

KENTUCKIANS FOR NURSING HOME REFORM NEWSLETTER

COMMENTS ON A CNA'S EMAIL

Last week we sent you an email we received from a CNA. It was so powerful that many of you commented on it. We want to share those comments with you, but there are so many there would not be room in this newsletter. So please go to our Web site to find both the message and the comments. We guarantee you will find it interesting reading. Just click on <http://www.kynursinghomereform.org>

JAN SCHERRER IS OUR NEW PRESIDENT

The board of directors of *Kentuckians for Nursing Home Reform* has elected **Jan Scherrer** of Versailles the new president of the organization. **Bernie Vonderheide** was named vice president, chairman of the board and founder. **Sandra Lykins** was reelected secretary; and **Tom Kring** was reelected treasurer. Ms. Scherrer is a speech pathologist with experience working in Kentucky nursing homes and hospitals. Her husband, David Weatherly, is an engineer at Lexmark. They have two beautiful children. Jan will be happy to talk to you about nursing home reform. Just call her at **(859) 948-5964** and offer her your support.

LAWMAKERS: HERE WE COME AGAIN

Thanks to **Rep. Carl Rollins**, D-Midway, *Kentuckians for Nursing Home Reform* will again have two bills before the Kentucky General Assembly. One is a bill to mandate a certain amount of staffing in Kentucky's nursing homes; and the other is to make nursing homes display their new federal Five-Star ratings in a prominent place.

Rep. Rollins believes strongly in quality nursing home care and is happy to introduce these two key bills. He is as adamant about not giving up as we are. Rep. Rollins is a great friend of nursing home reform.

In spite of trying, we have not yet been successful in getting enough lawmakers to work with us. Our effort to get mandated staffing standards gets pounded down by Kentucky's wealthy nursing home industry every time, and we have been trying this for several years now. The money they wave before lawmakers turns them away from helping people in nursing homes. It's nothing illegal. It's the time worn process of "money talks," and in Kentucky's legislative halls it really does.

This time, lawmakers really need the nursing home money to finance their own re-election campaign.

What we do have to fight that big money of the nursing home industry is YOU.

We need you to call your own lawmaker and tell him or her you want them to vote for mandatory staffing standards in nursing homes and to display their quality ratings right out front where everyone can see how good, or bad, they are.

Will you do it? Will you take time to call your legislator? If your answer is “yes,” please read on.

HOW TO CONTACT YOUR LEGISLATOR, STEP BY STEP.....

1. To find out who your Kentucky senator and representative are, call your local Board of Election, or the County Clerk’s office, or the League of Women Voters, or go to your computer and log on <http://www.vote-smart.org/index.htm> and enter your home zip code.
2. If you want to call, dial toll free **1-800-372-7181** and leave a message for your legislator. You will probably want to send the same message to both your state senator and state representative.
3. OR, speak to your legislator directly. Just call **1-502-564-8100** and ask the operator to connect you with the legislator. If he is not there, tell the secretary, “I am one of his constituents and I would like for him to call me.” Most likely, he will call you back.
4. Or, you can send your legislators an **email**. Just go to <http://www.lrc.state.ky.us/> and click on Who’s My Legislator, then go to your legislator’s page where it will either give you his email address or a form to use in emailing him or her.

Be sure you know the numbers of the bill. Our bill on posting the federal quality ratings is **House Bill 156**. And the mandatory staffing standards bill is **House Bill 157**.

Please don’t convince yourself that your one call won’t matter. It is your right as a citizen, and every single call or email does matter. Otherwise, your legislators will assume that you simply don’t care one way or the other. They want to hear what you think.

LIMESTONE CROSSING PROJECT ON HOLD

The **Limestone Crossing** continuing care community that was planned for the Brannon Crossing Road area on the Jessamine-Fayette County line has been canceled. “We are in a re-thinking period,” said **Matthew Weaver**, executive vice president of Praxeis, the Florida company chosen by the University of Kentucky to build independent living, assisted living and skilled nursing care units. The site for the complex actually was in Jessamine County. The zoning application was turned down by the Jessamine County planning commission last summer. Praxeis has met with UK officials to request they try to find another site, but the entire idea seems to be on a “back burner” right now, Mr. Weaver said.

WANNA COMPLAIN?

A lot of people want to complain about the care their loved one is getting in a nursing home. We always encourage them to talk to nursing home nurses and the administrator, and to the nursing home ombudsman..... but sometimes they want to go further, so we refer them to the state Office of Inspector General in the Cabinet for Health and Family Services. But whom do you call?

Answer:

If you want to start at the top call

Sue Hornstein, deputy inspector general, at (502) 564-6546, Ext. 4240.

Or, you can call a regional complaint coordinator, and they are:

Hopkinsville, Pat Estes, (270) 889-6052

Louisville, Millie Zumstein, (502) 595-4958

London, Sandy Goins, (606) 330-2030

Lexington, Connie Payne, (859) 246-2301

If you want to know what counties each of them covers, and you have a computer, go to

<http://chfs.ky.gov/os/oig/regions.htm>

We suggest you clip this item, just in case....

