



CONFERENCE SCHEDULE

Wednesday, October 21st

12:00 p.m. - 6:00 p.m. **NASOP Meeting** (By Invitation Only) – *Hamilton Ballroom*

6:00 p.m. - 7:30 p.m. **Citizen Advocacy Group (CAG) Listening Session** (Open to CAGs Only) – *Lafayette Room*

The purpose of the CAG listening session is for NCCNHR to hear from CAGs about their needs, how we can support CAG efforts, feedback on projects for CAGs, etc. NCCNHR has prepared a few questions for the discussion, but the time will be carved out for CAGs to share with NCCNHR ways to strengthen our partnership.



Lynn Miller, Elma Holder, David Zimmerman, Alice Hedt and Catherine Hawes kick off last year's annual meeting in Indianapolis, Indiana, with the opening plenary.



Thursday, October 22nd

7:00 a.m. - 4:00 p.m. **Registration** – *Lower Lobby Hamilton Crowne Plaza Hotel*

8:00 a.m. - 12:00 p.m. **New State Long-Term Care Ombudsman Orientation** (By Invitation Only) – *Lafayette Room*

8:00 a.m. - 12:00 p.m. **Citizen Advocacy Group (CAG) Meeting** (Open to CAGs Only) – *Hamilton Ballroom* – Moderator/Facilitator: Robyn Grant, Long-Term Care Policy Director, United Senior Action

1:00 p.m. - 4:00 p.m. **Pre-conference Intensives** (Additional fee of \$60 is required. Please sign up at registration table) – *Hamilton Crowne Plaza Hotel*

- **Using Publicly Accessible Information in Advocacy** – *Hamilton Ballroom* – Presenters: Kate Ricks, MS, Chair, Voices for Quality Care (LTC); Bob Bronaugh, Vice Chair, Voices for Quality Care (LTC); Clare Whitbeck, Legislative Director, Voices for Quality Care (LTC)

Public domain and government-supplied data are invaluable in advocacy. They include information from the Centers for Medicare & Medicaid Services, information about owners and management companies, state-provided statistics and catalogued individual complaints, among others. This intensive will teach you where and how to find this information, how to package it into effective tools and reports once you've got it, and how to use those tools and reports once they are available. The presentation will focus on nursing home data only, but the skills and techniques presented can be adapted for use in any other area of long-term care.

- **The Needs of LTC Residents for Intimate Relationships and Sexual Activity: Four Hugs a Day Equals Survival** – *Farragut Square Room* – Presenter: Carol Scott, Missouri State Long-Term Care Ombudsman; Moderator: Marie Therese Connolly, Senior Scholar at the Woodrow Wilson International Center for Scholars

A train-the-trainer session that looks at the resident's need for intimate relationships, which may include sexual activity, and addresses the resulting tension between respecting a resident's personhood and providing protective oversight. The session will provide information on how long-term care homes can work through a process to develop policies and training for staff, families and residents.

- **Residents' Rights** – *McPherson Square Room* – Presenters: Alison Hirschel, JD, Immediate Past President, NCCNHR Board of Directors, Counsel, Michigan Campaign for Quality Care, Public Interest/Public Service Fellow, University of Michigan Law Attorney, Michigan Poverty Law Program; Sarah Slocum, NCCNHR Board of Directors, Michigan State Long-Term Care Ombudsman

This intensive will take residents' rights off the written page and put them into action. Participants will get a refresher on the basics of rights in the law, and then work through group exercises and examples that will provide real life tools and ideas. Learn new ways to weave rights into caregiving tasks, conversations, activities and other aspects of daily life in a facility.

4:00 p.m. - 5:45 p.m. **Registration Opens at the Almas Temple**





4:15 p.m. - 5:00 p.m. **First-Timers Orientation** - Oasis Room (in the Almas Temple)



Sponsored by: The National Association of Local Long-Term Care Ombudsmen

Learn how to make the most of your first NCCNHR conference experience; tips and highlights included throughout this welcoming "Meet 'n' Greet."

5:00 p.m. - 6:00 p.m. **NCCNHR Online!** - Sphinx Ballroom (in the Almas Temple)

Presenters: Jessica Brill, NCCNHR Project Coordinator, and Becka Livesay, NCCNHR Project/Research Assistant
Grab a beverage and come learn more about the NCCNHR and NORC Web sites as staff guide you through the new features and nagivations! Please bring with any Web-related questions.

