



Long Term Care Ombudsman

Advocate for people living in assisted living and skilled nursing facilities;

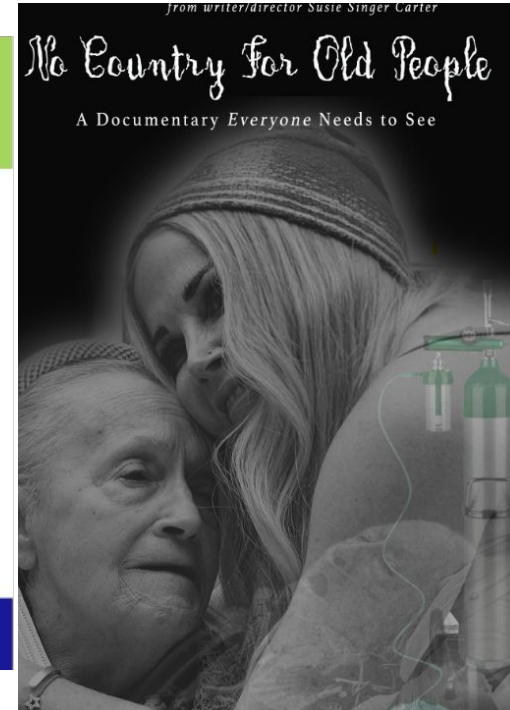
Focusing on **quality care** and **human rights**

NATIONAL CONSUMER VOICE FOR QUALITY LONG-TERM CARE

47th Annual Conference



October 31 – November 1, 2023 **Baltimore, Maryland**



A recurring theme-- new federal regulations about staffing ratios in skilled nursing facilities.



Quality Care

- $\frac{1}{3}$ of our cases are related to poor care
- Quality of care is correlated with staff to resident ratios
- There is no federal or Utah requirement for the ratio between residents and nursing assistants or nurses in long term care
- Required ratios are coming from the federal government for skilled nursing facilities

**If you hear complaints about facilities,
refer them to the Ombudsman**



Resident comments on staffing

Nursing home resident under 40: "Everyone needs to be taken care of." When told that providers are pushing back because the new proposed rules are too expensive, he responded: "Get real. Too expensive, my ass. Those people need to understand that any one of them could end up in a facility like this. I certainly wasn't planning on ending up here. But look what happened. The number of aides they have for patients right now is just not sufficient. If I had enough help for my wound care, when I needed it, I wouldn't still be here."

Nursing home resident: "It's crap that they can't afford more staff. I've been here 14 years and the care here has just gotten worse. The staff here doesn't have enough time to help me. I can't do my hair anymore, and even though that may not be a big deal to some people, it is to me. And the staff can't help me."

"The people making these decisions need to realize that one day this might happen to them. I never imagined or dreamt I would be living in a skilled nursing facility for this many years."



Staff do care about residents

Staff notified the Ombudsman about a resident who had locked in syndrome. He used a device to communicate; he could look at items on a screen and spell out his wishes. He could understand when spoken to.

It took time to communicate. It took time to build trust. The staff were his only resource.

The staff advocated for him to be able to make his wishes clear--he did NOT want to be resuscitated again.

The Ombudsman worked with attorneys to change state law so others could express their wishes if they could not physically sign documents.



Facilities are required to notify Ombudsman of Evictions/Discharges

Our office has received 44 eviction notices in 2023
plus

One facility closed, displacing 16 residents

**If you hear of a person being “kicked out” of a facility,
refer them to our office.**



The Ombudsman stopped 8 (18%) residents from being evicted this year.

A resident is in a facility with few and constantly changing staff. Staff were not documenting what help they were providing. As a result, Medicaid did not think he should be in a nursing facility. The Ombudsman helped him go through the Medicaid appeal process and helped the staff receive the training from Medicaid about how to document. He is still in the facility.

A facility contacted the Ombudsman just before the weekend. They were planning to evict a resident to a hotel that day. The Ombudsman informed them of the regulations and notice requirements. The resident stayed for several more months in the facility before leaving by their choice.



A couple lived in a facility a few months. The family felt care was not being given as promised. The facility issued a discharge notice for the couple because they felt the family was too angry with the staff when they complained. The Ombudsman became involved. The family and facility agreed to a 30 day trial with the family being more professional when voicing concerns. The residents are still in the facility.

A facility thought a resident was too confused to be in charge of her medications. The facility wanted to kick the resident out because she was keeping medications in her room. The Ombudsman attended a care plan, an agreement was made, and the resident was not evicted.



The Ombudsman delayed evictions for 9 (20%) residents this year.

A resident in his 60s was in a facility for several years. He needs help, but not enough for Medicaid to pay for his stay. The Ombudsman helped him go through the Medicaid appeal process, but he lost. His discharge was delayed by 6 months and he has spent that time trying to find an apartment in his price range that has wide enough doors for his wheelchair, no stairs, and grab bars--without success. He is now in a low cost, extended stay hotel.

A Veteran in his 50s refused to pay rent because he was confused. Two facilities needed to evict him but knew he was too confused to live alone. The Ombudsman worked with the facilities and several community resources over a year. He was evicted twice.



If you hear about

- poor care in facilities
- people being “kicked out”
- other concerns in long term care

Please contact the
Ombudsman.