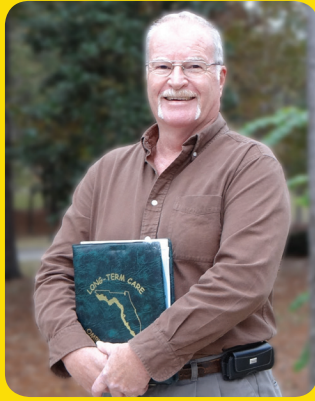




Florida's Long-Term Care OMBUDSMAN PROGRAM



**2011- 2012
ANNUAL REPORT**

What is the Ombudsman Program?

The Long-Term Care Ombudsman Program is made up of over 350 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.



To the citizens of the great State of Florida:

I am pleased to share with you the events and outcomes of the Florida Long-Term Care Ombudsman Program for the Federal Fiscal Year (FFY) 2011-2012, which includes activities from October 1, 2011 through September 30, 2012. Every year hundreds of citizen volunteers dedicate their time and energy advocating for residents in nursing homes, assisted living facilities, and adult family care homes. Resident rights are the cornerstones of our mission, which is "to protect the health, safety, welfare and rights of long-term care residents by identifying, investigating and resolving complaints made by or on behalf of long-term care residents."



Jim Crochet

To do this, certified ombudsmen perform complaint investigations, visitations and annual administrative assessments in all of Florida's licensed long-term care facilities. Complaints are received through the Ombudsman hotline, (888) 831-0404.

During the last year, the Long-Term Care Ombudsman Program underwent a successful overhaul in the administrative assessment process. In past years, the legislature has recommended that the assessments be focused on residents rather than duplicative efforts of regulatory agencies such as the Agency for Health Care Administration, the Department of Health and county and local governments. Resident advocacy versus regulatory activities is also stressed in the Federal Older Americans Act. After months of adjustments to the forms, developing a centralized on-line training, and execution of the new administrative assessment protocol, I am pleased to announce that all facilities were assessed as required by Florida Statute.

As a result of this paradigm shift, the relationships between the Ombudsman Program and other agencies and provider organizations has improved exponentially. By avoiding the dupli-

cation of efforts, and opening the communication between all involved in the care of long-term residents, a network of committed entities emerged with one main goal: the resident.

“The Department of Children and Families, Adult Protective Services (APS) and the Long Term Care Ombudsman Program (LTCOP) have improved their communication and collaboration efforts with the implementation of the 2011 Memorandum of Understanding agreement between the two agencies. The agreement is designed to improve the quality of care and protect the health, safety, welfare, and rights of long-term care residents. It allows for the identification of systemic issues affecting vulnerable adults and to work cooperatively to address them. This work has greatly improved the cooperation and information sharing between our programs.”

- Robert Anderson, State Director, Adult Protective Services, Department of Children and Families

“There are plenty of state and federal agencies and departments to assure minimal compliance with all applicable laws, rules and regulations – there aren’t a lot of folks who actually sit down with residents and talk about quality of life and care as they experience it in the nursing home or assisted living facility. Thank you for freeing the volunteer Ombudsman from the shackles of checklists and in helping orient them to what’s really important in the lives of the people living in our facilities.”

-Martin A. Goetz , Chief Executive Office, River Garden Senior Services

Further successes this past year include the ground-breaking online certification training materials created by James McFatter, the Ombudsman Training Administrator. This training, consisting of individual modules, has reduced countless in-class training hours, saved valuable funds, and created flexible access for new and veteran ombudsmen. Mr. McFatter’s efforts have been nationally recognized and have become the template for other states moving to an online training format.

Recruitment is an ongoing and essential part of the Program. During the FFY 2011-2012, the Program added a full time Recruitment Manager and team for raising the number of volunteers. All managers took part in volunteer management certification, and new approaches to recruiting were implemented. Under the leadership of Bryan Morgan, Deputy State Ombudsman for Recruitment and Public Relations, a program for student ombudsmen was created. Internships were formalized with college and university students training to enter the health care field. This initiative has included agreements with five major universities across Florida with more colleges and universities targeted for the upcoming year.

