



# FLORIDA OMBUDSMAN PROGRAM

ADVOCATING FOR QUALITY LONG-TERM CARE

## ANNUAL REPORT

FEDERAL FISCAL YEAR 2019





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## PROGRAM MISSION

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*“The mission of the Florida Long-Term Care Ombudsman Program is to improve the quality of life for all Florida long-term care residents by advocating for and protecting their health, safety, welfare, and rights.”*

## MESSAGE FROM THE SECRETARY

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The Long-Term Care Ombudsman Program (LTCOP) plays an essential role in protecting the health, safety, well-being, and rights of residents of long-term care facilities in Florida. LTCOP staff and volunteers are tireless advocates who work to enhance every resident's quality of life through a collaborative resident-centered advocacy program.

There have been several positive changes with the program in recent years, including refocusing efforts to be more resident-centered, encouraging and empowering residents to self-advocate by giving them the counsel and tools needed to resolve their issues directly with the facility.

Additionally, volunteer ombudsmen have significantly increased their presence in the facilities, which has enabled them to assist residents earlier on before matters could escalate and become serious problems.

These outstanding volunteers make a difference every day in the lives of long-term care residents and their families. We are grateful for those who choose to work or graciously give their time in service to benefit others, meeting their needs and improving the communities in which they live.

I could not be more proud to stand with the staff and volunteers of this program. Their commitment and dedication is inspiring, and I thank them on behalf of the Department of Elder Affairs.





A handwritten signature in black ink, appearing to read "Richard Prudom". The signature is fluid and cursive.

Richard Prudom, Secretary  
Florida Department of Elder Affairs

# PROGRAM DATA

## Ombudsman Program in Numbers

	304 Volunteers		13,621 Consultations*
	37,669.25 Volunteer Hours		4,653 Complaints Investigated*
	8,922 Facility Assessments & Visitations*		86 Resident & Family Councils Attended*
	279,964 Miles Traveled*		\$930,053.78 Estimated Savings to the State**

\*Includes staff and volunteer data.

\*\*Based on \$24.69 per hour. Value of each volunteer hour as estimated by Independent Sector, 2017.

## Quarterly Ombudsman Program Data

	OCT - DEC	JAN - MAR	APR - JUN	JUL - SEP
Long-Term Care Beds	190,938	192,141	192,583	193,608
Certified Ombudsmen	285	274	273	265
Volunteers in Training	35	39	34	33
Complaint Investigations*	1,768	1,805	1,761	1,790
Facility Visitations**	235	1,054	1,384	1,446
Facility Assessments**	1,291	905	628	550

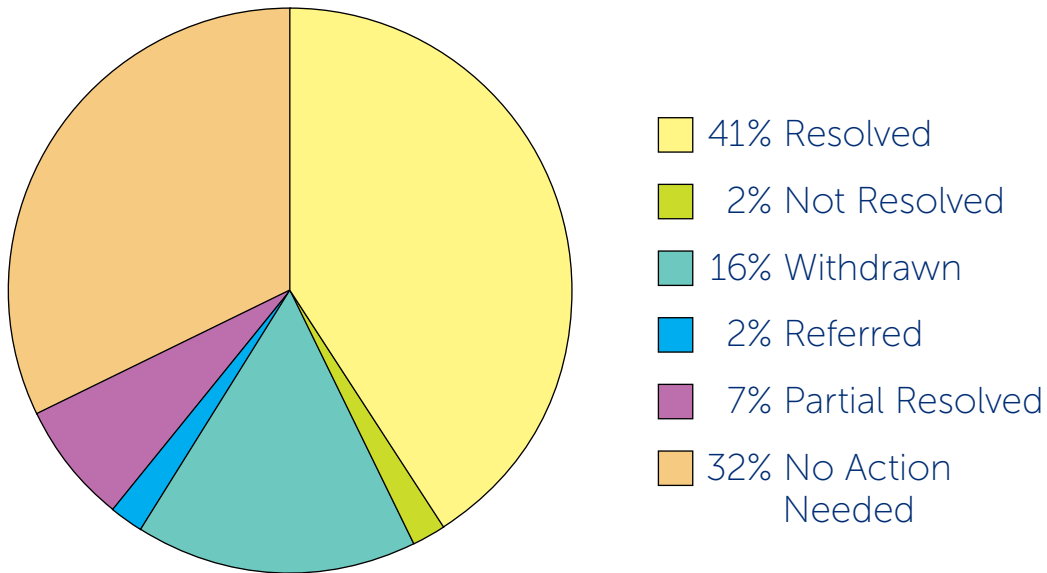
\*Reflects both initiation and closure dates that may overlap quarterly reporting periods.

