long-term care employees.
- **HB 2673 and SB 546** - creates an assessment/tax on every licensed skilled nursing home bed in Kansas. Facility pays the tax, but it is possible that private pay residents will see an increase in fees. Tax amount not specified in the bill (range \$0 to \$7 per day), or approximately \$2,550 annually per bed. Kansas Soldiers & Veterans Homes are exempt. Rep. Bob Bethell introduced HB 2673.
- **Substitute for SB 67** - includes changes to mistreatment of a dependent adult as defined in the criminal code increasing the penalty for certain sections.
- **SB 384** - regards utilities regulation of phone lines. Negative impact on consumers include a potential rate hike, and the possible discontinuation of a single home, land-line service; probably has most impact for rural areas.
- **HB 2221** - statewide ban prohibiting smoking in public places; exempts nursing homes as private residence, provided home allows smoking, and has proper ventilation.
- **SB 385** - Unified power of attorney act - strengthens the durable power of attorney act by mandating registrations for DPOA in each county and enhanced penalties for fraud and abuse.
- **HB 2057** - Create a geriatric mental health service program to broaden access to services.

Consumer Assistance

To report abuse, neglect and exploitation occurring in adult care homes, contact the KDOA hotline:

800-842-0078

8:00 AM to 5:00 PM Monday-Friday

by FAX: **785-296-0256**

(fax must be addressed to Carolyn Anderson,
Mary Jane Kennedy **and** Ernie Beery)

by email: **CarolynAnderson@aging.ks.gov**

OR

Adult Abuse (in the community or a facility) hotline:

800-922-5330 (24/7)

OR

Kansas Attorney General's
Consumer Protection Division

800-432-2310

OR

Victims' Rights

800 828-9745



For assistance with concerns/problems with adult care homes,
call the State Long-Term Care Ombudsman:

877-662-8362

www.kansasombudsman.ks.gov

To receive preliminary information on legal issues, call the Elder
Law Hotline:

888-353-5337

To report suspected Medicare fraud:

800-876-3160

For info about Medicaid, call SRS

888-369-4777

For no-cost mediation regarding problems with Medicare
Providers, call the

Kansas Foundation for Medical Care (KFMC)

800-432-0407

KU Med Center Pain Management Hotline:

913-588-3692

Centers for Medicare/Medicaid Services
(CMS) Website:

www.medicare.gov/nhcompare/home.asp

For questions/comments regarding
CMS “5-Star” Nursing Home Ratings:

bettercare@cms.hhs.gov

For **one-stop** long-term care home information:

Kansas Advocates for Better Care

Toll-free: **800-525-1782**

Email: **info@kabc.org**

Website: **www.kabc.org**

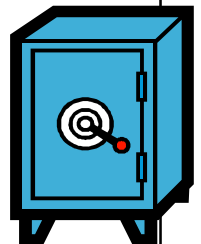
Licensing Categories & Abbreviations

ALF	Assisted Living Facility
ADC	Adult Day Care
BCH	Boarding Care Home
HP	Home Plus
IMR	Intermediate Care Facility for the Mentally Retarded
LTCU	Long-Term Care Unit in a hospital
NF	Nursing Facility
NFMH	Nursing Facility for Mental Health
RHCF	Residential Health Care Facility
CMP	Civil Monetary Penalty (Fines)
CO	Correction Order
d/b/a	doing business as
IDR	Informal Dispute Resolution
LSC	Life Safety Code Survey
NOTC	No Opportunity To Correct
QIS	Quality Indicator Survey*
SFF	Special Focus Facility - historically noncompliant facility providing substandard quality of care, and is inspected two times per year, per 1998 CMS initiative.

**According to Greg Reser, KDOA - Beginning with the current fiscal year, Kansas has fully implemented the new Quality Indicator Survey (QIS) process for inspecting nursing homes.*

KABC Privacy Policy

Kansas Advocates for Better Care (KABC) protects your privacy. KABC maintains password-protected computerized data files regarding financial support. We do not sell or share our membership list or member financial information with any other agency, and will not divulge any personal information about any members, contributors or contacts without express written permission.