FFY 2011-2012 brought great success to the Long-Term Care Ombudsman Program through generous volunteers and a dedicated staff. With this momentum carrying into FFY 2012-2013, I am excited for continued successes within the program and with our partnerships in the long-term care field. When we receive positive comments from our citizens, like the one below, we know that our collective efforts have made a difference:

“I just wanted to let you know what a wonderful person the Ombudsman is and all his help has been most instrumental while trying to help my aunt... You have a true angel working on your behalf and all the others that he has helped. I feel truly blessed to have him on our side. Thank you.”

Truly “our strength is in our unity of purpose.”



Jim Crochet

Florida State Long-Term Care Ombudsman

YEAR IN REVIEW

The Florida's Long-Term Care Ombudsman Program (LTCOP) achieved new milestones in success during the past year, from October 1, 2011 to September 30, 2012. Here are some of the highlights and accomplishments that the Ombudsman Program's dedicated staff and volunteers have achieved:

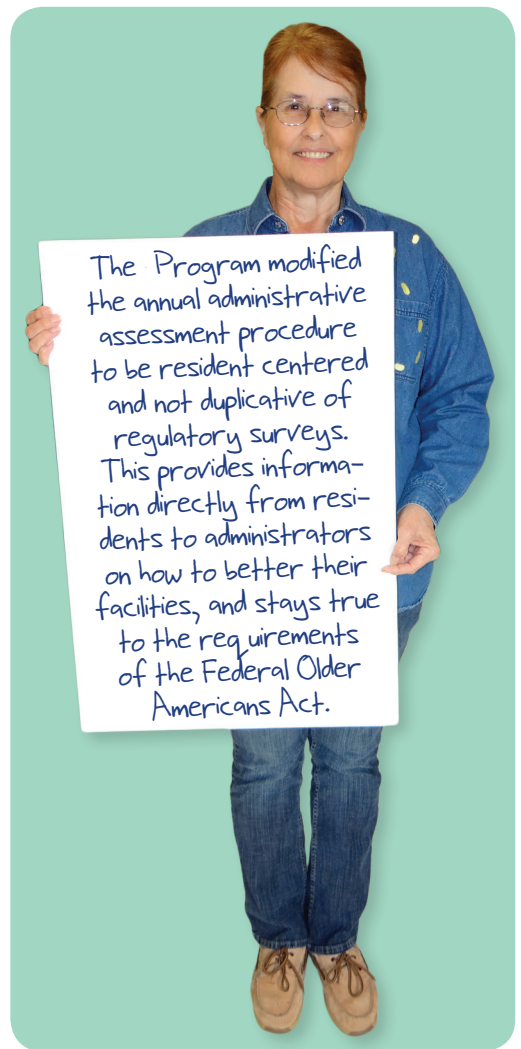


10/1/2011



During October, each fiscal year begins with celebrating Resident's Rights Month. Activities, council meetings and presentations center around the specific rights extended to long-term care residents and facilities across the state.

In an effort to improve cost savings the Long-Term Care Ombudsman Program initiated an electronic filing requirement for all district and headquarter offices. This makes internal record searches more time efficient, environmentally conscious and cost effective.



The Program modified the annual administrative assessment procedure to be resident centered and not duplicative of regulatory surveys. This provides information directly from residents to administrators on how to better their facilities, and stays true to the requirements of the Federal Older Americans Act.



Volunteers completed 4,305 facility assessments and visitations



The LTCOP created a Student Ombudsman Program, where undergraduate and graduate students majoring in the health care field can earn intern credits while volunteering.



The program implemented the first-ever statewide Ombudsman online training for volunteers.

