

# Ombuddy Review

April 2008

*If you know someone in a long-term care facility, you ought to know us....*

**Mission:**  
to actively promote standards of excellence in advocacy and enhancement of the quality of life for residents of long-term care facilities in San Mateo county.

**Vision:**  
that we ourselves would be willing to live and enjoy our last years in any one of the facilities we serve.

**Values:**  
to cherish our Ombudsmen, to fully and faithfully support our clients, and to positively work with all community stakeholders



*From the Desk of the Director ...*

As we look at trends and how they affect the future of Ombudsman Services, we cannot overlook the elephant in the room, i.e. the huge increase in the over 65 population, and the large expected increase in the number of facilities and residents that will need to be served. The Census Bureau tells us that we can anticipate the over 65 population to double by the year 2020. We project that the number of elderly residents we will serve in San Mateo County will probably also double.

How will we cope? We in Ombudsman Services are constantly looking at how we do things, how we can better accomplish our goals, and how we can more effectively serve our elderly clients. In planning how to deal with the anticipated increase in our client base, we find that our team of field ombudsman volunteers is at center stage. First, it is imperative that we attract, recruit, and train many more field ombudsmen. Second, we must continue to develop the skills of our ombudsmen to enable them to work smarter rather than harder -- a topic for our annual staff retreat. Lastly, we must find new and creative ways to retain our field ombudsmen, for they are the true lifeblood of our program.

Our challenge is to do all that we need to do in an economic climate that is, at best, stagnant, at worst declining. However, with your help, and by working together -- generous donors, wonderful volunteer ombudsmen, and an incredibly hard working staff, we will continue our history of success on behalf of the frail and vulnerable population we serve.

## Celebrating Ombudsmen

*75 Years of Service*



Nancy Krah, Ruth-e Bennisson and Bob Hammes were honored recently with a special presentation from Ombudsman Services for their long-serving dedication to the residents in long-term care in San Mateo County. Ruth-e states, *"People who serve in the program today seem to be more connected. They are in tune with what is happening in facilities and in the economy at large. They are more able to connect residents to community resources to better meet their needs. The longer people work for the program the better they get."* We can all vouch for that.

## Systems Advocacy Update on Restraints

It is very exciting to see just how much difference ombudsmen can make when working on the larger systemic problems. With California at the bottom of the totem pole in the nation with regard to its use of restraints, and with help from National Citizens Coalition for Nursing Home Reform, we took it on. For the 10 facilities for which statistics are available, two are at 0-1% restraint usage, four have significantly reduced restraints since we began our campaign, and we believe we will see the usage drop in the remaining four facilities over the next quarter. Linda Mar's restraint use dropped from 17% to 9%!! For those facilities whose restraint rates are not available on the [www.medicare.gov](http://www.medicare.gov) sight, we believe that several have very low or 0% restraint usage rates. However we do have a couple of holdouts whose restraint rates remain unacceptably high. We still have work to do.



### Medication Training Requirements in RCFEs

A trend in long-term care that we are seeing is a direct result of the Federal Olmstead Decision that gives individuals the right to live in the least restrictive environment possible. In response to this decision, in California we have seen clients with disabilities moved from nursing homes and other restrictive settings into community living situations. There is now pressure being brought to bear from the Federal Administration on Aging to move elderly residents from nursing homes into less restrictive environments, such as assisted living. This is happening more readily in other states where Medicaid money is made available for assisted living. But what we are seeing in California is that some

residents are opting to remain in assisted living settings rather than moving to nursing homes as their conditions decline, with the licensing body supporting such decisions because of the Olmstead decision. We are seeing a loosening up of the laws : conditions previously forbidden in assisted living are now permitted. What is of major concern to us is that we have not seen a parallel increase in the legal requirements for training of caregivers in the assisted living setting, something we consider especially necessary in light of the different type of client we now see residing in these facilities -- older and with higher levels of acuity than heretofore. But this past year the Governor signed into law Section 1569.69 of the California Health and Safety Code, which mandates training for caregivers administering medications to residents. This legislation is much needed. Last year we investigated 44 cases of medication errors, several of which resulted in the death of an elder resident.

**Case Examples:** Ombudsmen are currently investigating a case in which we believe that medication mismanagement resulted in the death of an elder; a similar incident took place at another small board and care home recently, also resulting in the death of an elder. Two more cases investigated by ombudsmen and local law enforcement involve drug diversion, wherein the caregivers were taking the drugs of the elders in care, substituting a placebo. One of the alleged perpetrators is currently in prison pending trial on other charges of elder abuse that resulted in death. We hope that the required training on the management and disbursement of medications will help to stem the tide of these types of complaints.

### How Can I Help?

**By donating to the program or volunteering as an Ombudsman. Please complete and mail the form on the back of the newsletter. or call our office.**

**NEWS YOU CAN USE: Family Caregivers Support Program now available from Ombudsman Services.** We are pleased to offer a new program that provides education to family caregivers, individuals, and groups. Together with the Caregivers Alliance, these helpful presentations will cover important topics including:

- **Assessing your family's current in-home situation**
- **Community resources to families wishing to keep their loved ones at home**
- **How caregivers can/should take care of themselves**
- **If inevitable, how to make a choice for long-term care**

Any current or prospective family caregivers interested in attending, or any support groups wanting a presentation, please call the Ombudsman Office at (650) 349-7008 for further information.