Making Elder Care Better for 35 Years

Survey Results - Recommended Remedies

The Kansas Department on Aging (KDOA) is responsible for regulating most licensed adult care homes. The following information is reproduced from KDOA's records, and is **the most current made available to KABC as of 2/2/2010**. Notations such as *payment denial*, or *terminate provider agreement* are **recommended remedies** made by KDOA to Center for Medicare/Medicaid Services (CMS). Recommendation of remedies does not mean they are imposed or that provider agreement's are terminated. It means that if facilities have not substantially complied by the date noted, CMS **may** impose the stated action/remedy (KABC does not receive notice of compliance). If CMS determines that a remedy is warranted, facilities receive formal notification. An *abbreviated survey* is an investigation resulting from a complaint. Facilities may appeal these actions, except when a final settlement agreement is reached with KDOA. Most facilities were inspected using the new Quality Indicator Survey (QIS) process. Facilities listed here are having problems with regulatory compliance, and should be scrutinized carefully before making placement decisions. If you'd like further clarification call KABC toll-free.

Questions regarding the accuracy of this information or compliance status should be directed to KDOA, 800-432-3535.

Chapman

Chapman Valley Manor - NF
12/30/09: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 1/23/10; terminate provider agreement 6/30/10.

Concordia

Mount Joseph Sr. Village - NF/RHCF
12/16/09: Abbreviated survey. Offsite desk review only.

Sunset Home, Inc. - NF/ALF/RHCF
11/2/09: Abbreviated survey. Offsite desk review only.

Dodge City

Good Samaritan Center - NF
1/28/10: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 2/19; terminate provider agreement 7/28.

Edwardsville

Golden LivingCenter-Kaw River - NF
11/9/09: Abbreviated survey. Offsite desk review only.

Elkhart

Morton Co. Hospital - LTCU
1/12/10: Abbreviated survey, immediate jeopardy cited (corrected). \$5,000 CMP imposed; recommend payment denial for new admissions 4/12; terminate provider agreement 7/12.

Emporia

Flint Hills Care Center - NF
1/5/10: Health survey, actual harm cited. Recommend payment denial for new admissions 4/5; terminate provider agreement 7/5.

Holiday Resort - NF

1/27/10: Abbreviated survey, actual harm cited. Recommend payment denial for new admissions 4/27; terminate provider agreement 7/27.

Galena

Emerald Pointe Health & Rehab- NF
11/18/09: Abbreviated survey. Offsite desk review only.

Garden City

Garden Valley Retirement - NF
12/22/09: First revisit of 11/5 abbreviated survey, NOTC. Payment denial for new admissions imposed 11/29; recommend terminate provider agreement 5/5/10.

Garnett

Anderson County Hospital - LTCU
1/29/10: Health survey, actual harm cited. Recommend payment denial for new admissions 4/29; terminate provider agreement 7/29.

Hays

Good Samaritan Society - NF
12/2/09: Health survey (revised), actual harm cited. Recommend payment denial for new admissions 1/3/10; \$1,000 per day CMP; terminate provider agreement 6/2/10.
1/14/10: First revisit of 12/2/09 health survey. Payment denial for new admissions imposed 1/3; Recommend \$150 per day CMP starting 1/14; other remedies continue.

Hiawatha

Maple Heights Nsg & Rehab-NF/RHCF
1/20/10: Health survey, actual harm cited. Recommend payment denial for new admissions 4/20; terminate provider agreement 7/20.

Howard

Howard Twilight Manor - NF
1/27/10: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 2/19; terminate provider agreement 7/27.

Humboldt

Pinecrest Nursing Home - NF
1/12/10: First revisit of health survey (revised). Payment denial for new admissions imposed 12/5/09; recommend \$100 per day CMP beginning 1/12; terminate provider agreement 5/9.

