



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

The Iowa General Assembly adjourned just after dawn on Saturday, April 22. It was a difficult budget year, which left lawmakers with difficult choices. The health and human services budget bill passed by legislators and sent to the Governor, [HF 653](#), contains deep cuts to many programs and services. The Office of the State Long-Term Care Ombudsman was impacted by budget cuts as well--with decreases for FY18 reducing our overall appropriation by over \$216,000. A cut of that kind will no doubt impact the OSLTCO's ability to continue all of the valuable services and resources benefiting those in long-term care, but my team remains committed to providing residents with the best service possible under the circumstances.



Upon adjournment every year, the Governor has thirty days to sign or veto bills. There has been no action taken yet on HF 653; next month we'll provide short summaries of bills signed.

Looking forward to the 2018 legislative session, I'm inviting those with an interest in high-quality long-term care options to connect with us and local legislators. If your residents feel an impact by changes made to health and long-term care programs and services, please let us know. It's not always easy to know how a change or cut will impact the work we do, but every

year we have a new opportunity to collaborate with stakeholders to improve the health, safety, welfare and rights of those in long-term care.

Deanna Clingan-Fischer, JD

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## Area Agencies on Aging: Linking Iowans to Local Services

You might know that Iowa has six regional Area Agencies on Aging (AAA) which work to serve all 99 counties in Iowa, but are you familiar with the history and scope of services provided?



The AAA system was established under the Older Americans Act (OAA) in 1973 to respond to the needs of aging Americans in every community. The agencies [provide information](#), administer programs and offer services to help older adults, caregivers, and those with disabilities maintain health and independence in their homes and communities for as long as possible. The AAAs serve any individual age 60 and older, as well as adults over 18 with a disability.

Iowa's AAAs are supported by a combination of federal, state, and local funding sources. The OAA [mandates](#) that AAAs use the flexibility provided in the law to ensure that local needs and preferences are taken into consideration and that the resulting local service delivery system is tailored to the community.

Services provided by AAAs include:

- Adult day services
- Chore services
- Companion & respite care
- Congregate meals
- Consultations about other problems
- Employment assistance
- Healthcare aides
- Home-delivered meals
- Home repairs
- Legal assistance
- Meal sites
- Modifying the home for disabilities
- Nursing & homemaker services
- Senior centers
- Transportation
- Case management

The Department on Aging now has an [interactive map](#) of the counties that make up the regions served by Milestones, Connections, Elderbridge, NEI3A, Aging Resources of Central Iowa, and The Heritage Agency.

For more information or to contact your local AAA, visit the [LifeLong Links website](#) or call 866-468-7887.

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## **New Issue Briefs on Visitation Rights and Rehabilitation Services**

[Consumer Voice](#), along with the Center for Medicare Advocacy and Justice in Aging, has released two new issue briefs in their issue brief series, "A Closer Look at the Revised Nursing Facility Regulations."

[Visitation Rights](#) - This brief explains changes in visitation rights including the right to receive visitors, written policies and procedures, notice requirements, and visitation privileges. The revised nursing facility regulations affirm the rights of residents to receive visitors of their choosing at the time of their choosing, and require the facility to provide immediate access to the resident in accordance with the regulations. The Centers for Medicare and Medicaid Services (CMS) maintained the resident's right to deny or withdraw consent for visitation of family members, other relatives, and other visitors at any time. The resident representative is added to the list of people and government representatives who have immediate and unrestricted access to the resident. However, visits from non-family visitors are now subject to "reasonable clinical and safety restrictions," which is a change from "reasonable restrictions."

[Rehabilitation Services](#) - This brief covers how the substantive requirements for specialized rehabilitative services are largely unchanged from the prior version of the regulations, with the exception of "respiratory therapy," which is added to the list of services that a facility must provide to its residents who need them. In responding to a question regarding whether respiratory therapy would include ventilator care, CMS emphasized that a nursing facility is obligated to meet residents' needs.

Read the other issue briefs in the series [here](#).

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## **Upcoming Events & Educational Opportunities**

### **Cross-Training: Abuse in Later Life**

Thursday, May 11, 2017 (8:00 AM – 5:00 PM CDT)

The Kirkwood Room at Governor's Ridge (515 Kirkwood Avenue  
Iowa City, IA 52240)

## Training Purpose & Goals:

To enhance older victims' safety and quality of life by strengthening collaboration among victim service providers. The training is brought to you by the Iowa Attorney General's Office in collaboration with the Iowa Department on Aging, the Iowa Department of Public Safety, the Iowa Department of Human Services, the State Long Term Care Ombudsman's Office, the Polk County Attorney's Office, the Polk County Sheriff's Office, the Dallas County Attorney's Office, and the Iowa Coalition Against Domestic Violence. The training is conducted by an aging expert, a domestic violence advocate, and a DHS dependent adult abuse expert who will:

- Describe the dynamics of abuse in later life;
- Identify and utilize resources in the community; and
- Promote collaboration and communication among victim service providers.

