

2010-2011 LEGISLATIVE RECOMMENDATIONS

- Establish requirements in Statute for the relocation or termination of residency from an assisted living facility (ALF), including requiring the ALF to send a copy of the written notice for relocation or termination to the program within five days of providing the notice to the resident and permitting the resident to appeal the relocation or termination to a neutral third party.
- Make training for ALF staff members working in ALFs with a limited mental health (LMH) license more stringent, including developing a comprehensive, standardized training curriculum for mental health training, increasing the training hours for staff members from six hours of LMH training to 12, requiring staff members to pass a test with a minimum score of 80 percent, and requiring all staff members who have contact with residents with mental health issues to complete the mental health training.
- Require 40 hours of CORE training for ALF administrators and managers and increase the passing score on the CORE exam to 80 percent.
- Require the Agency for Health Care Administration to survey assisted living facilities annually.
- Revise the Baker Act statutes to exclude individuals with brain injuries, dementia or other related disorders, and disorders included in the definition of "mental illness."
- Allocate additional funding for the Long-Term Care Ombudsman Program to expand recruitment efforts and train new ombudsmen.
- Require all ALF administrators to be licensed through the Department of Health.

WHAT IS THE OMBUDSMAN PROGRAM?

The Long-Term Care Ombudsman Program is made up of over **300 volunteers** who are passionate about improving the quality of life for residents living in nursing homes, assisted living facilities, and adult family-care homes. An ombudsman is a volunteer who advocates for people living in long-term care settings. Each year, the Ombudsman Program is required to publish and present its year-end statistics and recommendations for improvement to federal and state policy makers.



4040 Esplanade Way
Tallahassee, FL 32399-7000
TOLL-FREE 1-888-831-0404
<http://ombudsman.myflorida.com>

"Ombudsmen are lifesavers. Without their considerable assistance and support in contesting a nursing home transfer and discharge of my family, we would have been up the creek without a paddle. The Ombudsman Program is a vital resource for Florida citizens facing the bureaucratic mire of long-term care."



2010-2011 ANNUAL REPORT

OMBUDSMAN
[awm-buhdz-man]

*A Voice for People Living in Florida's
Nursing Homes, Assisted Living Facilities, and
Adult Family-Care Homes*

YEAR IN REVIEW

Florida's Long-Term Care Ombudsman Program is excited to share the noteworthy accomplishments of its dedicated volunteers and staff from October 1, 2010, to September 30, 2011, serving over 168,193 long-term care facility residents:

- Staff and Volunteers investigated **7,534 complaints** concerning residents living in nursing homes, assisted living facilities, and adult family-care homes.
- Volunteers traveled a total of **365,412 miles** in 67 counties to visit residents, investigate complaints, perform annual facility assessments, and educate residents and staff on resident rights and Ombudsman Program services.
- Volunteers gave **18,505 hours of unpaid service**, through **complaint investigations alone**, to long-term care residents.
- The program **expanded its social media reach** with the creation of the "OmBlog," a blog dedicated to unifying the program's volunteers across the state by sharing their success stories and challenges. The program's blog is used as an outreach tool to give the reader an idea of what it's like to volunteer as an ombudsman and to inspire more people to advocate for Florida's most vulnerable population.
- **Volunteers saved the State of Florida over \$1,536,228** in salaries and administrative costs for long-term care residents through hours of unpaid service.
- Volunteers completed **3,347 annual facility assessments** statewide, visiting approximately 86 percent of the licensed long-term care facilities in Florida at least once.



• The program **revamped its training materials** using different forms of media to boost communication, outreach, and education efforts. New forms of training materials include interactive presentations, online training videos, comprehension quizzes, and increased time for field work.

• District managers and volunteers **hosted nine district-wide resident council meetings** around the state. Residents, caregivers, family, facility staff, and ombudsmen gathered during these special events to share ideas, discuss issues, and empower residents to understand and advocate for their rights. This open forum allows residents to have their voices and opinions heard. Facility staff members are encouraged to have supportive relationships and **respect and recognize the preferences, strengths, and needs of their residents as individuals**.

• The State Ombudsman participated in Governor Rick Scott's Assisted Living Workgroup **to develop recommendations** to increase monitoring and safety in assisted living facilities as well as **ensure the well-being of all residents**.

• Program volunteers and staff assisted residents in choosing a new facility and making the transition to a new home as smooth as possible with **200 long-term care facility closures statewide**.

