

The Advocate - July 2020



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Note from the State Long-Term Care Ombudsman

The Office of the State Long-Term Care Ombudsman continues to hear concerns from residents, tenants, legal decision makers and loved ones about issues with residents and tenants receiving their stimulus checks once the checks arrive at the facility.

As a review, residents' and tenants' mail should be delivered to the residents and tenants unopened, unless the resident has instructed the facility otherwise. Not only is it a violation of federal law for someone to open mail that is not addressed to them, but residents and tenants of long-term care are entitled to have their mail given to them without the mail having been opened by the facility. For those facilities that are concerned about the safety of distributing mail to residents immediately after delivery the US postal service has this guidance:

The Centers for Disease Control and Prevention (CDC) states there is still a lot that is unknown about COVID-19 and how the virus spreads. Coronaviruses are thought to be spread primarily through air-borne respiratory droplets resulting from a sneeze, cough or ordinary speech. Although the virus can survive for a short period of time on some surfaces, both CDC and the United States Surgeon General have indicated that it is unlikely to be spread from domestic or international mail, products or packaging.

Nonetheless, out of an abundance of caution, USPS recommends that customers follow the same CDC daily life guidelines that apply to running errands or shopping for groceries. These include, washing your hands with soap and water for 20 seconds or using hand sanitizer with at least 60 percent alcohol after accepting deliveries or collecting mail from a post office or home mailbox.

The Office of the State Long-Term Care Ombudsman reminds facilities that the government stimulus checks belong to residents and tenants. The checks are to be spent for what the residents and tenants want and do not belong to the facility. This does not change if the facility believes that the resident owes the facility money. The fact that the stimulus checks are the property of the resident has been stated by numerous consumer fraud watchdogs, the IRS, and even in a letter by Senator Charles Grassley. The link to that letter is provided elsewhere in this newsletter.

When people think of July, they think of the 4th of July and the freedoms and independence that day represents. One of the freedoms that Americans treasure is the freedom of association. The ability to interact with who we want, when we want, how we want is second nature to us. It is an unfortunate fact that the COVID-19 virus has imposed on this treasured right for all of us.

The Office of the State Long-Term Care Ombudsman hears concerns about visitation restrictions. It is a difficult line to walk balancing facility safety with the right of residents and tenants of long-term care to visit with those whom they choose, in the way they choose. Facilities have a duty to facilitate virtual visitation if in-person visitation is restricted. As visitation restrictions can be relaxed per the current Iowa Department of Public Health and Department of Inspections and Appeals guidance, the Office of the State Long-Term Care Ombudsman encourages facilities to allow the most extensive visitation offerings possible as soon as practicable.



News & Resources

The Office of Latino Affairs, EMBARC and The Iowa Spanish Helpline Task Force announced the launch of the Iowa Spanish Helpline: 515-344-3936 Monday through Saturday from 8 am until 8 pm. For additional information view the following [article](#).

Consumer Financial Protection Bureau (CFPB) published a helpful [guide](#) to protect residents from financial exploitation and offered the following three tips assisted living and nursing facilities may find helpful during and following the national pandemic:

1. You may be able to offer video conferencing as a way for residents and caregivers to meet with facility staff to discuss billing problems, decision-making issues, and other financial red flags. A video call can allow caregivers to pick up on nonverbal cues that may be lost during a phone call.
2. You might host a webinar or write a newsletter article for residents and caregivers about how to recognize and report elder financial exploitation. Include contact information for your local long-term care ombudsman, Adult Protective Services, law enforcement, and your facility's point person for concerns about residents.
3. If possible, print out and share information with facility staff and residents about [common scams](#) and [scams related to coronavirus](#).

Resident/Tenant Rights

Residents' Rights Month

Residents' rights month is in October and a great way for activity directors to engage residents and tenants. This year's theme is *Connection Matters*. Residents and tenants are welcome to complete the *Resident's Voice Challenge*. There are many ways to showcase residents' and tenants' creative thoughts regarding this year's theme including videos, photos, artistic skills, essays or poems by responding to one or more of the following questions:

- How do you stay connected and engaged with members of your community?
- Why does connection matter? What does connection mean to you?
- What are new ways that connection and communication have been maintained during the pandemic? It could be connections with family and friends, members of the larger community, or connections within the facility, such as with other residents and staff.
- What are the challenges to staying connected and how can they be overcome? What resources or supports are needed?