5:00 p.m. - 6:00 p.m. **Opening Reception** - Sphinx Ballroom (in the Almas Temple)

6:00 p.m. - 6:45 p.m. **Welcoming Remarks & Roll Call** - Sphinx Ballroom (in the Almas Temple) - featuring Sarah F. Wells, NCCNHR Executive Director, and Norma Atteberry, NCCNHR Board President

6:45 p.m. - 7:45 p.m. **Opening Plenary** - Sphinx Ballroom (in the Almas Temple)

Resident-Directed Care: Deep Culture Change is a Collaborative Effort featuring Martha Deaver, President, Arkansas Advocates for Nursing Home Residents; Kathie Gately, Arkansas State Long-Term Care Ombudsman; Lori Todd, RN, LNHA, Administrator, Loomis House; Moderator: Barbara Frank, B&F Consulting

Culture change works best when everyone is involved so that residents of long-term care receive quality, resident-directed and resident-focused care and enjoy quality of life. This session will focus on the culture change process from multiple perspectives; speakers will address their experience from the point of view of a citizen advocacy group member, a family member, a state long-term care ombudsman and someone who has witnessed facility transformation. This session will provide practical, tangible examples of ways in which individuals in different roles can get involved in the culture change process - and the importance of this involvement for true culture change to occur and for resident-directed care to take place.

Presenter Biographies:



Barbara Frank has worked for 30 years helping nursing homes be better places to live and work. For 16 years, as NCCNHR's Associate Director, she promoted effective national and state laws and regulations, and good workplace and care-giving practices. In 2004, she cofounded B&F Consulting with Cathie Brady. B&F helps Quality Improvement Organizations, State Survey Agencies, advocates and providers across the country integrate clinical improvement, culture change and workforce retention strategies. B&F produced a Staff Stability Tool kit for Quality Partners of Rhode Island, and a four-part CMS training series for surveyors and providers called From Institutional

to Individualized Care. B&F led a team that helped nursing homes in Louisiana recover from Hurricane Katrina and produced a film of lessons learned called *The Big Uneasy: Katrina's Unsung Heroes*. Frank is co-author of *Nursing Homes: Getting Good Care There*.



Martha Deaver began her work as an advocate for nursing home residents in the late 1980s when her grandmother was a resident of an Arkansas nursing home. Today, she is president of Arkansas Advocates for Nursing Home Residents. Martha was honored by NCCNHR with the Janet Tulloch Memorial Award in 2005; she was also recognized by the *Arkansas Democrat-Gazette* as, "a vocal crusader for the state's nursing home residents" and by Arkansas Governor Mike Beebe as, "an advocate in the best sense of the word, tirelessly supporting and defending others." Governor Beebe appointed Martha in 2009 to the Arkansas Long-Term Care Facility Advisory Board. She also created the first program in recognition of National Residents' Rights Week in Arkansas and chairs the event each year.



Kathie Gately began her journey in long-term care by chance in 1973 when during a school summer break she and two friends volunteered at a local nursing home and lobbied for residents. After this experience, Kathie received her Bachelor's degree in social work and since has held many positions including Adult Protective Consultant and State Long-Term Care Ombudsman. She is also the recipient of this year's Cernoria Johnson Memorial Advocacy Award. In her work with the Arkansas Ombudsman Program, Kathie has been able to increase the number of jobs, expand ombudsman classroom training through opening it to universities, initiate an annual statewide ombudsman retreat, which includes an annual certified volunteer ombudsman banquets and develop the Arkansas Long-Term Care Ombudsman Royce Haigwood Outstanding Volunteer Award and Long-Term Care Ombudsman Superior Citizen Empowerment Award.



Lori Todd graduated from the University of Massachusetts with a Bachelor's degree in Psychology in 1977 and an Associate's degree from Holyoke College in 1988. Lori has served in long-term care since 1992 and currently works as an administrator at Loomis House, a nonprofit continuing care retirement community. Lori is also involved with the Massachusetts Culture Change Coalition as a member of the steering committee and is acting as coordinator for Western Massachusetts regional forums. Her experience has allowed her to hold speaking engagements on culture change at various venues.



Rest up for tomorrow's visits to Capitol Hill. More information on the Capitol Hill Plenary and Congressional Office Visits is available at the registration desk.