Hutchinson

Golden Plains Health Care - NF
12/23/09: Abbreviated survey. Offsite desk review only.
1/6/10: Abbreviated survey. Offsite desk review only.

Iola

Windsor Place at Iola LLC - NF
1/13/10: Abbreviated survey. Offsite desk review only.

Jetmore

Hodgeman Co. Health Center - LTCU
11/24/09: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 12/25/09; terminate provider agreement 5/24/10.
12/30/09: First revisit of health survey, NOTC. Payment denial for new admissions imposed 12/25/09; remedies continue.

Kiowa

Kiowa Hospital District Manor - NF
11/12/09: Abbreviated survey. Offsite desk review only.

“Advocating for Quality Long-Term Care” since 1975

Lansing

Golden LivingCenter - NF

12/10/09: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 1/8/10; terminate provider agreement 6/10/10.

Lenexa

Delmar Gardens - NF

1/4/10: Abbreviated survey, actual harm cited. Recommend payment denial for new admissions 4/4; terminate provider agreement 7/4.

Montezuma

Bethel Home - NF

12/9/09: First revisit of health survey. Recommend payment denial for new admissions 1/28/10; terminate provider agreement 4/28/10.

Mulvane

Villa Maria - NF

1/21/10: Abbreviated survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 2/19; terminate provider agreement 7/21.

Ness City

Ness County Hospital - LTCU

1/13/10: Abbreviated survey, immediate jeopardy (corrected) cited. \$7,000 CMP imposed; recommend payment denial for new admissions 4/13; terminate provider agreement 7/13.

Newton

Kansas Christian Home - NF

1/22/10: Abbreviated survey. Offsite desk review only.

Nortonville

Village Villa - NF

12/17/09: First revisit of health survey. Recommend payment denial for new admissions 2/5/10; terminate provider agreement 5/5/10.

Olathe

Pinnacle Ridge Nursing & Rehab - NF

2/2/10: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 2/23; terminate provider agreement 8/2.

Overland Park

Village Shalom, Inc. - NF/ALF/RHCF

10/22/09: Abbreviated survey. Offsite desk review only.

Quinter

Gove Co. Medical Center - LTCU

12/3/09: Abbreviated survey. Offsite desk review only.

Sabetha

Apostolic Christian Home - NF/ALF

12/14/09: Health survey, immediate jeopardy cited (corrected), history of noncompliance, NOTC. Recommend \$5,000 CMP; payment denial for new admissions 1/9/10; terminate provider agreement 6/14/10.

Saint Francis

Good Samaritan Society - NF

12/3/09: First revisit of health survey. Recommend payment denial for new admissions 1/23/10; terminate provider agreement 4/23/10.

Salina

Holiday Resort - NF

11/10/09: Abbreviated survey. Offsite desk review only.

Kenwood View Nursing Home - NF

1/14/10: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 2/6; terminate provider agreement 7/14.

Pinnacle Park Nursing & Rehab - NF

11/24/09: Health survey, immediate jeopardy cited (corrected), history of noncompliance, NOTC. Recommend \$7,000 CMP; payment denial for new admissions 12/19; terminate provider agreement 5/24/10.

1/27/10: Abbreviated survey. Offsite desk review only.

Smoky Hill Rehab Center - NF

2/2/10: Health survey, immediate jeopardy cited (corrected). Recommend \$5,000 CMP; payment denial for new admissions 5/2; terminate provider agreement 8/2.

Shawnee

Shawnee Gardens Healthcare & Rehab Center - NF

1/22/10: Health survey, actual harm cited. Recommend payment denial for new admissions 4/22; terminate provider agreement 7/22.

South Hutchinson

Mennonite Friendship Manor - NF/ALF

11/16/09: Abbreviated survey. Offsite desk review only.

Stafford

Leisure Homestead - NF

1/11/10: Revisit of health survey. Recommend payment denial for new admissions 2/24; terminate provider agreement 5/24.