**New Ombudsmen Training Congratulations** to our class of 10 new ombudsmen who have just completed 38 hours of classroom training. All 10 have now begun an internship that will lead to recommendation for state certification. Building our ombudsman base is critical to our ability to cover the facilities in a way that serves our clients.



Above: Leydith Nolan, Heidi Clarke, Vicki Albright, Jessica Britt, Pamela Martin, Joy Robinson  
 Absent: Charles Barca, Louise Kemmer, Jennifer Robinson, Pam Brooke

**Seeking New Volunteers for our September Class:** We are always on the lookout for those amazing individuals who are willing to serve as long terms care ombudsman. You too, can help provide advocacy for the frail and elderly residing in the 480 long-term care facilities in San Mateo

County. It's a truly rewarding experience. For more information on the upcoming training, please contact Nisreen at (650) 349-7008. Classes begin September 10.

### **Afternoon Tea With Your Ombudsman**

In the past year we have received 300 complaints alleging abuse of an elder or dependent adult residing in a long-term care facility. We have brought resolution to 85% of those cases. It is a sad state of affairs that abuse goes on in our society, but indeed it does, and we must be vigilant in our attempts to eradicate it through education. On May 22, at our bi-annual afternoon tea event, our very own board member, Helen Karr, Esq., will be making a presentation on abuse. Part of her presentation will focus on the need for facilities to have good policies and procedures to minimize the possibility of occurrences. We urge all facilities to have a representative at the event which will happen at Millbrae Senior Center, 477 Lincoln Circle, Millbrae, from 3:00 to 5:00. It is

a great opportunity to dialogue with your ombudsmen in an informal setting, and to network with your peers.

### *Special Thanks to Our Donors FY 2007/08*

**San Mateo County Aging & Adult Services-Peninsula Health Care District-Sequoia Healthcare District-Woodlawn Foundation-San Francisco Foundation-City of San Mateo-Atkinson Foundation-City of Redwood City-City of Daly City-City of South San Francisco-City of Burlingame-Town of Colma, City of Menlo Park-St. Ambrose Episcopal Church-Yolanda Kohnert-Tippy Irwin-Bill Rodenspiel-Judith Guilfoyle-Zel & Donna Pellegrini-Chris Kenny-Louis Matuella-James Poach-Robert & Beverly Knowlton-Ruth-e Bennison-M.E. Petroni-F.M. Mandel-Douglas & Martha Watt-Jean Tullee**

### *February 2008 Volunteer Recognition*

Our Ombudsman staff always enjoys our annual volunteer recognition event, and this year was no exception. In fact, this year was extra special for three reasons. First, we were royally entertained by The Silver Bells, a bell choir from Home Sweet Home in Colma.



Second, we made our first ever Outstanding Police Service Award. The recipient was Detective Matthew Fox from the Daly City Police Department. We honored Detective Fox in recognition of his outstanding work with Ombudsman Ed Garvey in bringing an errant administrator to Justice. We hope to make this an annual award to a member of law enforcement. And last, but by no means least, we honored Lisa Laird as our Volunteer of The Year. Our thanks to Pat Rampton for presenting the Dick Rampton Award to Lisa -- A much deserved trophy for all the hours and hours of hard work she has put in for the residents of St. Francis Pavilion. We are also grateful to Supervisor Adrienne Tissier who, on behalf of the Board of Supervisors, came to recognize the efforts of all our field ombudsmen.



Non-Profit Org  
US POSTAGE  
PAID  
San Mateo, CA  
Permit No. 13

### *Celebrating 30 Years!*

In October we will celebrate thirty years of service to the residents in long-term care in the County of San Mateo. The program has come a very long way. No-one could argue that nursing homes are in a much better state today than they were in the 1970's when it was not uncommon to highly sedate and restrain elder care residents. The advent of the Federal Nursing Home Reform Act of 1987 changed forever the way nursing homes operate. California was not among the states that immediately embraced the new changes. However, over time, and through the good auspices of dedicated and responsible individuals, the changes did come. Ombudsman Services of San Mateo County is proud to have played an important role during these early beginnings in improving the quality of care and life in California nursing homes. We continue to be a major player in bringing about improvements in the care of elderly residents in our facilities. We will celebrate 30 years of success on October 24, and we hope you will join us. Our achievements would not have been possible without the support of people like you. Please save the date and come to our party.



I would like to volunteer

Tax Deductible Donation:    \$25       \$50       \$100       Other \$ \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip \_\_\_\_\_

In Memory/Honor of \_\_\_\_\_

Please make checks payable to Ombudsman Services and mail to 1700 So Amphlett Blvd, Suite 220, San Mateo, CA 94402