#### om • buds • man The National Long-Term Care Ombudsman Resource Center

### OMBUDSMAN ADVOCACY AND CULTURE CHANGE:

#### ACHIEVING RESIDENT-DIRECTED CARE IN DAILY ADVOCACY

**JANUARY 10, 2012** 

### **Your Daily Routine**

Think about your morning routine...

- What do you do first?
- What is your favorite part of your morning?
- What do you do on a daily basis that provides you with comfort, joy, a sense of identity, purpose, and/or security?

### **Underlying Question**

How do we organize our systems around the people who *live & work* in nursing homes to *enhance quality of life*?

### Culture Change: Philosophy and Practice

- Culture change is a transformation in philosophy and practice to de-institutionalize care and create a residentdirected approach in all aspects of life in long-term care
- Culture change includes changing how Ombudsmen communicate with residents, families and providers
- Supporting resident-directed care is important and meaningful at every level including collaboration in coalitions and daily advocacy

### **Culture Change Practices**

- Culture Change is more than environment improvements
- Environmental
  - Remove nurses station
  - Use dinnerware and cloth napkins rather than trays
  - Introduce plants and pets (including resident pets)
  - Create smaller neighborhoods of 10-15 residents rather than "wings"
- Resident-Directed Care and System Change
  - Enable resident choice in all aspects of care and facility decisions
    - Individualized care plans, include resident in hiring process and community dietary decisions, implement consistent staff assignment

### Resident-Centered Language ("person-first")

Institutional Language	<b>Resident-Centered Language</b>
Nourishment	Snack
Bibs	Napkin, Clothing protector
Diapers, Pull-ups	Briefs, Panties, Attends, Brand names
Dietary services, Food service	Dining services
Ward, Unit	Village, Neighborhood
Nurses' station	Work area, Den, Support room, Desk
Patient	Resident, Client, Neighbor, Friend
Residents known by diagnosis	Their name Learn it!
Wanderers	People who like to walk
100-bed facility	100 people live in this home

"Our nation has been conducting investigations, passing new laws and issuing new regulations relative to nursing homes at a rapid rate during the past few years.

All of this activity will be of little avail unless our communities are organized in such a manner that new laws and new regulations are utilized to deal with the individual complaints of older persons who are living in nursing homes.

The individual in the nursing home is powerless. If the laws and regulations are not being applied to her or to him, they might just as well not have been passed or issued."

Commissioner Flemming (AoA-TAM- 76-24)

### **Ombudsmen, OBRA and Culture Change**

#### **Older Americans Act**

- Support community efforts to improve long-term care
- Advocate for quality care and rights of residents at the individual and systemic level
- Resolve problems by representing the interest of the resident
- Act on residents' behalf in response to action or inaction by providers, public agencies and others that may adversely affect the resident

#### **Culture Change**

- Provide information to residents, families and providers regarding culture change and resident-directed care
- Promote resident-directed care and culture change during complaint resolution
- Collaborate with others for widespread change and promote culture change as systems advocacy

### **Ombudsmen, OBRA and Culture Change**

#### **OBRA**

- Right to the highest practicable physical, mental, and psychosocial well-being of each resident
- Right to be treated with consideration, respect and dignity
- Right to self-determination and choice

Culture Change/ Pioneer Principle

- Respond to spirit, as well as mind and body
- Know each person
- Relationship is the fundamental building block of a transformed culture
- All elders are entitled to selfdetermination wherever they live

### **Ombudsmen, OBRA and Culture Change**

#### **OBRA**

- Right to participate in community activities
- Right to be informed, participate in care planning and make decisions regarding care
- Right to receive appropriate and adequate care

Culture Change/ Pioneer Principle

- Community is the antidote to institutionalization
- Put person before the task
- Know each person
- Promote the growth and development of all

"Ombudsmen who have embarked on culture change initiatives have found that the effort needs to be comprehensive and long-term and yet needs to be approached in a manageable step by step process."

NORC 2000, Ombudsman Best Practices: Supporting Culture Change to Promote Individualized Care, B. Frank



During a routine visit to Stoneybrook Nursing and Rehab several residents tell you that the food is often cold. You speak with other residents who are also dissatisfied with the food temperatures and would like more than one alternative meal choice. Due to the number of complaints about food, you visit with the Resident Council President, Ms. Jackson. Ms. Jackson says that complaints regarding the food temperature, lack of choice and small servings have been reoccurring complaints in the last few months. Ms. Jackson said the Administrator promises to address their complaints, but it is only better for a week or so and then goes back to normal.