Friday, October 23rd

7:00 a.m. - 8:00 a.m.

NALLTCO Board Meeting (By Invitation Only) – *Lafayette Room*

Review and planning session for current and nominated Board members.

7:00 a.m. - 7:45 a.m.

Breakfast – *Hamilton Ballroom*

8:00 a.m.

Depart for Capitol Hill

9:00 a.m. - 10:00 a.m.

Capitol Hill Plenary – *Russell Senate Office Building, Room 325*

Opening: Sarah F. Wells, NCCNHR, Executive Director; Moderators: Alison Hirschel, NCCNHR Board of Directors, and Janet Wells, NCCNHR Director of Public Policy

NCCNHR will convene Friday morning in one of Capitol Hill's most beautiful and historic rooms, the Kennedy Caucus Room in the Russell Senate Office Building, recently renamed in honor of the late Senators Edward M. Kennedy and Robert F. Kennedy and President John F. Kennedy. Members of Congress and their staff will join us to discuss the unprecedented opportunities this fall to pass long-term care legislation and prepare attendees to visit their congressional offices.

Presenter Biographies:**NCCNHR Policy Leadership Award**

The NCCNHR Policy Leadership Award recognizes a public official who has provided exemplary leadership in advancing quality of care and quality of life for residents receiving long-term care.



NCCNHR is honored to present this year's award to **U.S. Representative Janice D. Schakowsky** of Illinois. During her six terms in the U.S. House, Rep. Schakowsky has been an advocate for quality long-term care and residents' rights. In 2000, she introduced the first bill to require nursing homes to meet the NCCNHR minimum staffing standards; during the past two years, she has helped craft and include in the House health care reform legislation the Nursing Home Transparency and Improvement Act, the most comprehensive nursing home improvement bill since the Nursing Home Reform Act of 1987. Representative Schakowsky also helped to ensure that the Patient Safety and Abuse Prevention Act was included in the House health care reform bill this fall.



Congresswoman Linda Sánchez is the first Latina in history to serve on the House Ways and Means Committee, where she concentrates on pocketbook issues that affect working families. She is also the first Latina to serve on the Judiciary Committee and the first woman to serve as the Chair of its Subcommittee on Commercial and Administrative Law. Ms. Sánchez is recognized by her colleagues and the national media as the leading voice for working families, judiciary and trade matters. Her life-long commitment to progressive issues is reflected in her record to protect a woman's right to choose, to protect and expand civil rights and voting rights, to promote clean energy and green jobs and to reform immigration laws. She is a sponsor of H.R. 1237, the Fairness in Nursing Home Arbitration Act.



Alison Hirschel is an attorney at the Michigan Poverty Law Program, where she advocates on behalf of low income elderly clients. She is a member of the NCCNHR Board and its most recent past president. In addition, Alison is a lecturer and Public Interest/Public Service Fellow at the University of Michigan Law School. Alison is also counsel to the Michigan Campaign for Quality Care, a citizen advocacy group, and the State Long-Term Care Ombudsman Program.

From 1985-1997, Alison worked at Community Legal Services in Philadelphia as an elder law attorney and, eventually, deputy director for planning. She also served as a law clerk in the U.S. District Court for the Eastern District of Pennsylvania and served as a lecturer for many years at the University of Pennsylvania Law School. Alison received her JD from Yale Law School in 1984 and her BA from the University of Michigan in 1981.

10:15 a.m. - 1:00 p.m.

Visits with Your Congressional Offices

Attendees visit congressional offices. One bus will depart Capitol Hill at 11:30 a.m. for those attending the Resident Empowerment Luncheon. Other buses depart at 1:15 p.m. for those who schedule later appointments. See flyer at registration desk for details.

12:00 p.m. - 2:00 p.m.

Resident Empowerment Banquet (Additional fee of \$40 required. Sign up at the registration desk) – *Sphinx Ballroom (in the Almas Temple)*

2:00 p.m. - 3:30 p.m.

Resident Dialogue with CMS and AoA (By invitation only) – *Oasis Ballroom (in the Almas Temple)* – Facilitator: Helene Fredeking, NCCNHR Board Member

2:00 p.m. - 3:30 p.m.

