



December 2017

 Note from the State Long-Term Care Ombudsman

Welcome to the new version of *The Advocate*!

As you know, this has been a year of changes for the State Long-Term Care Ombudsman's office. That change has now been extended to the e-newsletter you receive from the office.



You will notice that while we have retained the sections of the newsletter containing the message from the State Long-Term Care Ombudsman and upcoming events and educational opportunities, this new format will also enable us to provide updates from the Managed Care Ombudsman Program and the Volunteer Ombudsman Program, along with timely information about topics that impact residents and tenants of long-term care facilities.

The State Long-Term Care Ombudsman's office welcomes your comments about this new format.

As the year comes to an end, I would like to take this opportunity to extend a heartfelt thank you to those who have worked with us to make the changes experienced by the Office of the State Long-Term Care Ombudsman as smooth as possible for residents and tenants of long-term care. Whether you made arrangements for a video conference between a Local Long-Term Care Ombudsman and a nursing facility resident, set up a telephone call for an assisted living tenant or offered a kind word to a Local Long-Term Care Ombudsman who was working through resolving a resident issue without being able to meet with the individual face to face, thank you for your time and consideration.

From all of us in the Office of the State Long-Term Care Ombudsman, we offer best wishes for a happy holiday season and a prosperous New Year!

Cindy Pederson, JD



## News & Resources

- Nov. 28, 2017, was a big day in the world of nursing home regulations. Phase 2 regulations went into effect, along with a new survey process, the “freezing” of health inspection ratings and revised interpretive guidelines. At the same time, an 18-month moratorium on full enforcement of certain Phase 2 requirements began: <http://theconsumervoice.org/news/detail/latest/changes-in-nh-regulations>
- As of Nov. 28, 2017, nursing facilities that participate in the Medicare and/or Medicaid programs must complete and implement a baseline care plan within 48 hours of a resident’s admission, as well as provide a baseline care plan summary to the resident (and representative if necessary) by the completion of the comprehensive care plan: <https://www.aanac.org/Today-in-Long-Term-Care/post/baseline-care-plans-how-nacs-can-prepare/2017-07-26>
- The National Nursing Home Quality Improvement (NNHQI) Campaign offers a user-friendly website to provide long-term care providers, consumers and advocates with free, easy access to evidence-based and model-practice resources to set and achieve quality improvement goals. The campaign promotes focus on individuals’ preferences, staff empowerment and creating a culture of continuous quality improvement: <https://www.nhqualitycampaign.org/default.aspx>



## Resident/Tenant Rights

- As part of Phase II of the new Federal Regulations effective Nov. 28, 2017, CMS has provided additional clarification regarding F-Tag 565 (Resident/Family Group and Response). Examples of non-compliance may include facility staff impeding with family or resident council meetings by mandating they have a staff person in attendance during meetings; assigning a staff person to liaise with the council who is not agreeable to the council; or failing to provide private meeting space for a council: <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/>

[GuidanceforLawsAndRegulations/Downloads/Advance-Appendix-PP-Including-Phase-2-.pdf](#)

- According to Iowa Code, Chapter 144B, a durable power of attorney for health care is a document that is enacted and only valid if the physician declares the principle does not have capacity to make his/her own decisions:  
<https://www.legis.iowa.gov/law/iowaCode/sections?codeChapter=144B&year=2017>
- Resident-centered activity programs, led by compassionate and trained staff, can provide solace, comfort and relaxation while lessening symptomatic behaviors:  
[http://www.providermagazine.com/archives/2017\\_Archives/Pages/1117/Resident-Centered-Policy-for-Dementia-Activities-Makes-Life-Better.aspx](http://www.providermagazine.com/archives/2017_Archives/Pages/1117/Resident-Centered-Policy-for-Dementia-Activities-Makes-Life-Better.aspx)



## Resident/Tenant Health, Safety & Welfare

- New guidelines for the management of high blood pressure (BP) lower the threshold for a diagnosis of stage one hypertension, expanding the number of people who now fall under that classification: <http://www.providermagazine.com/news/Pages/2017/1117/New-Threshold-for-Hypertension-Widens-Risk-Pool.aspx>



## Legislative & Policy Issues

- The 2018 Iowa Legislative Session is scheduled to begin Monday, Jan. 8. The Legislative Services Agency has published a timetable for the 87th General Assembly that includes funnel dates and the 100th Calendar Day of the Session: <https://www.legis.iowa.gov/docs/publications/SESTT/861318.pdf>



## Managed Care Ombudsman Program

- Effective Nov. 30, AmeriHealth Caritas Iowa, Inc. withdrew from the IA Health Link managed care program. Members have been re-assigned to UnitedHealthcare and the Iowa Department of Human Services has put in place a temporary suspension of Managed Care Organization (MCO) choice, as members will not have the ability to select a different MCO until future notice: <https://dhs.iowa.gov/iahealthlink>
- Former AmeriHealth Caritas Medicaid managed care members who elected to switch to Amerigroup prior to Nov. 16, 2017, will have coverage with Iowa Medicaid as fee-for-service beginning Dec. 1:  
<https://www.desmoinesregister.com/story/news/health/2017/11/27/iowa-medicaid-program-resume-direct-oversight-10000-members/899434001/>
- The Managed Care Ombudsman Program is monitoring the experiences of managed care members who are transitioning from Amerihealth Caritas. Please

encourage residents who are having issues with the transition to call (866) 236-1430 or email [ManagedCareOmbudsman@iowa.gov](mailto:ManagedCareOmbudsman@iowa.gov).



## Volunteer Ombudsman Program

- Our Volunteers of the Month for December are Al and Merron Hart, who have dedicated their time to the Volunteer Ombudsman Program for almost four years now at Wesley Acres in Des Moines: <https://www.iowaaging.gov/state-long-term-care-ombudsman/volunteer-ombudsman-program/volunteer-month>
- Monthly reports for November should be submitted if you have not already done so. Online reports must be completed by December 5. Contact your Local Ombudsman for questions.