9/30/2012

2012-2013

LEGISLATIVE RECOMMENDATIONS

The State Long-Term Care Ombudsman Program is proposing new legislation this year to revise the internal operating structure and procedures of the Long-Term Care Ombudsman Program (LTCOP). The new legislation attempts to bring some efficiencies to the program and proposes to conform Florida's ombudsman statute to the requirements of the federal Older Americans Act, 42 U.S.C. §§ 3001, et seq. Realignment of the internal structure of the program will allow the LTCOP to move in a direction more suited to effect meaningful quality of life enhancements for Florida's residents in long-term care facilities.

Specifically, the proposal will provide the following:

- *Conform terminology and programmatic requirements to the Older Americans Act (in part, as directed by the Administration on Aging's Compliance Review of 2011);*
- *Allows the State Ombudsman to have final authority to make appointments of individuals serving as ombudsmen;*
- *Clarifies that the term "representatives of the office" includes the State Ombudsman, Ombudsman program staff, and certified Ombudsman volunteers; delineates the activities and duties of the State Ombudsman in relation to ombudsmen in general;*
- *Removes limitations on access to resident records in conformance with s. 712(b) of the Older Americans Act;*
- *Creates the opportunity for consultative problem solving by restructuring the state council into a state advisory council by expanding membership to include representatives of stakeholder groups as directed by s. 712(e) of the Older Americans Act. Specifically, the Act requires the views of area agencies on aging, older individuals, and providers of long-term care in planning and operating the LTCOP;*
- *Revises and clarifies the application, background screening, and training requirements needed to become a certified ombudsman;*
- *Provides needed flexibility in the operation of the program within districts to eliminate strict geographical boundaries which prevent individuals from volunteering as ombudsmen;*
- *Revises the terminology describing local councils to conform to s. 712(a)(5) of the Older Americans Act and to relieve the state of the unnecessary resource burdens when performing internal staffing activities.*

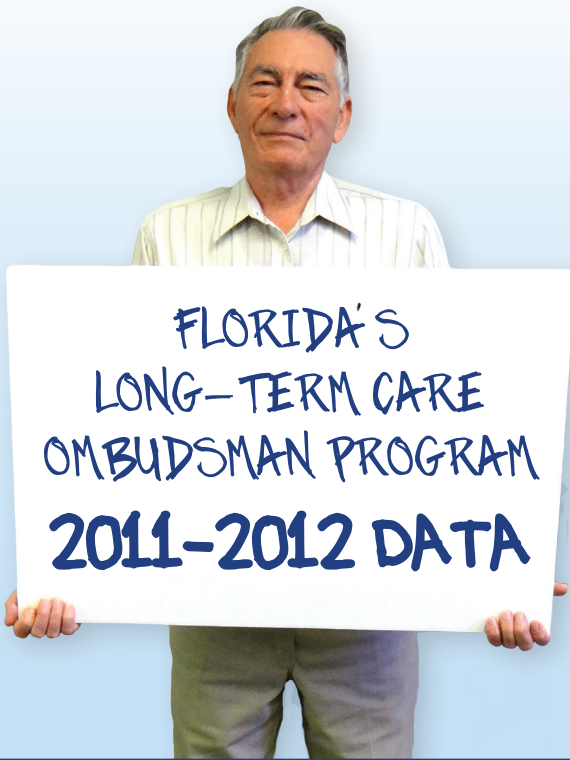
In addition to a revision of its own program, the LTCOP supports the recommendations of Governor Scott's Assisted Living Workgroup that strengthen regulatory oversight and provide enhanced protection of individual rights for persons residing in assisted living facilities. The recommendations for statutory revision that the LTCOP supports, in brief, include:

- *Eliminate unethical or incompetent providers from the system;*
- *Improve coordination between the various federal, state and local agencies with any role in long-term care facility oversight;*
- *Create a professional board with regulatory responsibility for assisted living facility administrators;*
- *Enact more stringent requirements for hospital accountability in discharge planning;*
- *Enact legislation that provides ALF residents an appeal process for disputed discharges;*
- *Increase funding for assistive care services, optional state supplementation, and other budget categories that support the cost of care for residents.*