Tonganoxie

Tonganoxie Nursing Center - NF

12/21/09: Health survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 1/15/10; terminate provider agreement 6/21/10.

Topeka

Eventide Convalescent Center - NF

12/2/09: Health survey, actual harm cited. Recommend payment denial for new admissions 3/2; terminate provider agreement 6/2.
1/15/10: First revisit of health survey. Remedies continue.

Lexington Park Nrsng & Post Acute - NF

1/6/10: Abbreviated survey. Offsite desk review only.

Rolling Hills Health Center - NF

12/22/09: Abbreviated survey. Offsite desk review only.

Topeka Community Healthcare - NF

12/8/09: Abbreviated survey. Offsite desk review only.
1/27/10: Abbreviated survey. Offsite desk review only.

Westwood Manor - NF

1/20/10: First revisit of health survey. Recommend \$1,000 CMP starting 1/20; payment denial for new admissions 2/15; terminate provider agreement 5/19.

Making Elder Care Better for 35 Years

Tribune

Greeley Co. Hospital - LTCU

12/3/09: First revisit of health survey. Recommend payment denial for new admissions 1/8; terminate provider agreement 4/8.

1/14/10: Second revisit of health survey. Payment denial for new admissions imposed 1/5; remedies continue.

WaKeeney

Trego Manor - NF

12/1/09: Abbreviated survey.

Wakefield

Golden LivingCenter - NF/ALF

11/23/09: Abbreviated survey, actual harm cited, history of noncompliance, NOTC. Recommend payment denial for new admissions 12/26/09; terminate provider agreement 5/23/10. 1/5/10: First revisit of 11/23/09 abbreviated survey. Payment denial for new admissions imposed 12/26/09; remedies continue.

Whitewater

Wheat State Manor - NF

11/13/09: Second revisit of health survey, actual harm cited. Payment denial for new admissions imposed 11/26; recommend \$1,500 CMP; terminate provider agreement 2/26/10.

Wichita

Kansas Masonic Home - NF

1/26/10: Abbreviated survey. Offsite desk review only.

Manorcare Health Services - NF

11/19/09: Abbreviated survey. Offsite desk review only.

12/29/09: Abbreviated survey. Offsite desk review only.

Wichita Presbyterian Manor-NF/RHCF

11/19/09: Health survey, actual harm cited. Recommend payment denial for new admissions 2/19/10; terminate provider agreement 5/19/10.

Winfield

Good Samaritan Society - NF/ALF

1/14/10: Abbreviated survey. Offsite desk review only.

Enforcement Actions

The Kansas Department on Aging is responsible for regulating most licensed adult care homes. The following information is reproduced from KDOA records. This listing represents civil monetary penalties (fines), bans on admission, license revocation actions and other enforcement proceedings by KDOA against licensed adult care homes other than nursing facilities, and for nursing homes that are private pay. All homes may appeal any of these actions except when they have reached a final settlement agreement with KDOA. **This information is the most current available to KABC as of 1/28/2010. Comments regarding the accuracy of this information should be directed to KDOA, 800-432-3535.**

Haviland

Home Again Senior Living LLC - HP

Case #09-LCEB-13 12/8/09
Ban on new admissions. (lifted 12/21)

Case #09-LCE-123 12/10/09
CMP \$9,000: *Staff treatment of residents.

Iola

Fountain Villa - RHCF

Case #09-LCEB-14 12/14/09
Ban on new admissions.

Kansas City

Johnsonville Home LLC - HP

Case #09-LCE-115 12/22/09
CMP \$900: *Facility administration of medications.

Lakin

Pioneer Home LLC -

Case #09-LCE-126 12/18/09
CO: *Delegation of duties; *Infection control policies; *Self administration assessment content; *Delegation of medication administration; *Medication regimen review

Case #09-LCE-126 1/19/10
CMP \$800: *Medication regimen review.

Milan

Beaver Creek Village, Inc. - HP

Case #10-LCEB-1 1/26/10
Ban on new admissions.