Submissions are due September 1, 2020. Email submissions to: info@theconsumervoice.org or mail submissions to: Consumer Voice, Attn: Resident's Voice Entry, 1001 Connecticut Ave., NW, Suite 632, Washington, DC 20036

[Find more details about the Resident's Voice Challenge.](#)

Resident/Tenant Health, Safety & Welfare

Senators Grassley and Wyden sent a [letter](#) to Health and Human Services Office of Inspector General requesting assistance in stopping nursing facilities from taking stimulus payments.

As visitation and reopening guidance continues to come out from DIA and IDPH the following may offer a helpful connection to where people can find cloth masks. R.S.V.P. in northwest Iowa has been distributing masks view the [article](#) for further information.

The National Consumer Voice for Quality Long-Term Care held a webinar for family members regarding advocacy for residents during COVID-19. The [webinar](#) included a variety of topics: visitation, facility transparency and reporting requirements, transfers and discharges, and COVID-19 testing.

LiteSheet Solutions, a Virginia company, launched an LED UV-C sanitizing cabinet killing 99.9% of bacteria and viruses including COVID-19 view the [article](#) for additional information.



Oaknoll Retirement Residence in Iowa City shared this photo of their "Chatter Box" with one of the Local Long-Term Care Ombudsman. This is used primarily to facilitate visits with residents who live on the second floor of the facility.



Managed Care Ombudsman Program

DHS issued [information letter NO. 2146-MC-FFS-CVD](#) regarding COVID-19 relief rate add-on payments to all Iowa Medicaid skilled nursing facilities and nursing facilities, including Program of All-Inclusive Care for the Elderly (PACE) providers.

For information regarding the Iowa Managed Care Ombudsman Program including resources for Medicaid members or service providers as well as monthly and quarterly reports visit our [website](#).



Volunteer Ombudsman Program

lisa.vanklavern@iowa.gov or 515-971-6294

Tip Sheet

VOP Coordinator Lisa Van Klavern wanted to send all Volunteer Ombudsmen the [tip sheet](#) as in-person visitation is restricted at this point: *Tips for Ombudsman Program Communication with Residents, Long-Term Care Facilities, Families, and the Public During COVID-19*.

VOP Statewide Conference Call

This month's statewide call will be held on Wednesday, July 29 at 10:00 am. Iowa Department on Aging, Legal Assistance Development and Policy Analyst Ben Mulford will be presenting on HIPAA and confidentiality. Notes from the past calls may also be found on the [website](#). If you do view a recording of a previously recorded statewide conference call be sure to email volunteevop@iowa.gov to receive one hour of continuing education credit.

VOP CEUs

The COVID-19 and Ombudsman Programs: Understanding How Trauma Impacts You, Residents and Your Advocacy webinar series is available for CEUs. The third of the four-part series was held on June 17. If you view the [presentation and recording](#) be sure to fill out the [VOP CEU form](#) to receive credit.

There was a [webinar](#) on June 10 held regarding *Cultural and Linguistic Competence: What it Means for Ombudsman Programs*. This webinar. If you view the webinar and [slides](#) be sure to fill out the [VOP CEU form](#) to receive credit.

The featured webinar/video this time is [Challenging Behaviors](#). Be sure to fill out the [CEU form](#) if you do attend.



Events & Educational Opportunities

The following three webinars are put on by Iowa Fraud Fighters on Financial Fraud

1. How to Avoid Medicare Fraud and Financial Exploitation

VOP CEU eligible

July 15 (1 pm)

[More Information](#) | [Register](#)

2. Don't Fall Victim to Online Scams

VOP CEU eligible

July 22 (10 am)

[More Information](#) | [Register](#)

3. Protect Loved Ones from Investment and Medicare Scams

VOP CEU eligible

July 29 (12 pm)

[More Information](#) | [Register](#)

COVID-19 and Ombudsman Programs: Understanding How Trauma Impacts You, Residents and Your Advocacy

VOP CEU eligible

July 29 (2 pm)

[More Information](#) | [Register](#)

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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