Avenues for Advocacy

a newsletter of the Lower Savannah Regional Long-Term Care Ombudsman Program

Lower Savannah Council of Governments’ Aging, Disability and Transportation Resource Center

Residents' Rights Celebrated! We Stand For Quality!

Will you stand with us for Quality Care? During the month of October, The Regional LTC Ombudsman staff enjoyed the opportunity to play Residents’ Rights Bingo and the Jumbo Residents’ Rights Crossword puzzle with residents in four facilities in our region. While Residents’ Rights are highlighted in October of each year, every day is a day to celebrate their rights and work together to Stand for Quality in Long Term Care! Check out the other resources and ideas for your residents at https://theconsumervoice.org/events/2019-residents-rights-month. Call Susan or Alanna to schedule an activity in your facility!

Involuntary Discharge- A Right to Return

Anytime that a resident is discharged from a facility by any action or decision made by the facility staff and not the resident or the resident’s representative, the resident is being involuntarily discharged. When the facility initiates a discharge against the desire of the resident, you must comply with the discharge rights and regulations. Regulations require that a discharge be only for an appropriate reason, that the resident or representative be provided advanced written notice that includes all of the required content. The resident must be informed of his or her right to appeal your effort and even be assisted in making the appeal. Discharge cannot take place while the appeal is pending.

When a resident is transferred to a hospital or other acute care setting and expects to return, the resident must be allowed to return. If you transfer a resident to an acute care center (hospital) and state that he or she cannot return, you are involuntarily discharging the resident and must comply with the regulations regarding involuntary discharges.

The LTC Ombudsman is receiving an increased number of calls regarding a facility refusing to readmit from a hospital. When the reason for discharging a resident is because the facility staff allege the resident’s needs can’t be met in the facility, that claim should not be based on the resident’s change in condition that necessitated a transfer to an acute care center but rather the specific needs of the residents at the time he is to return to the facility or that have occurred and been documented over a long period of time prior to a transfer to an acute or special care center.

“If you have knowledge, let others light their candles in it.” ~ Margaret Fuller
Visitation Rights and Improper Restrictions

A resident has a right to receive visits from people of their choosing. Residents also have the right to have unrestricted* visits with immediate family members. If the resident cannot express their choices, only a person chosen by the resident can serve as their representative with respect to these rights. A resident’s choice is sometimes conveyed verbally at the time of admission or in a legal document like a power of attorney or other court order. Simply being the person who signed the admission agreement on behalf of the resident does not mean they are the resident’s chosen representative.

The ombudsman program staff continue to address issues where family members, who have no authority to act for the resident, place inappropriate restrictions on visitors. Unless you and your staff are provided a legal document or order preventing contact with the resident by a named person, visits must be allowed when agreed to by the resident. If there is concern about the behavior of the visitor while in the facility or you witness negative effect to the resident, the facility staff should document those observations, discuss it with the resident and follow your visitation policy.

*Restrictions are allowed as defined by your visitation policy to protect the resident from abuse, neglect or exploitation. In addition, your policy should include details as to when reasonable clinical and safety restrictions are put in place for non family members or when restrictions and guidelines are implemented on anyone due to their documented disruptive behavior in the facility. Supporting documentation for any restrictions or visitation guidelines put in place for the prevention of abuse, neglect and exploitation should be made by the facility.

Helpful Skills for Caregivers

The first Powerful Tools for Caregivers (PTC) class held in Aiken by Lower Savannah Council of Governments’ staff is a success! This class is a six week, evidence based program to provide you with the tools needed to take care of yourself as well as the skills needed to help reduce stress, improve self-confidence, and communicate feelings better. The program is suitable for family members and staff so share this information with others. The class in early 2020 will be in Orangeburg.

Please call Alanna Berrie at 803-508-7098 to add your staff or resident family members to the list to be contacted in 2020 with specific dates, times and the location address.

When Dementia Knocks and textures get tricky!

We can give credit to social media for giving us access to information with great ease. Thanks to Facebook, I learned about Elaine M. Eshbaugh, PhD and her website, www.whendementiaknocks.com, which provides wonderful articles full of information about living with dementia and caring for someone living with dementia. In her article of May 6, 2019, she talked about the sensory changes some people living with dementia experience. The texture that may have been comforting and a favorite may now feel like sandpaper. A person who used to wear jeans or pants every day may now be turned off by pants. She opened my eyes to the idea that a person with dementia may take off their clothes simply to rid themselves of the feel of an uncomfortable clothing. Likewise, a person who gets out of bed may be trying to escape scratchy sheets. Read her full article at https://whendementiaknocks.com/2019/05/06/the-fabric-of-life-in-dementialand/

Perhaps you and staff can give consideration to evaluating your resident group to see if texture dislikes are contributing to your resident’s behavior challenges. Remember what we say- behaviors are communication. It is up to us to figure out what it means.
REVIEW TIME- Medicare Part D Open Enrollment – Deadline is Dec 7th!

Medicare beneficiaries should review their Medicare Part D plan each year during open enrollment to ensure that their current plan is best for them in 2020. Open enrollment began October 15th and ends on December 7th for beneficiaries without Medicaid or Extra Help. Many pharmacy providers for nursing homes have comparison tools or websites that can be helpful to your residents or their representatives. CRCF residents need to be sure their plan is reviewed too! Plan review is easy at www.medicare.gov or by calling 1-800-MEDICARE. Don’t let a resident stay in a plan that won’t work for them in 2020.

Word From the Halls…..

Routine Visits continue to take place. Alanna is approved to make routine visits in facilities by herself but at times you will see Susan and Alanna in the building together for a routine visit.

Observations noted in recent visits:

- Staff have been heard offering to get a resident a different meal when the tray is left untouched. THANK YOU! Offering the alternative and making sure their food tray is warm when eaten is so important. Such wonderful service doesn’t happen everywhere but kudos to staff who do!

- Call lights are not within reach of the resident. Both residents in bed and in a chair in their room have been observed to be unable to reach and activate the call light button. In all situations, the resident could tell me what to do, but not manage to get to the button. PLEASE keep in mind that the call button needs to be secured on the resident’s preferred side and within reach.

- Unemptied urinals are left uncovered and less than three feet from the resident’s meal tray or on their bedside table during a meal. Please help the men maintain a sanitary environment by dumping and cleaning the urinals often and encouraging an accessible but more sanitary storage location.

Happy Thanksgiving!  Merry Christmas!

We appreciate all that you do each day for the residents in the facility to meet their health, emotional and social needs.

May your holiday season be wonderful!  ~ Susan and Alanna

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Serving residents in long-term care facilities in Aiken, Allendale, Bamberg, Barnwell, Calhoun and Orangeburg Counties.