



# The Silver Panther Newsletter

## FALL

## 2016



**Statewide Coalition of Presidents of Resident Councils  
Executive Board Members**

*Grace Bligé-Curry, Karen Hawley, Mary DePasquale,  
Helen Fitch, Ann Nichols, Charlene Paquin,  
Jeanette Sullivan-Martinez, Dave Thomson*



## The Twentieth Anniversary of VOICES

### Commitment to Change!

The Twentieth Anniversary of VOICES is a great milestone for Connecticut's nursing home residents! Carol Rosenwald's vision to "give voice to residents outside the walls of their nursing homes" continues to flourish. Your voices, along with the many voices over the years, have raised issues of importance to legislators, policy makers and care providers. Together you advanced improvements related to the Personal Needs Allowance, Fear of Retaliation, nursing home staffing levels and Residents' Rights. Connecticut is now the only state in the country that requires nursing home staff to be annually trained on what it is like for residents to fear retaliation. Many years ago residents successfully lobbied to raise the PNA and also attach to it an annual Cost of Living Allowance.

But, we're not done! As the world changes and technology, health care services and living options evolve residents must continue to have a voice. We must continue the fight to protect the Personal Needs Allowance and to raise the minimum staffing requirements. As more nursing homes may close and residents are provided greater home and community based living options we must ensure that each individual has the opportunity to make informed choices about where they live, what their supports look like and who provides those supports. And importantly for residents who choose to reside in nursing homes we must continue to ensure good care and residents' rights protections. As we go forward we must collectively give voice to all of these important issues. Connecticut is a much better place for nursing home residents because you and others before you raised a collective voice. We must continue to be engaged and give voice to what is important to you.

I am exceedingly grateful for the many residents over the years who have inspired the Ombudsman Program to always look deeper at the issues and reach higher for solutions, ask the hard questions and press time and again for good outcomes, whether legislation initiatives or policy decisions. I am grateful for our many partners throughout Connecticut who share your vision to improve the lives of nursing home residents.

To quote Confucius: "It does not matter how slowly you go as long as you do not stop." So we will keep going! And if the going seems slow at times let's remind ourselves to honor the many smaller achievements and continue to strive to attain greater improvements.

Thank you for your advocacy on behalf of all of Connecticut's nursing home residents!

Warm regards,



## 20<sup>TH</sup> ANNIVERSARY OF THE VOICES FORUM

Carol Rosenwald, a Connecticut nursing home resident had the dream of resident council members from across the state coming together as one voice to address concerns, and since that day the Ombudsman program has been honored to facilitate that meeting. On October 13<sup>th</sup> the 20<sup>th</sup> annual VOICES forum was held at the Aqua Turf in Southington. This year the theme was COMMITMENT TO CHANGE and the day was filled with inspiring words and helpful information, as well as a bit of fun entertainment. The audience enjoyed greetings from Commissioner Betsy Ritter of the State Department on Aging and a keynote address from Ms. Alice Bonner, Secretary Elder Affairs, State of Massachusetts. Ms. Bonner spoke about how nursing home care has evolved and the hopes for the future. She added some touching remarks about her interaction with Connecticut nursing home resident and advocate, Brian Capshaw who passed away suddenly this year. A legislative update was provided by Dan Lerman, Regional Ombudsman and Jeanette Sullivan-Martinez, Executive Board member and nursing home resident. The group was provided with important information about voting rights and absentee ballots by Lourdes Montalvo, Director of Constituents Services and Community Outreach. Mr. Rick Liegl of the Meriden Senior Center entertained the group with a presentation of his vast knowledge of the many types of drums. Members of the audience participated and the “beat” was enjoyed by all. The group was also treated to a “sing-a-long” conducted by Anthony and Candance Nero, directors of the Therapeutic Recreation Department of Chestelm Health and Rehab. The Brian Capshaw “Rock Star” award recipient was Lisa Trip, a law professor and consultant to Medicare and Medicaid Services. Ms. Trip is an expert on federal regulations governing health care institutions. This years Carol Rosenwald award was presented to Julie Evans-Starr and the Commission on Aging for their tireless work at identifying trends and planning for the growing population of older adults. It is hard to believe that 20 years of VOICES have come and gone and it is with pride we recognize the importance of gathering together to speak as one voice.



## **VOICES Question and Answer Panel Session**

**Nancy Shaffer-Long Term Care Ombudsman; Jeanette Sullivan-Martinez-E-Board-Executive Member; Julie Evans-Star-Aging Disabilities & Health Policy Consultant; Commissioner Elizabeth B. Ritter- State Department on Aging; Lori Griffin-Department of Public Health; Barbara Yard-Department of Public Health; Lourdes E. Montalvo Director Community Outreach, Secretary of State Office**



**VOICES: Nancy B. Shaffer, Jeanette Sullivan-Martinez,  
Julie Evans-Star, Commissioner Elizabeth B. Ritter**



**VOICES: Nancy Shaffer, Jeanette Sullivan-Martinez,  
Julie Evans-Star**



## BEST PRACTICES

We asked several facilities to tell how us they memorialize or remember those residents that have passed away. Here are some Best Practices the group shared.