Afternoon Breakouts – *Hamilton Crowne Plaza Hotel*

• **Improving the Direct Care Workforce: A Job for Consumers and Workers** – *Farragut Square Room* – Presenters: Roy Gedat, MSW, National Advocacy Director, Direct Care Alliance; Di Findley, Executive Director, Iowa CareGivers Association; Diane Frerichs, CNA; Moderator: Genevieve Gipson, Director of the National Network of Career Nursing Assistants

This session will address ways - through policy changes, improving long-term care services and supports and empowering workers to be agents of change - that consumers and direct care workers can improve the direct care workforce and the quality of long-term care. Working through coalitions with consumers and employers, the Direct Care Alliance has initiated a strategic approach to empower direct care workers and consumers to become a political force. Strategies, including specific federal and state legislative proposals and advocacy tactics, will be highlighted. Empowering direct care workers, such as certified nursing assistants, home care aides and others who provide 80 to 90 percent of direct hands-on care to Americans of all ages and in a variety of settings - is the approach that the Iowa CareGivers Association has taken to bring stability to the direct care workforce, which is typically plagued by shortages and high turnover. This session will address issues of education standards and requirements for direct care workers and will feature an Iowa direct care worker who has taken on leadership roles in her state and has had a dramatic impact on policies and practices.



- **Legal Tools for Ombudsmen: How to Obtain Quality Care Using the Law and Regulations** – *McPherson Room* - Presenters: Kathy Swanson, JD, Supervising Attorney, Legal Assistance Foundation of Metropolitan Chicago; Robyn O’Neill, JD, RN, Attorney and Regional Ombudsman, Legal Assistance Foundation of Metropolitan Chicago; Moderator: John Weir, Michigan Regional Ombudsman and NCCNHR Board Member

This workshop will introduce participants to the use of legal tools such as OBRA regulations and the State Operations Manual in advocating for better care. In addition to talking about these resources, the speakers will present and discuss a case analysis format for investigating and researching solutions to cases as well as using case examples from their own practice. The target audience is both new and experienced ombudsmen.

- **Please Don’t Send Me to a Nursing Home!** – *Hamilton Ballroom* – Presenters: Eric Carlson, JD, Director, Long-Term Care Project, National Senior Citizens Law Center; Gene Coffey, JD, Attorney, National Senior Citizens Law Center; Alfred Chiplin, JD, M.Div., Managing Attorney, Center for Medicare Advocacy; Moderator: William Lamb, Friends of Residents of Long-Term Care, UNC Institute of Aging and NCCNHR Board Member

Surveys show, overwhelmingly, that consumers don’t want to live in nursing homes. All well and good, but how is the consumer supposed to pay for care outside of a nursing home? There are a good number of programs that may offer assistance, but their implementation often varies from state to state, and consumers sometimes have to navigate an alphabet soup (HCBS? MFP?) to identify and take advantage of the various options. This session will lay out some of the most promising options, and explain advocacy strategies both for individual clients and for state policy decisions.

- **Improving the Hospital Discharge Planning Process to Reduce Rehospitalizations** – *McPherson Square Room* – Presenters: David R. Hoffman, JD, President, David Hoffman & Associates; Diane Menio, MS, Executive Director, CARIE; Moderator: Lisa Tripp, Professor, John Marshall Law School

Rehospitalization rates of Medicare patients are disturbingly high—34 percent within 90 days—and the discharge planning process itself places patients at risk. The presenters describe the legal obligations of hospital discharge planners, gaps in the discharge process and advocacy strategies for consumers to help reduce rehospitalizations. The presentation will include case studies and areas for advocacy once a newly admitted resident is in a nursing home, assisted living facility or personal care boarding home.

3:45 p.m. - 4:00 p.m.

Elma Holder Award Presentation to Alice H. Hedt – *Hamilton Ballroom*



Elma Holder Founder's Award

Established in 2002 as a lifetime achievement award to honor a person whose work exemplifies leadership in the field of long-term care reform, the Founder's Award is also a tribute to Elma Holder, NCCNHR's founder and friend. Holder's personal commitment, integrity and vision shaped NCCNHR and the long-term care system.