Case #10-LCE-5 1/28/10
CMP \$10,000: *Staff treatment of residents.

Olathe

Southern Hospitality Home LLC - HP

Case #09-LCE-128 12/23/09
CO: *Notice of rights & services; *Admission advance directives/resident rights; *Functional capacity screen; *Negotiated service agreement; *Delegation of duties; *Health care services; *Staff qualifications/employee records; *Medication storage; *Written emergency plan; *Infection control policies.

Case #09-LCE-128 1/19/10
CMP \$2,000: *Staff qualifications/employee records.

Solomon

Whispering Timbers - RHCF

Case #09-LCE-127 12/26/09
CO: *Functional capacity screen; *Negotiated service agreement.

Case #09-LCE-127 1/11/10
CMP \$2,400: *Functional capacity screen; *Negotiated service agreement.

Wichita

Arbor Homes-Marjorie - HP

Case #09-LCEB-12 12/8/09
Ban on new admissions. (lifted 12/17)

Case #09-LCE-122 12/8/09
CMP \$350: *Plumbing & piping/water temperature.

(* indicates regulation violated)

New Alliance Launched to Improve Quality of Life for Consumers

Washington, DC - A group of the nation's leading health, consumer and aging advocates has formed a new alliance to make sure that the 10 million people needing long-term care services and supports in the US receive the highest quality of care, regardless of the setting in which it is delivered. The Long-Term Quality Alliance (LTQA) aims to broaden efforts to improved quality of care to include community-based settings as well as nursing homes. It will do so by fostering “person-centered” quality measures for people who need long-term services and supports to enhance their quality of life, reduce unnecessary hospitalizations and utilizations, and decrease costs.

“The way we currently measure the quality of long-term care in this country focuses too much on clinical services delivered in nursing homes. The perspectives of consumers and their family caregivers have largely been ignored,” says Alliance Chair Mary Naylor, PhD, RN. “In this rapidly changing long-term care environment, we need to advance a set of measures that reflect what is important to consumers and apply those across all settings. Providers also need access to best practices that will improve the quality of their services. Although long-term services and supports have a major impact on health, health costs and quality of life for millions of frail and chronically ill people, efforts to improve the quality and value of this sector, especially outside of the institutional setting, have been absent from the national health care debate,” says Naylor.

The alliance will focus initially on two important health care issues that have been identified as national health priorities - how to improve care coordination or transitions in care, and how to avoid unnecessary hospital admissions among frail and chronically ill people. These two areas offer the greatest promise for improving quality, consumer experiences, and efficiency as well as reducing costs. The Alliance's key priorities include:

- Identifying which performance measures and evidence-based practices offer the most promise for assessing and improving quality of care and quality of life for people receiving long-term care
- Recommending ways to apply available measurement and performance improvement strategies in high priority areas such as care coordination more consistently and appropriately in a wider range of clinical and community settings
- Proposing ways to build on, reinforce and create momentum for other quality initiatives currently underway
- Achieving tangible improvements in care through pilots, demonstrations, technical collaboration and other efforts.

(article taken from a January 5, 2010 press release provided by NCCNHR)

Volunteer Ombudsman ~ Support for Nursing Home Residents

The mission of the Long-Term Care Ombudsman Program is to advocate for the health, safety, and rights of the residents of Kansas long-term care facilities. Volunteers have a real and positive impact for elders. Belinda Vierthaler, current State LTC Ombudsman, is appealing for 150 new volunteers. You can have a real and positive impact for elders.

- Ombudsman have legislative authority to enter a nursing facility, see all residents and staff members and speak privately with them in order to fulfill the program's mission.
- Ombudsmen act as a "moral guide" encouraging respect for the principles and laws facilities must abide by in caring for residents. They are fact-finders and mediators for residents; helping residents to help themselves by negotiating to resolve problems.
- The work of a Certified Volunteer Ombudsman is challenging, sometimes frustrating, but always worthwhile. Give hope & help to a resident. When resident's are alone, dependent and desperate for some reassurance, a bit of hope and help can go a long way.