TELL YOUR STORY

It's a fact that few people understand the abuse and neglect that goes on in many nursing homes because they have not experienced it themselves. Many of our most passionate nursing home reform supporters have literally "been there and done that." And some of their stories about experiences with loved ones in nursing homes will make your hair stand on end. We also get many stories from employees of nursing homes. We never give their identity because they would be fired if their bosses knew they were even talking to us. (On this, be sure you read the first item above.)

Now there is a Web site where you can tell your story, and remain anonymous. One of our supporters in Louisville started it because of the sorry treatment his mother had in a nursing home. In fact, if you get on his Web site now, you can read his story.

We need to make the public aware of what's really happening in nursing homes. So take a few minutes and send your story to the Web site, "**Nursing Home Reality.**" Read it first and see what others have had to say, and then send in your story.

We will collect these stories and send them to lawmakers and other officials who could do something about nursing home reform, if they only understood. Maybe your story will help them realize what needs to be done.

The Web site is: <http://www.nursinghomereality.wordpress.com>

QUOTABLE QUOTE

"While working in nursing homes, I saw first hand the need for more regulation of these businesses. I saw people left for days without wound dressings being changed, saw two dementia patients left by the staff facing each other with their wheelchairs locked for long periods of time. I tried to institute a stroll outside program, but was the only one who would take the resident outside. Many residents said they had not been outside for more than a year." –
Email from a former nursing home employee.

SHORT STUFF

- **Mary Begley** of Danville is the new Inspector General in the Cabinet for Health and Family Services succeeding **Sadiqa Reynolds** who was appointed to a judgeship in Louisville. Ms. Begley was the executive director of the ombudsman office in the cabinet (not to be confused with the state long-term care ombudsman) and before that was in charge of customer and physician relations at the Emphraim McDowell Health center in Danville. She also is a licensed registered nurse with a bachelor's degree in nursing

from Eastern State University. Her goal in the new job, she says, is “to leave things in a better place than I found them....” She will have to do that under threatening state budget cuts and 85 nurses, social workers, dieticians and others statewide who make up the nursing home inspection teams.

- **Martha Coakley** is a trouble-maker as far as nursing home reform goes. She is the Massachusetts attorney general who ran for **Sen. Ted Kennedy's** senate seat and lost to Republican **Scott Brown**. Her loss means that the Democrats do not have the 60 votes necessary to overrule Republican debate and thus filibuster the legislation to death. Regardless of whether you are for or against health care reform, the legislation also contains numerous amendments that would significantly improve nursing home care, and now all that effort may go for naught. What is ironic and sad is that Ms. Coakley is the same person who recently led the letter-writing campaign among attorneys general across the U.S. – including Kentucky's **Jack Conway** – in opposition to the new federal Five-Star Rating System for nursing homes.
- Kentucky **Attorney General Jack Conway** says income from the sale of his special Kentucky auto license plate that says, “I Care About Kids” is funding regional child sexual abuse prevention programs. Which begs the question: When will the attorney general come up with a plate that says, “I Care About Old People” to fund prevention programs on abuse and neglect in nursing homes?
- In his recent budget message, **Gov. Beshear** recommended \$18 million in General Fund bonds be spent for replacement of the **Glasgow State Nursing Home**, a long-term care nursing facility for seniors with mental illness or mental retardation. This building has structural problems and must be replaced, and this budget proposal funds construction.
- Just to show you how pitiful things are in Kentucky when it comes to paying attention to the needs of the state's older folks: An **Institute for Aging** meeting has been rescheduled several times and finally canceled because there were not enough people coming to make a quorum.....A **Medicaid Advisory Committee** meeting had only three members show up leaving the Commissioner of Medicaid services befuddled.....And to top it all off, Gov. Beshear's recent “State of the State” address mentioned not a single word about issues facing the ever-growing aging population.
- The annual report on elder abuse in Kentucky which is due to come out very soon will not contain information on how much abuse has been found and substantiated in nursing homes, according to **Jim Grace** of the Department of Community Based Services. They just couldn't change the system in time, Mr. Grace told us. Advocates for nursing home reform have been pushing the state to adjust their tracking system called TWIST so that such information can be shown. Mr. Grace said they are hopeful that by next year they will be able to include such data.
- *The Chicago Tribune* has been investigating nursing home care in Illinois, and out of a hard-hitting series of articles has come action by Illinois **Gov. Pat Quinn**. The governor's Nursing Home Safety Task Force has made 27 recommendations to improve care including the mixing of geriatric and mentally ill residents, tightened criminal background checks of employees, and an increase in minimum staffing requirements. **Wendy Meltzer**, an advocate for nursing home reform in Illinois, said the task force

“recognized the breadth of the problem they are facing.” *Kentuckians for Nursing Home Reform* has asked **Gov. Steve Beshear** to form a task force to consider action to improve care in nursing homes in Kentucky, but so far there has been no answer.