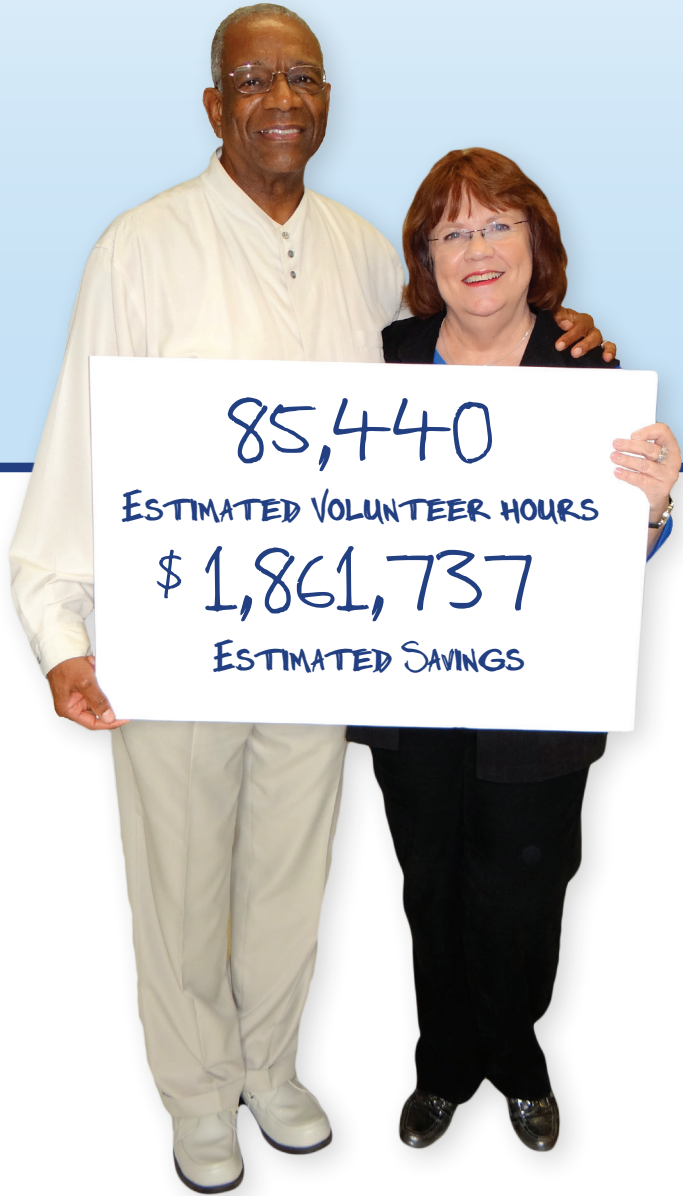


Susan Anderson

- Susan Anderson, Deputy State Ombudsman for Legal Affairs

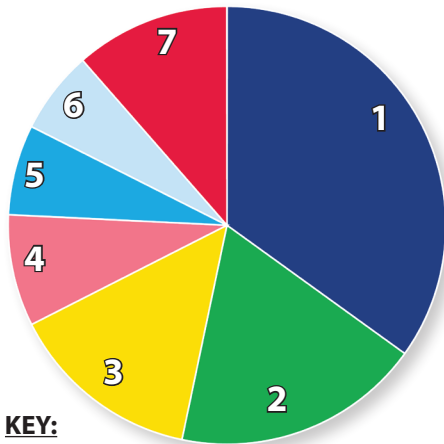


356 Number of Volunteers
4,305 Facility Assessments and Visitations Statewide
85,440 Estimated Unpaid Hours Worked
305,583 Miles Traveled (by Staff and Volunteers)
\$1,861,737 Estimated Average of Savings
(in salaries/administrative costs of unpaid service)