NCCNHR is honored to present this award to **Alice H. Hedt**, former NCCNHR executive director, who embodies Elma’s integrity, vision, drive, energy, love, spirit, dedication and leadership. Her career in long-term care spans more than 30 years in which she has been a passionate advocate for public health, the long-term care workforce and the importance of listening to the resident voice. During Hurricane Katrina, she insisted the federal government take action to help nursing home residents in danger and led NCCNHR in developing resources for victims, their families and providers that is considered a standard in preparing

for, or dealing with the aftermath of, an emergency. A strong advocate of the long-term care workforce as a critical component of care, she was instrumental in the inclusion of consistent assignment and staff turnover and retention as goals in the Advancing Excellence Campaign. In May 2007, she testified at a Senate Special Committee on Aging hearing on the 20th anniversary of the Nursing Home Reform Act. Alice also conceptualized and oversaw the creation of *The Faces of Neglect*, a book that documents the pain, suffering and death of residents from abuse and neglect. During her career, Alice has also been a regional ombudsman and director of the National Long-Term Care Ombudsman Resource Center.

4:00 p.m. - 5:30 p.m.

Plenary - *Hamilton Ballroom*

A Dialogue with the Centers for Medicare & Medicaid Services Presenters: Cynthia Graunke, Director, Division of Nursing Homes, Centers for Medicare & Medicaid Services; Ed Mortimore, Technical Director, Division of Nursing Homes, CMS; Mary Pratt, Director, Division of Post Acute & Chronic Care, CMS; Moderator: Toby S. Edelman, Esq., Senior Policy Attorney, Center for Medicare Advocacy

Officials from the federal government’s nursing home regulatory agency discuss initiatives that will have a strong impact on nursing home residents in 2010 - the Five-Star Quality Rating System; national implementation of the Quality Indicator Survey; the new MDS 3.0 and nurse staffing, to name a few. Come to this session with your questions about survey and certification and other quality initiatives.

Presenter Biographies:



Cynthia Graunke is the Director of the Division of Nursing Homes in the Center for Medicare and State Operations at CMS. Cindy is also a senior fellow in the Council for Excellence in Government. In more than 35 years of service in the Federal government, Cindy has worked in the Office of the Assistant Secretary for Health, the Veteran’s Administration, the Consumer Product Safety Commission and the Centers for Medicare & Medicaid Services. Cindy holds a Bachelor’s degree in Health Sciences and Policy from the University of Maryland, Baltimore County.



Ed Mortimore leads a team of data analysts in the Survey and Certification Group at CMS’s Baltimore, MD office. Ed has been responsible for Nursing Home Compare since its inception in 1998. He also led the development and publication of CMS’s Nursing Home Data Compendium. Ed holds a PhD in epidemiology from the University of Maryland and a Master’s degree in social work from the University of Chicago.



Mary Pratt, MSN, RN, is Director of the Division of Chronic and Post Acute Care in the Quality Measurement and Health Assessment Group in the Office of Clinical Standards and Quality at CMS. This division is responsible for leading the Agency’s instrument development and performance measurement activities in such care settings as dialysis facilities, nursing homes, hospice, home health agencies and development of the post acute care instrument, CARE or Continuity Assessment Record and Evaluation. The work of the division is to provide consumers with quality information to make informed choices in selecting providers of services, and enabling clinicians and providers to use measures for quality improvement. These activities are in support of the DHHS priorities of transparency, health information technology, person-centered care, prevention, reducing geographic variation, and preventing diseases, injuries and re-hospitalizations that hurt beneficiaries and deplete the trust funds. Mary has been at CMS since 1985 with experience supporting and directing national projects and activities related to quality measurement, improvement and health assessment in long term care settings, especially nursing homes. In partnership with colleagues at CMS, she co-leads the implementation of the Minimum Data Set (MDS) 3.0.





Toby S. Edelman is an attorney for the Center for Medicare Advocacy. She has advocated on behalf of nursing home residents since 1977. From 1977 through 1999, she was a staff attorney with the National Senior Citizens Law Center, where she was involved in the development and drafting of the Nursing Home Reform Law. Active in the law's implementation, she represented residents in a variety of task forces and workshops convened by the Centers for Medicare & Medicaid Services. Toby was the lead attorney for plaintiffs in *Valdivia v. California Department of Health Services*, in which a statewide class of nursing facilities residents successfully challenged California's refusal to implement the federal nursing home reform law. From 1977-1998, she coordinated a study, supported by the Commonwealth Fund of New York, regarding implementation of the Nursing Home Reform Law. Toby is a member of the Board of Directors of the Assisted Living Consumer Alliance. She received a BA from Barnard College, an Ed. M. from the Harvard Graduate School of Education and a JD from the Georgetown University Law Center.