• The program strengthened relationships with



sister agencies and provider organizations to streamline advocacy efforts and improve quality of care on behalf of all long-term care facility residents. One of the concerns addressed was **improving response time to call-lights**.

• The program awarded the **first-ever statewide "Don Hering Excellence in Advocacy Award"** to two outstanding volunteers.

• The program redesigned the **administrative assessment form to focus on resident-centered advocacy** versus regulatory-centered advocacy. This new form gives ombudsmen the opportunity to record their observations and work with residents and staff to make sure the needs of residents are being met.

• Colonel Don Hering, an ombudsman, **received the National Howard Hinds Memorial Award** for his excellence in resident advocacy on local and national issues, including advocating for discharge protections for assisted living facility residents.

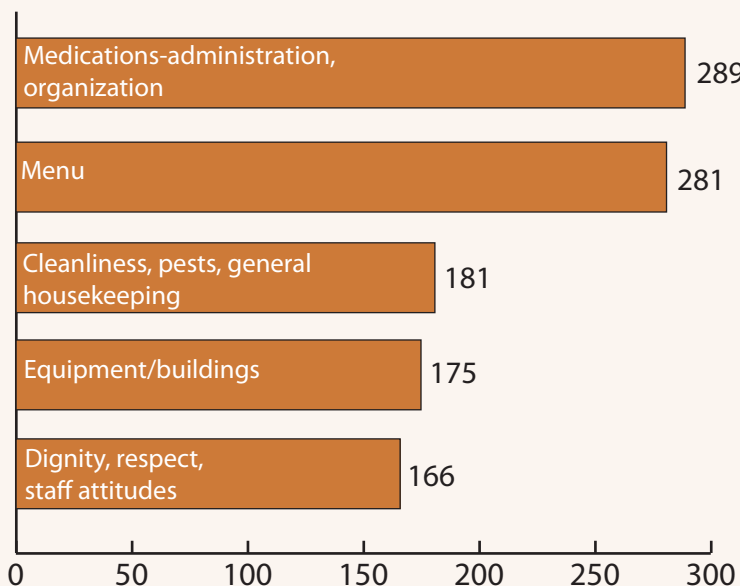
• Several districts **boosted the program's recruitment efforts** by hosting information booths at health fairs, participating in radio and newspaper announcements, and forming community partnerships with local volunteer agencies and civic organizations. Volunteer ombudsmen shared why they give so much energy and time to the program. Our volunteers said:

It's rewarding to help someone; to see something turn around and be better for someone. I enjoy very much being an ombudsman. It gives retirement a purpose.

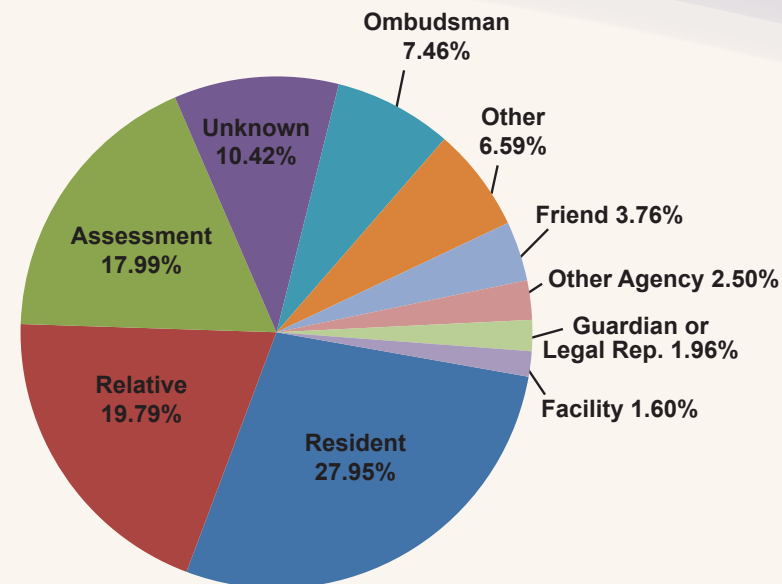
I remembered taking care of my loved ones in their later years and thought more could be done for them. So today, I help other people's loved ones.

Each year, ombudsmen investigate a variety of complaints. Complaints may be made by any person or group concerned for the health, safety, welfare, or rights of long-term care facility residents. Inappropriate medications administration was the most frequent complaint reported in assisted living facilities and adult family-care homes for 2010-2011. Although most complaints were received from residents (27.95 percent), concerns were also reported from relatives and ombudsmen.