\*\*Number does not reflect assessments and visits conducted during quarterly period and not entered until a later date.

# PROGRAM DATA

## Complaint Resolution

A complaint is closed when the issue is addressed to the satisfaction of the resident or complainant. The following chart shows what types of disposition codes were assigned to closed cases in Federal Fiscal Year 2019.



## Top 5 Complaints

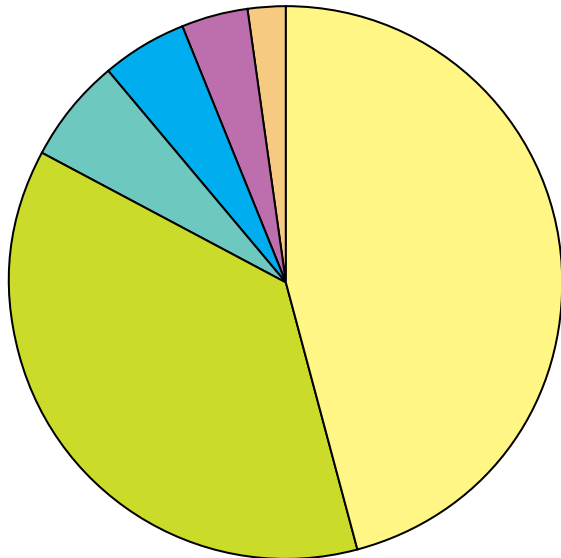
	Assisted Living Facilities & Adult Family Care Homes	Nursing Homes
1	Medications - administration, organization	Medications - administration, organization
2	Menu	Dignity, respect - staff attitudes
3	Dignity, respect - staff attitudes	Personal hygiene (includes oral hygiene)
4	Cleanliness, pests, general housekeeping	Failure to respond to requests for assistance
5	Equipment/Buildings	Discharge/eviction

# PROGRAM DATA

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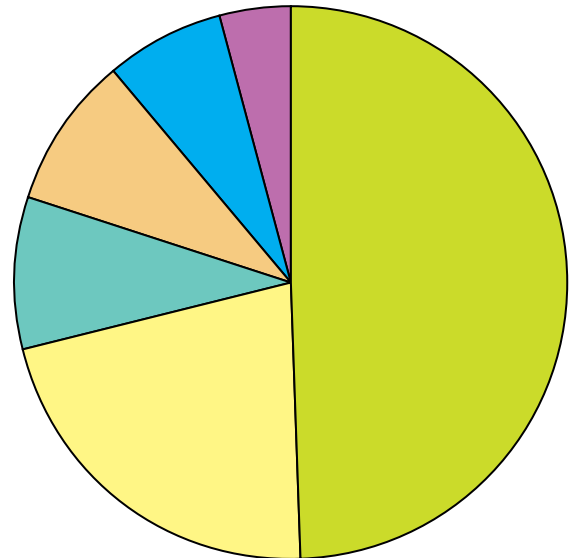
## Complaint Origins

### Nursing Homes



- 46% Relative, Friend, Guardian
- 37% Resident
- 6% Other
- 5% Unknown
- 4% Non-Relative Guardian or Legal Representative
- 2% Ombudsman

### Assisted Living Facilities and Adult Family Care Homes\*



- 50% Resident
- 22% Relative, Friend, Guardian
- 9% Other
- 9% Ombudsman
- 7% Unknown
- 4% Facility Staff, Physicians

*\*Adds up to 101% due to rounding of decimals.*

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## PROGRAM HIGHLIGHTS AND SUCCESS STORIES

### Assistance with Relocation

An Ombudsman Program volunteer assisted a resident who longingly wanted to move out of state to be with his wife. The facility in which he resided was not sending the information requested to the receiving facility timely, resulting in a bed becoming unavailable. This occurred multiple times, frustrating both the resident and the resident's family. With the assistance of the ombudsman the facility received the documents needed to hold a bed and the resident was able to reunite with his wife.