5:45 p.m. - 6:45 p.m. **Movie Night: *The Big Uneasy: Katrina's Unsung Heroes*** - Hamilton Ballroom - There is no additional charge to view the movie.

Several thousand nursing home residents were safely sheltered through Hurricane Katrina; learn what staff experienced as they braved the dangers and unknowns of the storm and its aftermath. The lessons learned from Katrina, during the storm and its protracted aftermath, have universal applicability. The heroism of nursing home staff provides lessons in humanity and courage. The leadership practices that prepared staff to rise to the challenges exemplify the best in leadership, in emergencies and also in daily operations. *The Big Uneasy* was produced by Cathie Brady and Barbara Frank of B&F Consulting, and Susan Wehry, MD. It documents the second phase of work, by this team, part of the New Orleans Nursing Home Staffing Project, to support nursing home staff after Katrina. The team worked with nursing homes in the Greater New Orleans area over a three-year period to help them through the emergency and its aftermath, to recovery and stability. The project and film were paid for by the Louisiana Department of Health and Hospitals with funds from the Nursing Home Residents' Trust Fund. The project was administered by the State of Louisiana Long-Term Care Ombudsman Program in collaboration with Gulf States Association of Homes and Services for the Aging, the Louisiana Nursing Home Association, the Department of Health and Hospitals and Louisiana Health Care Review.

5:45 p.m. - 7:30 p.m. **Break**



7:30 p.m. **Social Event and Auction** - Sphinx Ballroom (in the Almas Temple)

NCCNHR's traditional "FUN-d-raising" event of the year. Join us for food, refreshments, a cash bar, live music from Love Deluxe and silent and live auctions as we celebrate Mardi Gras NCCNHR style.

Saturday, October 24th

7:00 a.m. - 8:00 a.m. **Breakfast** - Hamilton Ballroom

7:00 a.m. - 8:00 a.m. **Assisted Living Consumer Alliance Meeting** - Lafayette Room

8:30 a.m. - 10:15 a.m. **Plenary** - Hamilton Ballroom

Using the Medicaid Nursing Home Reimbursement System to Encourage Quality, Access and Efficiency featuring Richard Mollot, Esq., Executive Director, Long-Term Care Community Coalition; Cynthia Rudder, PhD, Director of Special Projects, Long-Term Care Community Coalition, New York City; Moderator: William J. Scanlon, Former Managing Director, Health Care Issues, U.S. Government Accountability Office

Can state Medicaid nursing home reimbursement systems be modified so that public funds going into nursing homes encourage access, quality and efficiency? Can Medicaid reimbursement be based on resident outcomes, not simply on facilities' reported costs? To answer these questions, the Long-Term Care Community Coalition gathered detailed information on the characteristics of the case-mix Medicaid reimbursement systems used in 35 states and surveyed state ombudsmen and citizen advocacy groups on their perceptions of their states' systems. In this plenary, the executive director and the founder of the LTCCC describe their research and recommendations for consumer advocacy to improve quality care in tough economic times through the Medicaid reimbursement system.

Presenter Biographies:



Richard Mollot is the executive director of the Long-Term Care Community Coalition, a nonprofit organization dedicated to improving care for seniors, the disabled and other long-term care consumers through advocacy, education and policy research. Richard has served on a number of state and national consumer, government and advisory groups relating to such issues as: geriatric mental health, long-term care restructuring, palliative care, nursing home "pay for performance" and quality improvement organizations. He is on the Board of Directors of the Assisted Living Consumer Alliance and chairs the Steering Committee of the Coalition for Quality Care. Richard has published reports and articles on access to long-term care, nursing home caregiver issues, legal rights of nursing home residents and long-term care financing issues. He is a graduate of Howard University School of Law and a member of the Maryland Bar.