- **Kindred Healthcare of Louisville**, the giant corporation that owns nursing homes in Kentucky and all over the nation is expanding again with facilities in Indiana, Ohio, Texas, Florida, California and Washington markets. Kindred’s revenue totaled \$4.2 billion for its last fiscal year. When you talk about the big boys in nursing home care, Kindred is one of them.
- The **Department of Aging and Independent Living** dodged a budget bullet in the recent cuts to state program, according to Commissioner **Deborah Anderson**. Except for about a half million dollars in audit recovery funds from the Area Agencies on Aging, “there will be no cuts to the (our) programs, a happy Ms. Anderson said. But there are more possible budget cuts to come, and “We will be holding our breath,” Ms. Anderson added.
- Speaking of that very **tight state budget**, a visitor to the Cabinet for Health and Family Services walked around two floors of the huge agency and saw many empty offices. No workers; just vacant desks. Lesson is that this tight state budget thing is pretty bad right now. Some of those empty offices used to have people in them helping citizens with their problems. But not now.
- The **U.S. Supreme Court** has ruled that corporations cannot be limited on how much money they give to candidates’ election campaigns. We can just hear the money jingling in the deep pockets of the nursing home industry which now has a clear path to getting anything they want. And what they want is not quality care.
- **Good news:** The percent of nursing home residents in physical restraints declined by 53 percent. Amazing! **Bad News:** The percent of nursing home residents on psychoactive drugs – often used as chemical restraints – increased from 61.4 percent to 65.24 percent – all this according to nursing home guru **Charlene Harrington** at the University of California/San Francisco. It is alleged by some investigators that drugs are being used more and more to replace staff. Drugged residents don’t need staff care because they are knocked out for long periods.
- We end on a social note: Congratulations are in order for **Rep. Tom Burch**. That big smile this trimmed-down lawmaker wears at legislative meetings is probably because he just got married (last November). Mr. Burch is someone who bears watching, but now someone besides nursing home reform advocates can do it in the person of his new bride, **Pat McDevitt**.

YOUR DOLLARS CAN HELP

This Newsletter is published by *Kentuckians for Nursing Home Reform*, a non-profit organization comprised of volunteers working to improve the lives of the 23,000 “Forgotten Kentuckians” destined to live out their lives at the mercy of nursing homes. If you would like to assist in our charitable work by helping underwrite expenses of conducting educational seminars, lobbying

for residents' rights in the State Legislature, or publishing informative materials, you may send your contribution to Kentuckians For Nursing Home Reform, 1530 Nicholasville Rd., Lexington KY 40503. Contributions are tax deductible as allowed by law. To volunteer, write to the same address or e-mail KyNursingHomeReform@yahoo.com. Thank you.

MEMORIALIZE YOUR LOVED ONES

Kentuckians for Nursing Home Reform is a non-profit organization. That means that any donations to the organization are tax deductible by the donor. With that in mind, we offer for your consideration the thought that memorials at the time of the passing of a loved one or friend could be in the form of donations to *Kentuckians for Nursing Home Reform*, 1530 Nicholasville Road, Lexington, KY 40503.

A SPECIAL MESSAGE ABOUT HAITI...

While we work to improve life here for our 23,000 forgotten Kentuckians living in nursing homes, our thoughts and prayers are also with the nursing home residents in Haiti who are enduring unspeakable suffering as the result of the recent earthquake. May they soon receive the aid and comfort they so desperately need.

*Sincerely,
Jan M. Scherrer,
President, Kentuckians for Nursing Home Reform*

THAT'S IT FOR THIS TIME, BUT DON'T FORGET....

MORE THAN 23,000 PEOPLE IN NURSING HOMES IN KENTUCKY NEED US. THEY ARE KENTUCKY'S "FORGOTTEN PEOPLE."

KENTUCKIANS FOR NURSING HOME REFORM

E-mail: KyNursingHomeReform@yahoo.com
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Telephone: (859) 948-5964

P.S.

Perks of reaching 50 or being over 60 and heading towards 70!

1. Kidnappers are not very interested in you.
2. In a hostage situation you are likely to be released first.
3. No one expects you to run--anywhere.
4. People call at 9 pm and ask, "Did I wake you?"
5. People no longer view you as a hypochondriac.

6. There is nothing left to learn the hard way.
7. Things you buy now won't wear out.
8. You can eat supper at 4 pm.
9. You can live without sex but not your glasses.
10. You get into heated arguments about pension plans.
11. You no longer think of speed limits as a challenge.
12. You quit trying to hold your stomach in no matter who walks into the room.
13. You sing along with elevator music.
14. Your eyes won't get much worse.
15. Your investment in health insurance is finally beginning to pay off.
16. Your joints are more accurate meteorologists than the national weather service.
17. Your secrets are safe with your friends because they can't remember them either.
18. Your supply of brain cells is finally down to manageable size.
19. You keep reminding yourself that never take a sleeping pill and a laxative on the same night.