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# PROGRAM HIGHLIGHTS AND SUCCESS STORIES

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## **Successful Challenge to Facility Action**

A nursing home resident was inappropriately discharged from a facility. The facility's reason for discharge was that "the safety of other individuals in the facility is endangered." With ombudsman assistance, the resident requested a hearing to challenge the facility's action. A hearing was held where a final order was entered establishing the facility erred when it discharged the resident for being a danger to others. The facility was ordered to reverse its decision and allow the resident to return when the next bed is available. The facility subsequently refused to take the resident back. Our ombudsman referred the case to the Agency for Health Care Administration (AHCA) for investigation. Based on AHCA's survey, the Centers for Medicare and Medicaid Services fined the facility \$725.00 per day until substantial compliance is achieved. The facility was also placed on notice that discretionary denial of payment for new admissions would take effect if the facility is still out of compliance on a specific date. With persistence from the Ombudsman Program the resident was allowed to return to the much needed safety of a nursing home facility.

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## **Refund of Misapplied Fees**

The ombudsman program received a complaint from a resident in a nursing home. For almost a year after the resident had moved to her new nursing home, her former assisted living facility had continued to take a large sums of money from her banking account. Both the resident and the administrators at her current nursing home had been unable to secure a refund from the old assisted living facility. After several meetings, the volunteer ombudsman was able to obtain a refund of several thousand dollars.

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## **Facilitating Research on the Impact of Opiate Use in Long-Term Care**

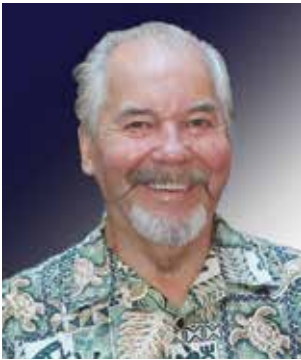
A local council was contacted by the National Consumer Voice for Quality Long-Term Care with a request to assist with a study titled the 'Opiate Project and Long-Term Care Resident Dialogue.' An ombudsman was able to accommodate the request by coordinating an invitation to attend a Resident Council meeting and conduct individual interviews with residents at a local nursing home. The goal of this short-term project was to gain a better understanding of the impact of the opioid crisis on residents of long-term care facilities. Overall the study helped Consumer Voice, the Ombudsmen program and the residents of the facility understand pain management, how resident's quality of life and care is impacted due to opioid misuse, resident's knowledge about their rights for person centered care, and what support is available from the local Ombudsman program. It was a win-win-win situation for all involved.

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# OVERVIEW - STATE COUNCIL

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## Message from the State Council Chair



*State Council Chair  
Dennis Jefferson.*

A huge "Thank You" to all the OMB's out there from the "I'm so new that I can't even spell OMB" to our State Ombudsman, Michael Milliken (who is no longer with us and is already missed). Thank you one and all.

It has been a very rewarding year for several of you who were recipients of the President's Volunteer Service Award, yours truly included. Put in the time and effort and you can be sporting this unique lapel pin and yet another certificate for your honor wall.

It has been a joy for me to finish my two year tenure as your State Chairman and I encourage all of you to get personally involved at the State level. It is way more than just "another meeting. The inter-action and decision making along

with recommendations to the State OMB is a real joy to see in the making. The face to face time with all the State Representatives is priceless.

I personally do a lot of unscheduled visits to our residents here in Volusia/Flagler counties. The smiles and praise for our program relayed to me is heart warming and easily overcomes any objections that can creep into our lives. Keep it up ladies and gentlemen as it could be us one day in a nursing home or assisted living facility as we beg to see a warm, sincere smile and someone serious about helping our plight!

Keep it up gang. You are fantastic and remember that "It is not where you travel to and what you do but who is by your side and has your back." That's us! We are all partners when it comes to advocating for our residents!

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## FY2018 State Council Review

In 2018, the State Council recommended

- Resident Council Handbooks;
- U.S. Presidential Awards;
- Complaints Against Ombudsman;
- Continuing Education/ Training reporting;
- Nursing Home/ALF Generator Rule;
- 45 Day Notices in Assisted Living Facilities;
- Medical Marijuana;
- Electronic Sign-in in Facilities;
- LGBTQ Training; and
- Smoking Policies.