Cynthia Rudder, PhD, held the position of executive director of the Long-Term Care Community Coalition (LTCCC), formerly the Nursing Home Community Coalition of New York State, for more than 25 years. She is currently LTCCC's director of special projects. LTCCC is a "watchdog" coalition of statewide consumer, civic and professional organizations working to improve nursing home and assisted living care. Cynthia has received awards for her research and advocacy, including NCCNHR's Elma Holder Founders' Award for Lifetime Achievement in Long-Term Care Advocacy in 2005. She has been a member of many advisory groups, including: New York State Task Force on Nursing Home Reimbursement, New York State Task Force on Adult Homes and Assisted Living Residences, New York State's QIO's Nursing Home Improvement's Steering Committee, CMS (HCFA) Advisory Committee - Medicare Demonstration Project, RUGs III, New York State Department of Health's Dementia Advisory/



Work Group Committee and New York State Department of Health's Best Practices in the Nursing Home Steering Committee.



William Scanlon is a senior policy advisor with Health Policy R&D. He serves as a consultant to the National Health Policy Forum and is an affiliated faculty member of the Institute for Policy Studies, The Johns Hopkins University. He is also a member of the Medicare Payment Advisory Commission, the National Committee on Vital and Health Statistics and Institute of Medicine Committee on Health Insurance Status and It's Consequences. Bill served on the National Commission for Quality Long-Term Care, the 2005 White House Conference on Aging Advisory Committee and as co-chair of the 2004 Technical Panel to Review the Medicare Trustees Report. Until April 2004, he was the Managing Director of Health Care Issues at the U.S. General Accounting Office (GAO). Bill has been engaged in health services research since 1975. Before joining GAO in 1993, he was the Co-Director of the Center for Health Policy Studies and an Associate Professor in the Department of Family Medicine at Georgetown University and had been a Principal Research Associate in Health Policy at the Urban Institute. At GAO, Bill oversaw congressionally requested studies of Medicare, Medicaid, the private insurance market and health delivery systems, public health, and the military and veterans' health care systems. His research at Georgetown and the Urban Institute focused on the Medicare and Medicaid programs, especially provider payment policies, and the provision and financing of long-term care services. Bill has published extensively and has served as consultant to federal agencies, state Medicaid programs and private foundations. He has a PhD in Economics from the University of Wisconsin Madison.

10:30 a.m. - 12:00 p.m. **Morning Breakouts** - *Hamilton Crowne Plaza Hotel*

- **Sssh! People Thinking** - *Lafayette Room* - Presenters: Debbi Sokolow, MPH, Maryland State Long Term-Care Ombudsman; Jerry Kasunic, DC Long-Term Care Ombudsman; Ofelia Ross, Program Manager, Howard County, Maryland, Office of Aging; Moderator: Nancy Flowers, Illinois Regional Ombudsman and NCCNHR Board Member

Studies show fragmented sleep attributed to noise is a common problem in nursing homes and is linked to depression, overmedication, irritability, falls and resident disputes. Excessive noise may be subtle: One nursing home resident received a discharge notice citing she was a danger to others after unplugging her roommate's oxygen machine. She explained it made too much noise. The panel will discuss how advocates can identify avoidable noise and vibration, address state and the CMS April 2009 guidance on noise and propose strategies for creating a more homelike environment. This topic is suitable for all advocates.

- **Promoting Mobile Polling and Other Outreach Strategies That Enhance Long-Term Care Residents' Voting Rights** - *Hamilton Ballroom* - Presenters: Matthew Weil, Research Program Specialist, US Election Assistance Commission; Charlie Sabatino, JD, Director, Commission on Law & Aging; American Bar Association; Hector Ortiz, former NCCNHR Consultant

Why don't some residents of long-term care facilities vote? What are the barriers to exercising the right to vote? How can we overcome them? Who should assist a voter and how should they assist them? What if capacity is in question? The goal of this workshop is to answer these questions and provide participants the specific skills needed to promote long-term care residents' access to polls. Presenters will discuss a "mobile polling" demonstration project at nursing homes in Vermont; review key federal and state guidelines; and introduce a Web-based clearinghouse of best practices for voters in long-term care.



- **Reading Between the Lines: Legal Issue Spotting for Non-Lawyers** - *McPherson Square Room* - Presenters: David Godfrey, JD, Senior Attorney, American Bar Association Commission on Law and Aging; Moderator: Victoria Schall, Attorney, Legal Services of Northern Virginia

Many problems that advocates encounter have underlying legal causes. Solving the presenting problem without addressing the underlying legal issue treats the symptoms and not the cause. Legal issue spotting is the skill of recognizing red flags, fact-patterns, signs and signals that an underlying legal issue may exist and providing an appropriate referral for assistance. An advocate does not need to be an expert in the law to be an effective issue spotter. This program will offer a brief overview of legal issue spotting for non-lawyer advocates in every long-term care setting.