For more info, visit http://www.kansasombudsmanksgov.com/vol_duties.php or call 877-662-8362.



DO YOU NEED AN ADVOCATE?

KANSAS
OFFICE OF THE STATE
LONGETERM CARE OMBUDSMAN

For More Information Call
Toll Free
(877) 662-8362
or 785 296-3017

Kansas Long-Term Care Ombudsman Program
Lawrence Office: 1000 West 15th Street, 2000 2nd Floor
Salina Office: 1001 10th Street, Room 66412
Emporia Office: 1000 10th Street
Website: www.kansasombudsmanksgov.com

An Ombudsman advocates for the well-being, safety and rights of residents of Kansas Long-Term Care facilities.

Training news

KABC has been awarded two grants for trainings in 2010 from the Kansas Department on Aging (KDOA). Please join us for any of these trainings.

The “**Preventing Elder Abuse, Neglect and Exploitation**” grant will fund training in nine Kansas nursing homes. The training is for preventing financial abuse of vulnerable adults in nursing homes with a special focus on financial abuse. Isla Richards, RN will co-present with financial professionals April - June. Presentation materials will be available at www.kabc.org

A **Workforce Enhancement Grant** allows KABC to provide training in nursing homes interested in pursuing person-centered care. KABC Executive Director **Mitzi McFatrigh** will co-present with **Regional Long-Term Care Ombudsmen** on Person-Centered Care, Resident Rights, & Team Building. Presentations will be made in 15 nursing homes to approximately 675 staff.

As always, family, residents and friends are encouraged to attend.

Call the office for dates, times and locations, or watch the newsletter.

Need Dental Care? Medicaid Can Help.

Although dental care of teeth and gums is vitally important, it is often difficult to get when you live in a nursing home. Like eye exams, dental care often requires that the resident leave the nursing home to see a practitioner. Transportation and payment are two big stumbling blocks. As we age we suffer from general erosion of our teeth, tooth and root decay or loss, oral cancer, gum disease, poorly fitting dentures and dry mouth. Daily oral care and routine professional care is essential for maintaining health overall health. Frail elders sometimes need assistance daily to brush and floss.

PETI (Post Eligibility Treatment of Income) allows for residents living in nursing facilities and receiving Medicaid to have dental and other medical expenses paid. The way it works: the nursing home resident's monthly payment to the facility may be reduced by the amount of allowable out-of-pocket medical expenses.

Usually people on Medicaid in licensed adult care facilities must surrender their income, whether it is Social Security, pensions or other sources each month to help pay for their care. Each person is allowed to keep \$62 per month for personal needs. Under the PETI provision, Medicaid residents are allowed to set aside part of their income each month to pay for out-of-pocket medical expenses, such as dental care or other non-covered health care. Medicaid, in turn, increases its reimbursement to nursing facilities to compensate for the money the resident sets aside to pay for uncovered health care.

The downside to PETI is that you're required to follow certain steps to assure payment, and there is a lag between request for payment and when payment occurs. Nursing facilities and Social and Rehabilitation Services (SRS) case workers should be familiar with this patient liability provision. Dentists are encouraged to work with SRS to ensure nursing facility residents are receiving the dental care they need.

In short, this is how it works:

1. Dentist provides treatment to nursing home resident who receives Medicaid.
2. Dentist provides a bill for treatment charges to the resident.
3. Resident gives the bill to the SRS case worker who works with the nursing facility to provide the payment amount that the resident will hold back to pay the dentist. SRS case worker verifies the charges and that no other insurer or payer exists.
4. Once the SRS worker makes the payment adjustment to the nursing facility, then the resident pays for the dental services.



**Kansas Advocates
for
Better Care**

Making Elder Care Better for 35 Years

Founded in 1975 as **Kansans for Improvement of Nursing Homes**
by concerned citizens like you.

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Lenette Hamm, *Office Manager*

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