# OVERVIEW - STATE COUNCIL

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The State Long-Term Care Ombudsman Council is composed of volunteer ombudsmen who have been elected by their peers from each of the 18 local ombudsmen councils throughout the state to serve as an advisory body to the State Ombudsman.



*State Council and Program staff. Back: Valerie Nubi-Collins, Dennis Jefferson, Jo Ann Quiles, Michael Phillips, Hannah Fink, Jane Spencer, Jim Lynch, Wanda Harrison, Margaret Riccardi, Angela Andrews, Michael Milliken. Front: Zaynab Salman, Carol Weideman, Marilyn Kane, Maria Cristina Clark, Choice Edwards, JoAnna Emerson.*

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## **FY2019 State Council Recommendations**

The State Council addressed various issues related to program functions and activities. The following are actions take during the State Council's FY2019 quarterly meetings:

- Development of new Legislative Workgroup/Committee;
- Ombudsman Corner to invite Jovite Woodrich from Volunteer Florida to participate in live webinar with staff and volunteers;
- Six question survey regarding the Long-Term Care Ombudsman Program;
- Continuing education requirements;
- Referrals from our program to Agency Health Care Administration (AHCA);
- Facility closures and working with sister agencies;
- Staffing levels and training in Memory Care Units;
- Ombudsman recruitments;
- Guide for newly elected State Council Representatives;
- Fine to a facility for refusing to re-admit a resident;
- Adult Family Care Home (AFCH) resident safety and staffing levels;
- Quarterly visitations to small Assisted Living Facilities and AFCH; and
- Personal Aids in the Dining Area.

# CONTACT INFORMATION

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## **Northwest**

1101 Gulf Breeze Parkway  
Building 3, Suite 5  
Gulf Breeze, FL 32561  
Phone: (850) 916-6720  
Fax: (850) 916-6722

## **Panhandle**

4040 Esplanade Way  
Tallahassee, FL 32399  
Phone: (850) 921-4703  
Fax: (850) 391-1382

## **North Central**

1515 East Silver Springs Blvd.  
#203  
Ocala, FL 34470  
Phone: (352) 620-3088  
Fax: (352) 732-1797

## **First Coast**

Midtown Centre Office Park  
3300 Building  
4161 Carmichael Ave.  
Suite 141  
Jacksonville, FL 32207  
Phone: (904) 391-3942  
Fax: (904) 391-3944

## **First Coast South**

210 N. Palmetto Ave.  
Suite 403  
Daytona Beach, FL 32114  
Phone: (386) 226-7846  
Fax: (386) 226-7849

## **East Central**

400 W. Robinson St.  
Suite S709  
Orlando, FL 32801  
Phone: (407) 245-0651  
Fax: (407) 245-0653

## **West Coast**

11351 Ulmerton Rd.  
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Largo, FL 33778  
Phone: (727) 588-6912  
Fax: (727) 588-3648

## **Central Office**

4040 Esplanade Way  
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## **West Central**

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Suite C  
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Phone: (813) 558-5591  
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## **Southwest**

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Phone: (239) 338-2563  
Fax: (239) 338-2549