Top 5 Complaints in Assisted Living Facilities and Adult Family-Care Homes, FY 2010-2011

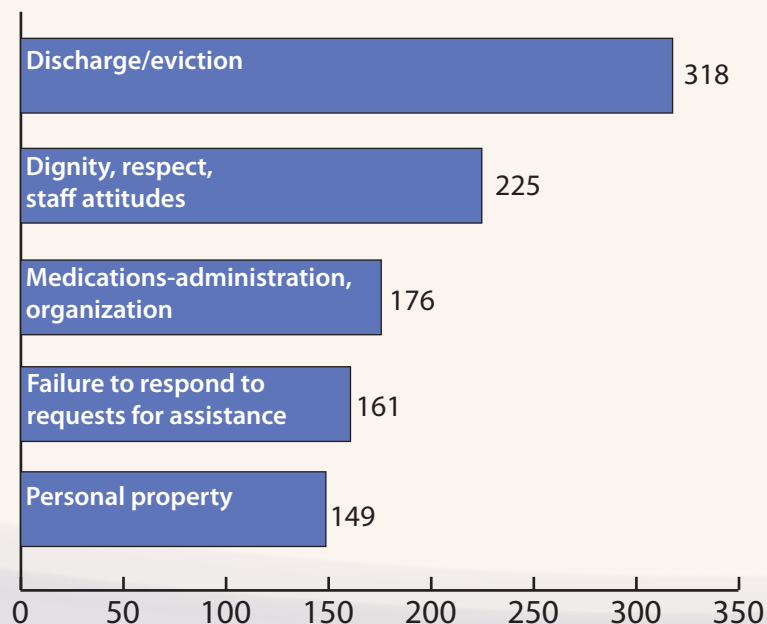


Origin of Complaints in Assisted Living Facilities, Independent Living Facilities, and Adult Family-Care Homes

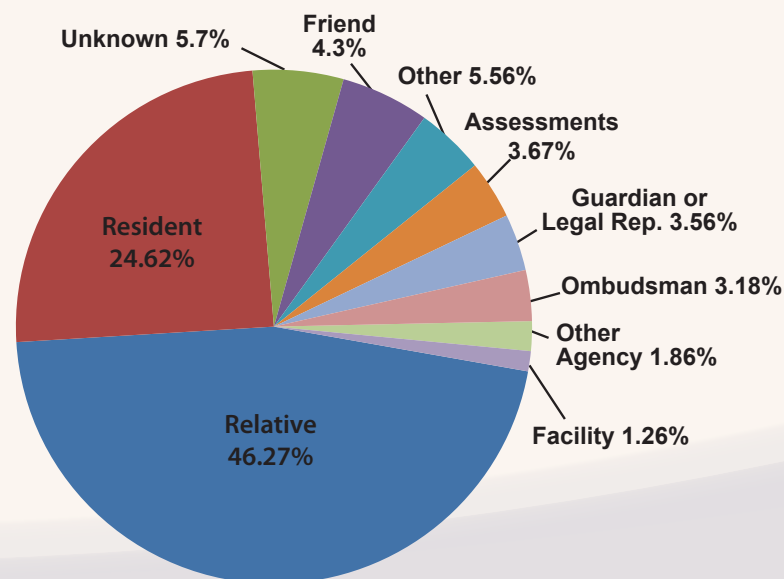


Lack of dignity, respect, and poor staff attitudes (225) was the second top complaint received in nursing homes between 2010-2011, just behind discharge/eviction (318). Relatives and residents were the top complainants, representing over 70 percent of complaints reported in nursing homes.