#### **Common Resolution Strategies**

- Seek permission to attend RC meeting and listen to resident concerns regarding dining
- Encourage RC to invite the Dietary Manager to their meetings in order to discuss these issues
- Provide information regarding Residents' Rights
- Support resident petition regarding dining

#### Culture Change Practices/Principles

- Dining Committee (includes residents and staff)
- Discuss different dining styles (e.g. menus, open dining hours, soup and salad buffet, family style)
- Formal feedback from residents regarding dining (e.g. survey)
- A learning circle to discuss their dining experience
- Residents vote on personal recipes for staff to cook
- Resident vegetable garden
- Incorporate cooking into activities

Ms. Young is a 42-year old resident with multiple sclerosis living in Baywater Nursing Home. Prior to needing 24-hour nursing care and moving into Baywater, Ms. Young worked as Physician's Assistant. The Administrator, Mr. Brooks, calls you to discuss a pending discharge notice for Ms. Young. Mr. Brooks claims Ms. Young is violating the right to privacy of other residents by getting involved in their complaints. Mr. Brooks claims Ms. Young often tells the staff that she is more knowledgeable than they are and they should stop making mistakes. He states that the nursing staff feels threatened by her and do not want to assist her or provide care. Mr. Brooks also says Ms. Young is particularly close to a nurse on staff. Occasionally Ms. Young complains openly about how Mr. Brooks manages the nursing home and treats his staff. Mr. Brooks says he and his staff have spoken with Ms. Young about getting involved in other residents' complaints, about her relationship with the staff and about her personal complaints, but they cannot meet her needs and have to issue a discharge notice.

#### **Common Resolution Strategies**

- Provide information regarding residents' rights and discharge appeal rights
- Speak with Administrator regarding resident's rights and discourage discharge notice
- Recommend meeting with staff and resident to discuss resident needs
- Identify if the other residents want her involved in their complaints

#### **Culture Change Practices/Principles**

- Identify what is meaningful to the resident and encourage staff to meet those needs
- Is the resident involved in the RC? A leadership role in the RC?
  - PEER Training to be a resident advocate?
- Are there other younger residents? If so, do they have shared interests?
- Encourage an open dialogue between her and the direct staff
- Include her in staff training for a resident perspective
- Volunteer in the community? Hospice volunteer in the nursing home?

### **Complaints and Culture Change**

If LTCO focus on culture change activities, who will address the problems in facilities?

Is focusing on culture change the best use of ombudsman time given the <u>chronic</u> issues we deal with every day?

<b>Top 10 Complaints (2006-2010)</b>		
Code	Complaint	
41	Failure to respond to requests for assistance	
19	Discharge/eviction- planning, notice, procedure, implementation, abandonment	
26	Dignity, respect - staff attitudes	
44	Medications - administration, organization	
40	Accidental or injury of unknown origin, falls, improper handling	
42	Care plan/resident assessment - inadequate, failure to follow plan or orders	
71	Food service - quantity, quality, variation, choice, condiments, utensils, menu	
45	Personal hygiene (includes nail care & oral hygiene) dressing & grooming	
Two of the Top 10 Complaints Alternate Between the Three Codes Below:		
66	Resident conflict, including roommates	
48	Symptoms unattended, including pain, pain not managed	
79	Equipment/Buildings - disrepair, hazard, poor lighting, fire safety, not secure	

### **Chronic Issues**

### NORS: Top 3 Complaints from 2006-2010

- 1. F-41: Failure to respond to requests for assistance
- 2. C-19: Discharge/eviction-planning, notice, procedure, implementation, including abandonment
- 3. D-26: Dignity, respect- staff attitudes



# How do you respond to complaints regarding call lights?

### **Call Lights and Culture Change**

#### • What do residents want?

o Relationships with staff and other residents

#### • What do caregivers want?

 "CNAs defined good caregiving as based on the establishment and maintenance of good relationships with residents..."

#### Pioneer Principle

 Relationship is the fundamental building block of a transformed culture

### What is the "root cause?"

#### • What is the residents' routine?

- When are call lights used the most?
- What is the most common request for help?
- Can the staff anticipate the residents' needs?
- Do residents actively participate in their care plans?