## **South Central**

200 N. Kentucky Ave.  
#224  
Lakeland, FL 33801  
Phone: (863) 413-2764  
Fax: (863) 413-2766

## **Palm Beach**

111 S. Sapodilla Ave.  
#125A-B-C  
West Palm Beach, FL 33401  
Phone: (561) 837-5038  
Fax: (561) 650-6885

## **Broward**

8333 West McNabb Rd.  
Suite 231  
Tamarac, FL 33321  
Phone: (954) 597-2266  
Fax: (954) 597-2268

## **North Dade**

9495 Sunset Dr.  
Suite B100  
Miami, FL 33173  
Phone: (305) 273-3294  
Fax: (786) 336-1424

## **South Dade**

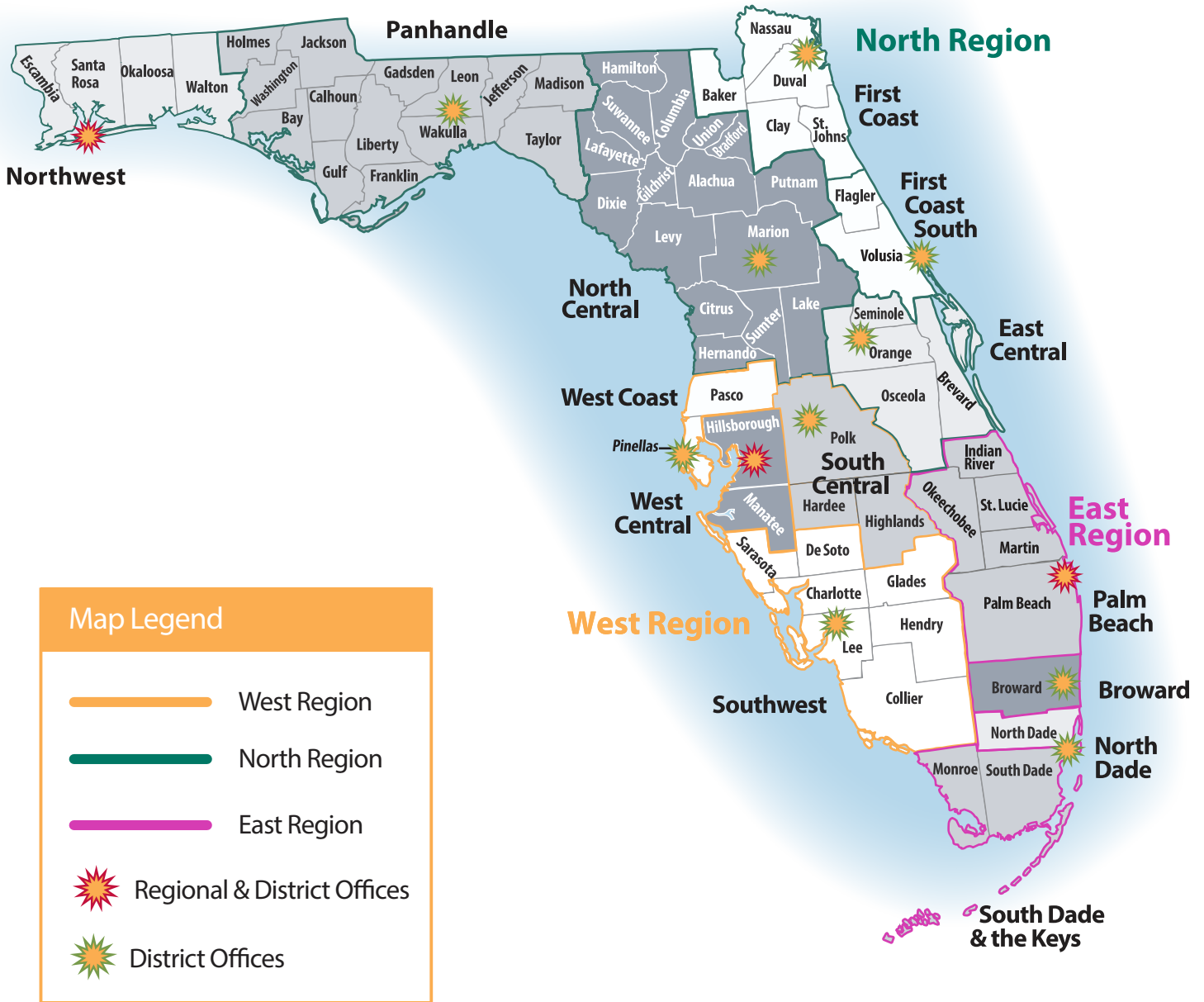
9495 Sunset Dr.  
Suite B100  
Miami, FL 33173  
Phone: (305) 273-3250  
Fax: (305) 671-7247

## **Statewide**

1-888-831-0404  
ltcopinformer@elderaffairs.org

# OFFICE LOCATIONS

Long-term care ombudsmen are available to serve long-term care residents and their families in all 67 counties. The map below shows the 14 district and regional Long-Term Care Ombudsman Program offices throughout Florida. Some offices are co-located within the same space.





FLORIDA  
OMBUDSMAN  
PROGRAM

ADVOCATING FOR QUALITY LONG-TERM CARE

4040 Esplanade Way  
Tallahassee, FL 32399

**1-888-831-0404**  
[ombudsman.myflorida.com](http://ombudsman.myflorida.com)

Department of  
**ELDER AFFAIRS**  
STATE OF FLORIDA