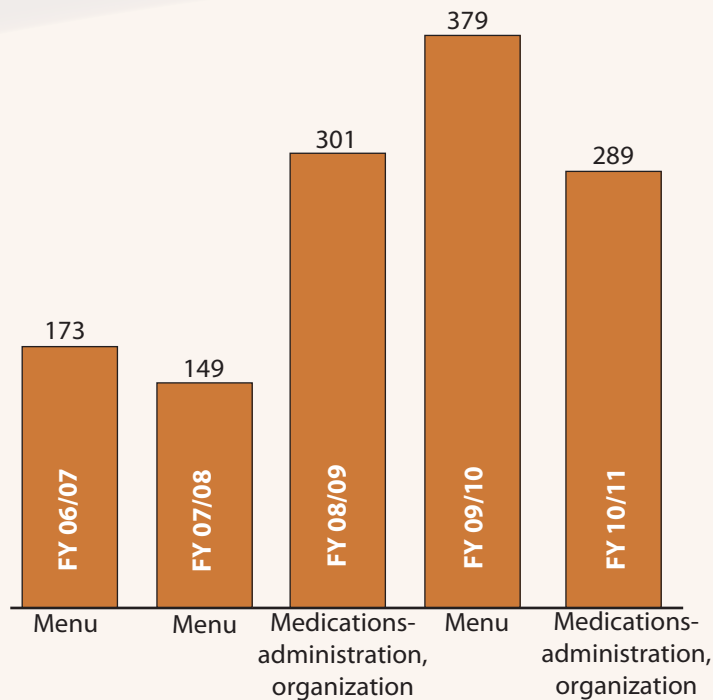
Top 5 Complaints in Nursing Homes, FY 2010-2011



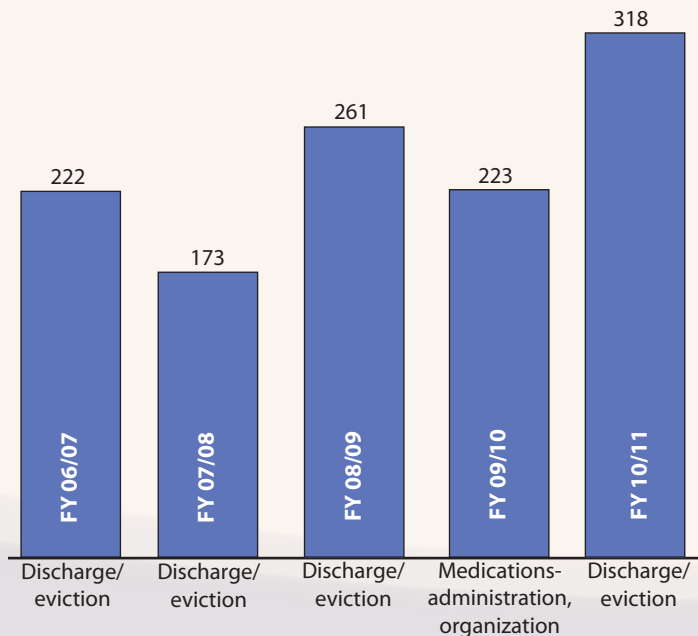
Origin of Complaints in Nursing Homes



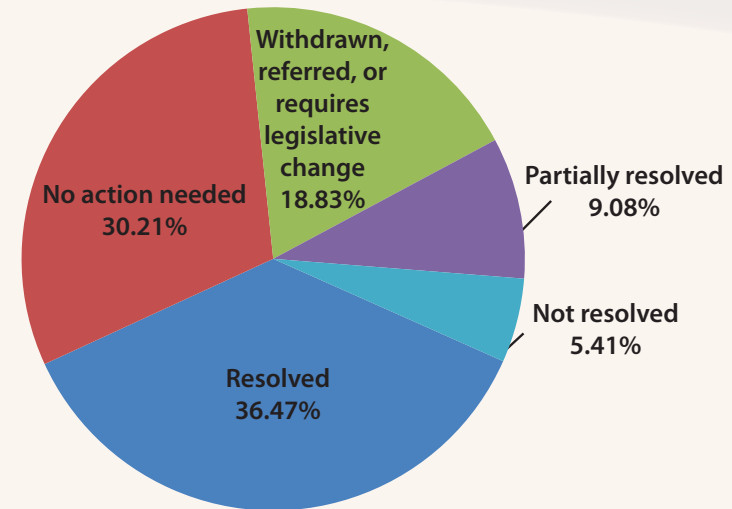
Top Complaint in Assisted Living Facilities and Adult Family-Care Homes, FY 2006-2011



Top Complaint in Nursing Homes, FY 2006-2011



Complaint Resolution, SFY 2010-2011



When a complaint case is closed, one of nine disposition codes is assigned: no action needed, withdrawn, resolved, partially resolved, not resolved, referred-no report, referred-agency failed to act, referred-agency did not substantiate, and requires government/legislative change. Although complaint investigations may result in any one of these codes, the ombudsman strives to work for the resident to resolve each complaint to the resident's satisfaction, working with facility staff members, family members, or other agencies on the resident's behalf. Some complaints, though, require legislative change for a satisfactory resolution for the resident; others require referral to another agency.

Funding by Source, SFY 2010-2011

