



A Note from the State Long-Term Care Ombudsman:

This month, the *Advocate's* educational feature focuses on establishing and maintaining effective resident and family councils in long-term care facilities. While this is critical to promoting and enhancing residents' quality of life, it's common for facility staff and administrators to express concerns when residents or family members approach them with the idea of forming a council.



Many of you already know that, under federal law, residents of nursing facilities and family members of those residents have the right to organize and participate in councils, and facilities are required to make certain accommodations for councils – including providing private space for the council to meet and designating a staff person to provide assistance and respond to the council's written requests. Yet some remain resistant to the idea of establishing a resident or family council because they see them as a forum for initiating complaints.

It's true that councils bring people together and give them an opportunity to share opinions and air grievances, but this can actually be a very positive thing for a long-term care facility. Receiving a complaint is one way of knowing a problem exists and allows a facility to respond to the concern in an appropriate manner.

Complaints made by resident and family councils can also bring about much-needed changes in facilities where gaps or problems have been identified, but solutions have not yet been approved or funded by the board of directors or management. Councils can be wonderful advocates for facilities, providing recommendations for changes in programs and policies and helping to identify resources to enhance facility functioning.

If you have been approached about establishing a resident or family council in your facility and have concerns, or if you want more information about maintaining an effective relationship with existing councils, I encourage you to reach out to your Local Long-Term Care Ombudsman. Our team is always available to support and assist councils or to provide staff training that will help everyone involved see how councils can be a win-win solution for residents, family members and facilities alike.

Deanna Clingan-Fischer, JD

Bills to Watch

The Office of the State Long-Term Care Ombudsman (OSLTCO) is monitoring several pieces of legislation that could potentially have an impact on the lives of residents of long-term care facilities. Some of the bills of higher interest include:



[HF173](#): This bill would appropriate \$220,000 to the OSLTCO to employ two additional local long-term care ombudsmen. While the OSLTCO is supportive of this legislation, our priority is ensuring that the Office receives the \$127,468 that Governor Branstad included in his proposed budget to permit the Office to continue operating at status quo.

[HF579](#): This bill, sponsored by the Department of Inspections and Appeals and supported by the OSLTCO, relates to the regulation of health care facilities, elder group homes, assisted living programs, and adult day services programs. It has passed out of the House and passed out of committee in the Senate.

[SF441](#): This bill would require the Iowa Department of Public Health to assess the health workforce development programs under the purview of the Oral and Health Delivery Systems Bureau. The OSLTCO is supportive of legislation that encourages a review of our current systems and practices that may impact the availability and retention of qualified health care workers.

The OSLTCO is also monitoring several pieces of legislation relating to the closure of two of Iowa's mental health institutes in Clarinda and Mount Pleasant. Those bills include [SF333](#), which would require the Department of Human Services (DHS) to continue to accept eligible patients to these two institutes through June 30, 2015, and [SF402](#), which would prohibit DHS from closing the institutes until a long-term care plan is developed. Both of these bills have passed out of Senate.

OSLTCO Monitoring Closure of State Mental Health Institutes

Plans are in the works to close two of Iowa's mental health institutes (MHIs) that offer diagnostic and inpatient treatment services to adults with serious mental illness. Under the direction of Gov. Branstad, the Iowa Department of Human Services (DHS) is preparing to close the Clarinda Mental Health Institute and the Mount Pleasant Mental Health Institute by June 15, which would require current patients to be moved to the state's other MHIs in Independence or Cherokee, or to private agencies.

The Clarinda Mental Health Institute is of special interest to the Office of the State Long-Term Care Ombudsman (OSLTCO), as it includes a 20-bed geropsychiatric unit that provides long-term care to adult Iowans with chronic psychiatric and behavioral problems who meet the guidelines for nursing home level of care and whose behaviors are such that community-based facilities cannot manage the resident.

To ensure residents' rights are protected during this closure, the OSLTCO is working closely with DHS, the Department of Inspections and Appeals, Disability Rights Iowa, the facility staff and other advocates. The Local Long-Term Care Ombudsman, Julie Pollock, and Discharge Specialist, Cindy

Pederson, visited the facility a few weeks ago to ensure residents are receiving good care and questions, if any, are being addressed. The residents are indeed being provided for and questions are addressed as they arise.

The OSLTCO is working with the closure team to learn of the location of residents that have already been transferred and will follow up with those residents to ensure the adjustment to new surroundings is successful. In addition, the closure team is meeting to put a process in place that will allow for a smooth transition for the remaining residents.

The Importance of Resident and Family Councils in Long-Term Care Facilities

Resident and family councils are independent, organized groups of individuals who work to maintain or improve the quality of life for residents and tenants of long-term care facilities.



These councils create change, address quality-of-life and care issues, provide an opportunity for residents and family members to discuss concerns in a safe setting and work to enhance communication and problem-solving among residents, family members and facility staff.

Resident and family councils are vital to the operation of a long-term care facility, providing a voice for residents and their families. Because the Office of the State Long-Term Care Ombudsman works to resolve concerns made by or on behalf of long-term care residents and tenants, it is a valuable resource for resident and family councils when it comes to providing information about:

- Residents' rights;
- The role of resident and family councils in promoting residents' rights;
- Ways resident and family councils can work with facility staff to identify problems and take action on issues impacting quality of life; and
- How to organize and promote resident and family councils.

For additional information, please visit the [Learning Opportunities](#) page on our website to watch videos, review presentations and download brochures relating to resident and family councils and a number of other topics.

Welcome New Volunteer Ombudsmen

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

- Terry Arons, Hiawatha Care Center (Cedar Rapids)
- Becky Cleveland, Winslow House Care Center (Marion)
- Pat Kerr, Heritage Nursing & Rehab Center (Cedar Rapids)
- Ingrid McHugh, Heritage Nursing & Rehab Center (Cedar Rapids)
- Maria Montoya, Rockwell Community Nursing Home (Rockwell)
- Pat Myers, Cottage Grove Place (Cedar Rapids)
- Leanne Rand, Manly Nursing & Rehab (Manly)
- Nancy Schade, Hiawatha Care Center (Cedar Rapids)

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.