



## A Note from the State Long-Term Care Ombudsman:

I am pleased to announce that on July 2, Governor Branstad signed [Senate File 505](#) into law, authorizing funding for long-term care advocacy programming through June 30, 2016.

The Health and Human Services budget bill appropriates funding to executive branch human service agencies, including the Office of the State Long-Term Care Ombudsman (OSLTCO). Although the governor did exercise veto authority in some portions of the bill, the sections directly impacting the OSLTCO remained in place, resulting in a \$1,276,783 appropriation for the program.



Highlights from the bill include the following:

- In addition to receiving the full amount requested for its 2016 operational budget, the OSLTCO was appropriated \$220,000 to provide additional local long-term care ombudsmen to focus on Medicaid Managed Care.
- The OSLTCO and the Iowa Department of Human Services were directed to collaborate in developing a cost allocation plan to claim Medicaid administrative funds for assistance and advocacy services provided by the OSLTCO that directly benefit the state's Medicaid program.
- The OSLTCO was directed to collaborate with the Iowa Department on Aging, the Office of Substitute Decision Maker, the Iowa Department of Veterans Affairs, the Iowa Department of Human Services, the Iowa Department of Public Health, the Iowa Department of Inspections and Appeals, Disability Rights Iowa, the Civil Rights Commission, the Senior Health Insurance Information Program, the Iowa Insurance Consumer Advocate, Iowa Legal Aid

and other consumer advocates and consumer assistance programs to develop a proposal for the establishment of a Health Consumer Ombudsman Alliance. The Alliance will provide a permanent, coordinated system of independent consumer supports to ensure that consumers, including those covered under Medicaid managed care, are able to obtain and maintain essential health care services; are provided unbiased information regarding coverage models; and are assisted in resolving problems regarding health care services, coverage, access and rights.

Overall, these items suggest the Iowa Legislature recognizes the importance of providing long-term care ombudsman services to lowans and sees the significance of strengthening partnerships and working collaboratively to protect the health, safety, welfare and rights of residents and tenants living in the state's nursing facilities, residential care facilities, assisted living programs and elder group homes.

Together we are making a difference!

Deanna Clingan-Fischer, JD

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## Fact Sheet of the Month: *Capacity vs. Competency*

The Office of the State Long-Term Care Ombudsman has created a new fact sheet for consumers and their families. "Capacity vs. Competency" is designed to educate the public about the difference between capacity (the ability to understand the nature and effect of one's acts) and competency (a legal finding that determines an individual's mental capacity).



Although these terms are often used interchangeably, under Iowa law - and specifically within the context of an individual's rights to make his/her own decisions, there is a very important difference between the two words.

This fact sheet helps to explain that difference to help determine whether an individual's consent to receive or refuse treatment is valid. For additional information, contact the Office of the State Long-Term Care Ombudsman at 866.236.1430.

> [Download the Fact Sheet](#)

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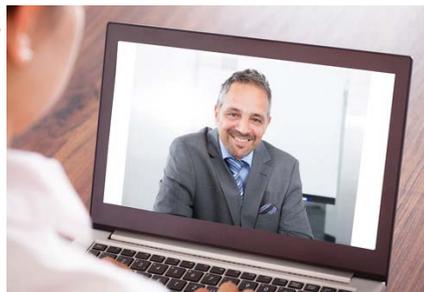
## Website updates!

The Office of the State Long-Term Care Ombudsman recently reorganized its website to make it more user-friendly. By organizing content into sub-categories for Families & Caregivers as well as Long-Term Care Professionals, the site is easier to navigate and cross-lists a number of resources. Visit the site today at <https://www.iowaaging.gov/long-term-care-ombudsman> and be sure to check your bookmarks - some of our URLs have changed!

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## Upcoming Events & Learning Opportunities

- Residents' Rights Month (October) is just around the corner, and this year the Office of the State Long-Term Care Ombudsman is working on a very special educational event. This year's theme - "Care Matters" - focuses on how long-term care providers impact the quality of life for residents. As a result, the OSLTCO is working on an interactive program designed to help LTC professionals gain a better awareness of what it means to age or live with a disability and how a more empathetic approach can lead to higher quality care. Look for more information coming soon!



- The Iowa Department on Aging, in collaboration with the Iowa Area Agencies on Aging and the Governor's Office, is seeking the public's support and assistance in identifying Iowa's centenarians. The information provided will be maintained in a State of Iowa Centenarian Registry by the Iowa Department on Aging and will be used to send an invitation to a 2015 Centenarian Recognition event hosted by Governor Terry Branstad and sponsored by the Iowa Department on Aging and the Iowa Agencies on Aging. Each centenarian will also receive a signed certificate suitable for framing. To be recognized as a centenarian for the purposes of this program, an individual must be 100 years old or older by Dec. 31, 2015, and his or her primary residence must be Iowa.

> [Read more and download the Authorization for Release of Information Form](#)

- Save the Date! The 2016 Governor's Conference on Aging and Disabilities is coming to the Iowa Events Center in Des Moines on May 23-26, 2016. This conference, sponsored by the Iowa Department on Aging and the Iowa Developmental Disabilities Council and powered by the National Association of States United for Aging and Disabilities (NASUAD), will highlight the myriad ways Iowa's aging and disability communities are evolving and invite participants to engage in a thoughtful dialogue about the positive impacts of a society committed to independent living. Look for more information and a Call for Sessions coming soon!

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## Welcome New Volunteer Ombudsmen

Please join us in welcoming the following new member of the Volunteer Ombudsman Program:

- Jolene Tratchel, Tru Rehab of Grinnell (Grinnell)

For more information about the program, visit <https://www.iowaaging.gov/VOP>.

The mission of the Office of the State Long-Term Care Ombudsman is to protect the health, safety, welfare and rights of individuals residing in long-term care by investigating complaints, seeking resolutions to problems and providing advocacy, with the goal of enhancing quality of life and care.

Please feel free to forward this newsletter to others who may be interested.

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