One facility states the residents come to live with us and enter through the front door. It is our protocol that they leave through the same front door. The Resident Council has made a special Quilt for this purpose. This Quilt drapes the casket as it leaves through the front door. Residents, who are able, line the hallway in silence.

Another facility uses any donations they receive from a residents passing and purchase either a tree or a flowering bush in their memory.

A facility has a rock garden in their back yard. A rock is labeled with a former resident's name and placed in the garden as a remembrance.

One Resident Council sets aside a few minutes at the beginning of their monthly meeting to say a prayer commemorating a residents passing. The prayer that is used is from the service at the funeral home.

One facility displays a picture of the resident in the foyer for a month to commemorate his/ her passing. A brief narrative that depicts the life of the resident is placed next to the portrait.

One facility has a memorial tree plaque in their lobby commemorating those residents who have passed.

A Resident Council sensitive to the spiritual and religious needs of the residents has been holding memorial services, to assist them in grieving the loss of friends and relatives.

A Resident Council effectively lobbied the facility for a Reflection Room where residents, family members and staff can go for a moment of peace and reflection.

A moment of Silence was instituted after the recent massacre of those that were killed during the Orlando, Florida incident. This brought the discussion to the table by residents, "What are we doing for our residents that pass". Discussions are in progress.



The National  
**CONSUMER VOICE**  
for Quality Long-Term Care  
formerly NCCNHR

September 29, 2016

## **CMS Releases New Nursing Facility Regulations: Both Pluses and Minuses for Nursing Facility Residents**

**The Centers for Medicare & Medicaid Services has just released a comprehensive revision of federal nursing facility regulations. The regulations and explanatory material (over 700 pages total) are available [here](#). The positives for nursing facility residents include expanded training requirements and a new provision that an initial care plan be developed and implemented within 48 hours. The negatives include a failure to improve nurse staffing standards, and weakening the regulations limiting antipsychotic drug use.**

**Some important provisions are highlighted below. Additional analysis of the regulations will be developed in coming weeks by Consumer Voice, the Center for Medicare Advocacy, and Justice in Aging.**

### **Quality of Care**

Staffing: Although inadequate staffing is the greatest problem in nursing facilities today, the new regulations do not include a minimum staffing standard or a requirement for a 24-hour Registered Nurse. Instead, the new regulations continue current policy: requiring sufficient staffing levels, and registered nurse presence for eight hours daily. Staff must have appropriate competencies and skills sets, and staffing levels must take into consideration the number, acuity and diagnoses of the resident population, based on a newly mandated facility assessment.

Person-centered care: The previous regulations required that care be individualized, and based on a care plan, but the new regulations add emphasis. The new regulations define person-centered care and require that facilities learn more about who the resident is as a person, provide greater support for resident preferences, and give residents increased control and choice.





Care planning: Under the new regulations, facilities must develop and implement a baseline care plan for a new resident within 48 hours of admission. The care planning process itself calls for greater resident involvement and participation. In addition, the certified nursing assistant responsible for the resident and a member of the food and nutrition services staff must participate in the care planning process.

Abuse, neglect and exploitation: Provisions related to abuse, neglect and exploitation are now included in a separate section, which brings more attention and focus to these issues. New protections include prohibiting licensed individuals with a disciplinary action from being hired and requiring that suspicion of a crime be reported to law enforcement and the state survey and certification agency.

Antipsychotic drugs: Many residents with dementia are inappropriately given harmful antipsychotic drugs, despite strong current federal rules. The new regulations water down existing protections by folding antipsychotic drugs into a broader category of psychotropic drugs and moving them from quality of care regulations to pharmacy services.

Training: Training requirements have been expanded to apply to all staff, contractual employees, and volunteers. Mandatory topics include communication, residents' rights, and abuse, neglect and exploitation. Certified nursing assistants will be required to receive training on dementia management and resident abuse prevention.

## **Resident Rights**

Prohibiting Pre-Dispute Arbitration: Currently, many nursing facility admission agreements include provisions obligating the resident to have disputes adjudicated through private arbitration. Such appropriate –dispute, arbitration agreements now will be prohibited. Arbitration agreements will be allowed only when the events at issue occurred before the arbitration agreement was signed.

Improvements to Involuntary Transfer-Discharge Procedures: The new regulations specify that transfer-discharge for non-payment is inappropriate when the resident has submitted necessary paperwork to a third-party payor (such as Medicaid), and that payor is now evaluating the claim for payment. Also, facilities now will be obligated to send a copy of each transfer-discharge notice to the state long-term care ombudsman program, which is available to advise the resident.



Limiting Facility Ability to Dump Resident at Hospital: In an effort to evade transfer-discharge requirements, some facilities dump residents by refusing to readmit them from hospitalizations. To address the problem, the new regulations explicitly require a facility to follow the transfer-discharge procedures when the facility claims that a hospitalized resident cannot return to the facility.