#### • Facility schedule or residents' schedule?

- Is there a rigid morning schedule or do residents wake as they wish?
- Do shower schedules honor resident preferences?

### What is the "root cause?"

#### Not enough staff? High turnover?

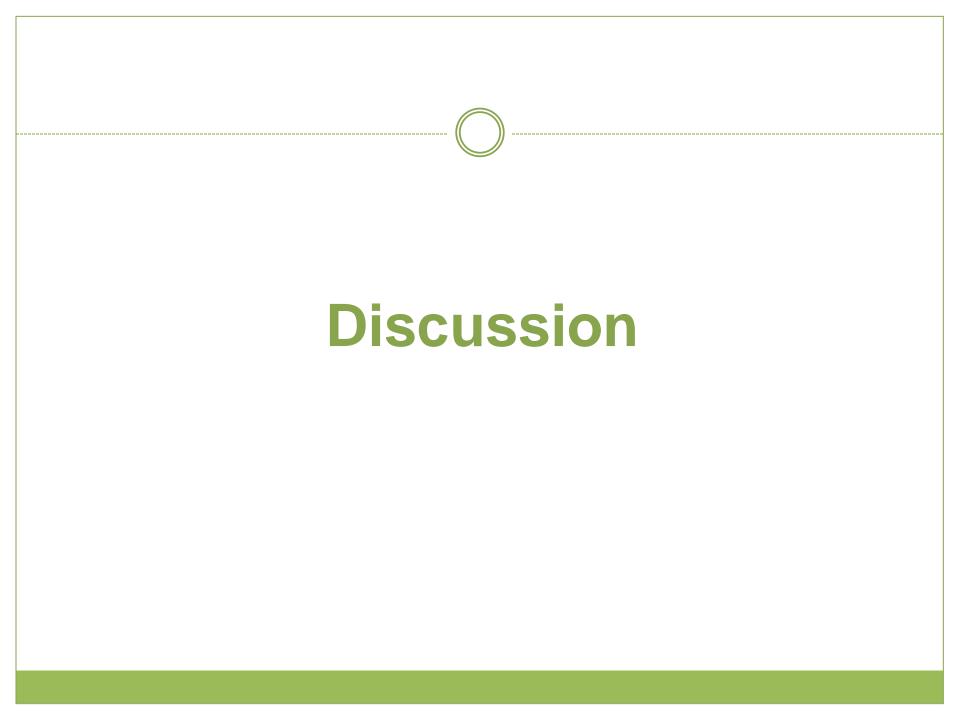
- Consistent Assignment
  - Better understanding of the residents' routine, better care
  - Better relationships between the staff and residents
  - Increased staff and resident satisfaction, less staff turnover

#### • Why are call lights ignored?

- Who usually responds to call lights?
  - "That's not my job."
  - Promote teamwork response and direct care involvement in decisions
  - × Share the residents' perspective of what call lights mean to them

### **Culture Change as Systems Advocacy**

- What are the top 5 complaints in your region/assigned facilities?
  - How could Culture Change practices address those complaints?
- How can you develop a Systems Advocacy plan to respond to those complaints and promote residentdirected care?
  - In-Service training for staff
  - Work with Resident and Family Councils



### In Closing

- Seize daily opportunities to incorporate Culture Change principles and encourage resident-directed care in:
  - Complaint resolution process
  - o Discussions regarding Residents' Rights
  - o Consultations with facility staff, residents and families
  - Your language
  - Systemic advocacy