- Top 5 Complaints in Assisted Living Facilities (ALFs) and Adult Family-Care Homes**
1. Medications Administration, Organization
 2. Menu
 3. Cleanliness, Pests, General Housekeeping
 4. Dignity, Respect - Staff Attitudes
 5. Shortage of Staff
- Top 5 Complaints in Nursing Homes**
1. Discharge / Eviction
 2. Dignity, Respect - Staff Attitudes
 3. Medication Administration, Organization
 4. Failure to Respond to Requests for Assistance
 5. Personal Hygiene

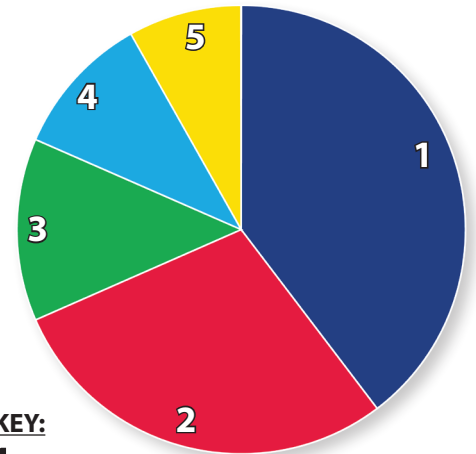
Origin of Complaints in Nursing Homes



KEY:

- 1** Resident **35%**
- 2** Relative **18%**
- 3** Unknown **14%**
- 4** Assessments **8%**
- 5** Ombudsman **7%**
- 6** Other **6%**
- 7** Friend, Other Agency, Facility, Gaurdian, Legal Representative, Other Medical Persons **12%**

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



KEY:

- 1** Relative **40%**
- 2** Resident **29%**
- 3** Friend, Other Agency, Facility, Guardian, Legal Representative, Transfer/Discharge, Other Medical Persons **13%**
- 4** Ombudsman, Assessment, Other **10%**
- 5** Unknown **8%**

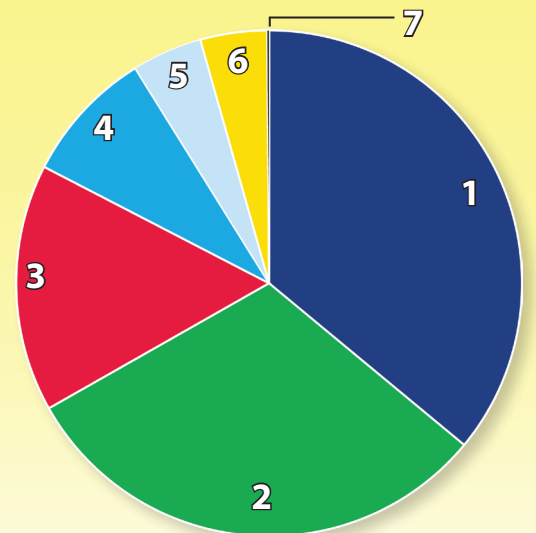


When a complaint case is closed, one of nine disposition codes is assigned: no action needed, withdrawn, resolved, partially resolved, not resolved, referred-no report, referred-agency failed to act, referred-agency did not substantiate, and requires government/legislative change. Although complaint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

KEY:

- 1** No Action Needed **36%**
- 2** Resolved **31%**
- 3** Withdrawn **16%**
- 4** Partially Resolved **9%**
- 5** Not Resolved **4%**
- 6** Referred: No Report, Agency did not Substantiate, Agency Failed to Act **4%**
- 7** Requires Government/ Legislative Change **<1%**

Complaint Resolution





Florida's Long-Term Care OMBUDSMAN PROGRAM

Our strength is in our unity of purpose



"Your professionalism and compassion in treating my brother with dignity and listening to his concerns; and then calling a meeting with the facility directors... so that all sides could be fairly heard, was masterful. His finally being allowed to voice his complaints, with you as the unbiased mediator, has added to his peace of mind and will improve his life...

Thank you."

- Anne N.

4040 Esplanade Way
Tallahassee, FL 32399-7000

Call Us TOLL-FREE
1(888) 831-0404

Visit our Website:
ombudsman.myflorida.com



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