Modifying Residents Rights to Have Visitors: The new regulations continue current law providing each resident with a right to receive visitors at any time. In an unwelcome change, however, if a visitor is not a family member, the right to receive a visit now is subject to reasonable clinical and safety restrictions as set forth in facility policy.

Grievances: Far too often, complaints from residents and families have been dismissed or not taken seriously. The regulations will now call for facilities to have a grievance policy and a grievance official to oversee the grievance process. Complainants will receive a written grievance decision that includes the steps taken to investigate, a summary of the finding or conclusions, a statement as to whether the grievance was confirmed or not confirmed, and the action taken or to be taken by the facility.

*This release has been jointly developed by Consumer Voice, the Center for Medicare Advocacy and Justice in Aging.*



**Governor Malloy attends E-Board Retreat July 2016**

**Signs Bills into Law SB: 280, SB: 161, SB: 166**



**DENISE W. MERRILL  
SECRETARY OF THE STATE  
CONNECTICUT**

For Immediate Release:  
October 12, 2016

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PRESS RELEASE

**ABSENTEE BALLOTS NOW AVAILABLE FOR  
NOVEMBER 8 ELECTION**

**HARTFORD:** Connecticut Secretary of the State Denise Merrill has announced that absentee ballots are now available to registered Connecticut voters who will be unable to get to their polling places to cast a ballot on Election Day.

“If you will be out of town or unable to get to the polls on Election Day, please don’t get left out,” said Secretary Merrill. “Absentee ballots are now available. A little preparation is all it takes to have your voice heard on November 8. The sooner you apply the better.”

To obtain an absentee ballot, registered Connecticut voters can download an application from the Secretary of the State’s website ([www.sots.ct.gov](http://www.sots.ct.gov)) or local town websites, or they can contact their local town clerk’s office to pick up an application in-person or receive one through the mail. After the applications are submitted, absentee ballots will be sent to registered voters who request them within days. Absentee ballots must be signed and can be returned through the mail or in-person. In order to be counted for the general election, absentee ballots must be received by town clerks no later than 8:00 p.m. on Election Day, November 8, 2016.

Absentee ballots are only available to registered voters. For more information about registering to vote, go to: [myvote.ct.gov](http://myvote.ct.gov).



## MISSING MARION

The Presidents of Resident Council Executive Board is mourning the loss of member Marion Gifford, who passed away On September 8<sup>th</sup> at age 73. Marion spent her working years as a Registered Nurse and health surveyor for the state of Massachusetts. She also worked with the American Red Cross. Marion was President of the Resident council in the nursing home where she resided and furthered her role as advocate by serving on the Executive Board. Everyone who came across Marion will remember her infectious smile and fashionable hats. The Ombudsman Program and residents she served will miss her greatly.



**Mary DePasquale, Marion Gilford, Nancy Shaffer  
At the E-Board Retreat July 2016**



## WELCOME NEW EXECUTIVE BOARD MEMBERS!

### ANNE NICHOLS

Anne Nichols spent many years working in the educational field. She studied the Montessori Method of training and as Executive Director at an agency in Norwalk, Ct she expanded the early childhood programs and was involved in renovating a school to accommodate a before and after school program. Anne serves as president of the Resident Council in her nursing home, Sheridan Woods and was inspired to join the executive board after attending a VOICES forum. Anne has implemented an audio book program for the residents in her nursing home and expresses her wish to continue to advocate for Long Term Care issues that impact all residents. The Ombudsman program and the Executive Board are fortunate to have her!

### DAVE THOMSON

Dave Thomson worked in the advertising industry where he became a film producer. He later joined Universal Pictures where he wrote and produced films. He also worked with his brother in the formation of a travel incentive company and has five grown sons. Dave enjoys watching movies on his Ipad, reading, and watching television. He is the Resident Council President at Candlewood Valley Health and Rehabilitation Center and can often be found in the Physical Therapy room at his home. The Executive Board and the Ombudsman Program welcome his interest and look forward to his advocacy!



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*Athens, Charter Oak, Constitution, Democracy, Elect, Primary, Electoral College, Senator, Representative, Emancipation, Proclamation, Lincoln, Amend, Integration, Registration, Poll Tax, Equality, Eighteen, Stanton, Absentee, Wyoming, Obama, Anthony, Bicameral, Ballot*

**Created By Karen Hawley**



# Statewide Coalition of Presidents of Resident Councils SCPRC

## Executive Board Members

**Mary DePasquale**  
Ellis Manor Care

**Grace Blige-Curry**  
Newington Health  
Emeritus Member

**Charlene Paquin**  
Walnut Hill

**Helen Fitch**  
Valerie Manor

**Karen Hawley**  
Geer Memorial Healthcare  
Emeritus Member

**Ann Nichols**  
Sheriden Woods

**Jeanette Sullivan-Martinez**  
Pendleton Healthcare

**Dave Thomsom**  
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**Regional Ombudsmen**

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**Connecticut  
LTCOP**

Long Term Care Ombudsman Program

**[www.ltcop@ct.gov](http://www.ltcop@ct.gov)**