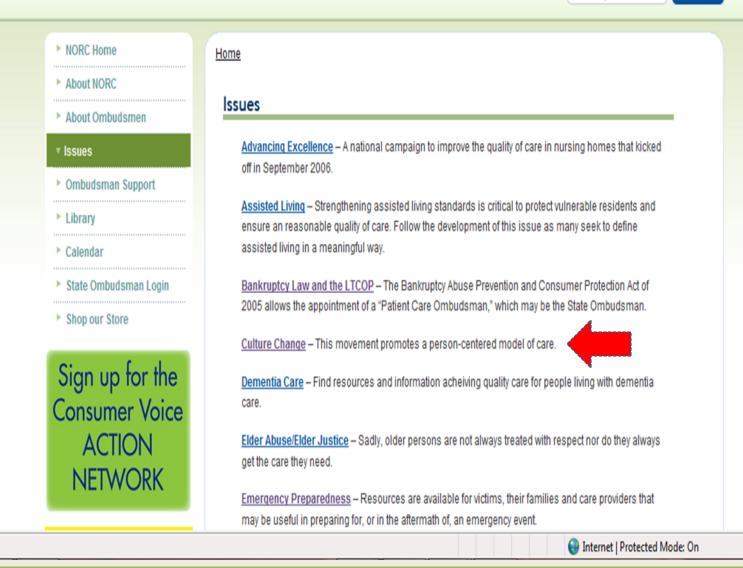
### Resources

- The National Long-Term Care Ombudsman Resource Center (NORC) <u>www.ltcombudsman.org</u>
- The National Consumer Voice for Quality Long-Term Care <u>www.theconsumervoice.org</u>
- Pioneer Network <u>www.pioneernetwork.net</u>
- Advancing Excellence in America's Nursing Homes <u>www.nhqualitycampaign.org</u>
- CMS (Centers for Medicare & Medicaid Services) <u>www.cms.gov</u>
- CMS: Four Part Series- From Institutionalized to Individualized Care (archived webcasts) <u>http://surveyortraining.cms.hhs.gov</u>
- Quality Partners of Rhode Island <u>www.riqualitypartners.org</u>
- PHI National <u>www.phinational.org</u>
- YOU! Please share your success and activities with NORC.

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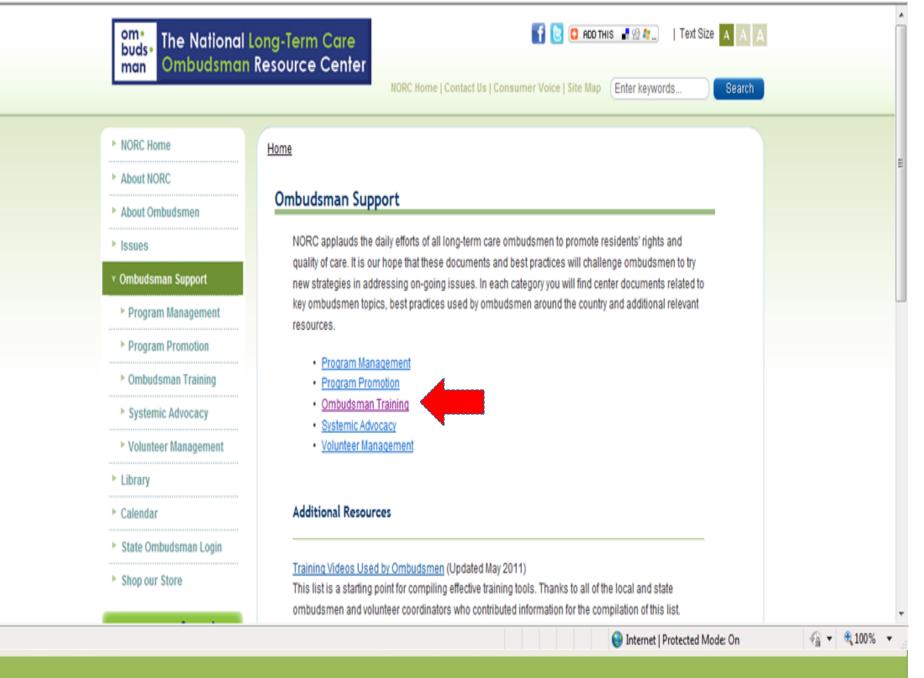
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**v** Resident-Directed Care

Sign up for the Consumer Voice ACTION NFTWORK

#### Resident-Directed Care or "Culture Change"

Consumer Voice encourages all residents, family members and advocates to learn more about the resident directed/centered care, also called "culture change," that is in many ways the full implementation of the 1987 nursing home reform law.

July 23 Hearing: Person-Centered Care: Reforming Services and Bringing Older Citizens Back to the Heart of Society

#### **Pioneer Network and Culture Change**

Currently, there is a grassroots movement to transform the culture of aging in America; this movement is called culture change, the transformation of traditional institutions and practices into communities in which each person's capacities and individuality are affirmed and developed. To learn more about culture change and the Pioneer Network, visit their website at <a href="http://www.pioneernetwork.net">www.pioneernetwork.net</a>.

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#### The National Long-Term Care Ombudsman Resource Center (NORC)

www.ltcombudsman.org ombudcenter@theconsumervoice.org

## The National Consumer Voice for Quality Long-Term Care (formerly NCCNHR)

http://www.theconsumervoice.org/

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