## Target Audience:

- Adult protective services (APS) and/or elder abuse workers. Those who respond to suspected elder abuse situations, conduct investigations, and offer various interventions and services to consenting adults.
- Community-based domestic violence advocates. Those who work in local nonprofit, nongovernmental domestic violence programs assisting victims of domestic violence and their children.
- Community-based sexual assault advocates. Those who work in local nonprofit, nongovernmental sexual assault programs assisting victims of sexual assault.
- System-based advocates. Those who are typically employed by criminal justice agencies such as sheriff's departments, prosecutor's offices, and probation departments.
- Aging network professionals. Those who work in state units on aging, area agencies on aging, tribal and native service organizations, adult care centers, and other organizations focused on the needs of older adults.
- Other advocate or professionals who work with elder abuse victims. Those who may not fit in the other categories but work with elder abuse victims such as: attorneys, health care providers, faith leaders, and people who work with culturally-specific and marginalized populations.

## Agenda:

Registration & Networking - 8:00 am - 8:30 am

Module One: Dynamics of Abuse in Later Life

- Four Key Training Purposes
- Duluth Power and Control Wheel
- NCALL Abuse in Later Life Power and Control Wheel
- Tactics Used by Abusers

Module Two: A Victim-Centered Response

- Safety Planning with Tessa
- The Case of Marta and Terrell

Additional Resources:

- Victim Indicators of Abuse, Neglect and Exploitation
- Tips on Working with Victims of Abuse in Later Life

- Outreach and Public Awareness Strategies for Domestic Violence and Sexual Assault Advocates
- Victim-Centered Safety Planning - Key Considerations for Professionals Working with Older Survivors of Abuse
- National Agencies

Continuing Education:

CLE: 7.25 hours – Activity Number: 239290

Other: This training may qualify for continuing education credits for other professions. If you need supporting documentation, please contact us.

### **Registration Deadline: May 5**

Note: Seating is limited to 40 attendees. Additional trainings will be held across the state at later dates.

> [Register](#)

## **Webinar: Legal Basics: Medicare Part D**

Tuesday, May 16th, 2017 (1:00 p.m. CDT)

Presented by [Justice in Aging](#)

People with Medicare get their prescription drugs through the Medicare Part D program. This program is separate from the one that provides recipients with hospital and medical coverage. Medicare Part D has its own rules and can be complicated to navigate, even for the most seasoned advocate.

During this basic training, Justice in Aging attorneys will provide essential information on Medicare Part D, with particular emphasis on how the program works for low income consumers. The training will provide an overview of:

- Eligibility and enrollment
- The Low Income Subsidy (“Extra Help”)
- Plan choices
- Exceptions and appeals

Following the training, the audience will have a foundational understanding of Medicare Part D and the most common issues advocates encounter. Newer legal services attorneys, law students, and aging and disability network professionals looking to understand the basic principles of Medicare Part D are encouraged to attend.

### **Presenters:**

Georgia Burke, Directing Attorney, Justice in Aging

Amber Christ, Senior Staff Attorney, Justice in Aging

> [Register](#)

## **Webinar: Elder Financial Abuse and Medicaid Denials**

Wednesday, May 17th, 2017 (1:00 p.m. CDT)

Presented by [Justice in Aging](#)

Financial exploitation can devastate low-income older adults, especially those who rely on Medicaid for their health and long-term care. For example, older adults who are victims of financial abuse may be denied eligibility for Medicaid because their abuser won't turn over their bank records. Without Medicaid eligibility, the older adult may be threatened with eviction or involuntary discharge from a nursing home because of nonpayment.

Legal services are critical to helping older victims of financial exploitation receive the medical care and services to which they are entitled. Join us for [Elder Financial Abuse and Medicaid Denials](#) to learn how to identify victims of elder financial abuse, what problems this exploitation can cause for Medicaid eligibility, and how legal services attorneys can help their older clients receive the benefits they need and prevent future problems accessing Medicaid.

### **Presenters:**

Jennifer Goldberg, Directing Attorney, Justice in Aging

Jahna Locke, Elder Justice Legal Fellow, Equal Justice Works AmeriCorps, New York Legal Assistance Group (NYLAG)

> [Register](#)

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*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.*