- **A View of Women's Economic Security: Policy Issues & Practical Steps** - *Farragut Square Room* - Presenters: Ashley Carson, JD, Executive Director, OWL - The Voice of Midlife and Older Women; Cindy Hounsell, JD, President, WISER - Women's Institute For a Secure Retirement; Moderator: Deborah Merrill, Senior Policy Advisor, National Association of State Units of Aging

This session will address several health and economic issues as they relate to women and aging. The first has to do with older women and economic security, focusing on what can be expected in 2010 related to Social Security and other mechanisms for retirement savings; participants will learn practical steps for dealing with these issues in the coming year. The session will also provide an overview of health reform and address out-of-pocket spending issues, long-term care, elder abuse as it affects older women and workforce issues.

12:15 p.m. - 1:45 p.m. **Luncheon Options** - *Grab lunch and chat with fellow attendees or attend one of several lunch-time sessions.*

- **Family Council Meeting** - *Meeting Room (in the Almas Temple)* - Facilitator: Alice Hedt, NCCNHR Consultant

This meeting will provide an opportunity for family council members to network, dialogue, learn from one another and identify resources available to them. The meeting is to stimulate family council development and encourage those who are involved in this often challenging and frustrating work. Anyone interested in this topic is welcome to attend!

- **NALLTCO General Membership Meeting** - *Oasis Room (in the Almas Temple)*

Open meeting for local and regional ombudsmen to learn more about this national association; members will participate in Board elections and vote on by-laws changes.

A Recipe for Legislative Strategies = Key Ingredients for Advocates featuring Keynote Speaker: Sarah Wells, NCCNHR Executive Director

- **Networking & Roundtable Lunch** - *Sphinx Ballroom (in the Almas Temple)*

Conference participants are invited to meet with the authors of *Nursing Homes: Getting Good Care There* to discuss how the book could best be re-written to benefit consumers. The authors want to hear from you





about what should be included or taken out, and what format can best communicate with residents, families, and their advocates. Bring your box lunch and your ideas!

2:00 p.m. - 3:30 p.m.

Afternoon Breakouts – *Hamilton Crowne Plaza Hotel*

• **Assisted Living: Advocacy Tips and Policy Issues** – *Hamilton Ballroom* – Presenters: Eric Carlson, JD, Director, Long-Term Care Project, National Senior Citizens Law Center; Toby Edelman, JD, Senior Policy Attorney, Center for Medicare Advocacy; Karl Polzer, MPA, Senior Policy Director, National Center for Assisted Living; Moderator: Louise Ryan, Washington State Long-Term Care Ombudsman

Assisted living is a work in progress, presenting the advocate with both questions and opportunities. This session will bring consumer and provider representatives together to grapple with some unanswered – and interesting – issues. The session will be structured to address both day to day issues in representing residents, and policy issues to be resolved by state and federal governments.

• **Drug Abuse in Long-Term Care - Employees Who Steal Residents' Medications and Drug Companies that Promote Inappropriate Use** – *McPherson Square Room* – Presenter: Amanda Scott, JD, RN, Assistant Attorney General, Maryland; Moderator and Responder: Sherry Culp, Executive Director, Nursing Home Ombudsman Agency of the Bluegrass, Inc.

What is the impact on residents in long-term care facilities when staff divert prescription drugs for their own use? What should ombudsmen and other advocates do when they suspect workers are stealing residents' medications? Amanda, a former nurse and current criminal prosecutor in the Maryland Medicaid Fraud Control Unit, will lead the discussion of the growing problem of drug diversion in care facilities and what employers and advocates can do about it. Many of the diverted drugs are intended for residents as chemical restraints, and Amanda will also talk about prosecution of pharmaceutical companies that promote inappropriate uses of antipsychotics in the elderly.

• **Racial Disparities in Illinois Nursing Homes - Using Research, Reporting and Community Action to Seek Better Care** – *Farragut Square Room* – Presenters: Jeff Kelly Lowenstein, Reporter; Kimbriell Kelly, Editor, *The Chicago Reporter*; Rev. Elaine Bellis, Community Organizer; Moderator: Lydia Williams, Manager, DC Long-Term Care Ombudsman Program, Legal Counsel for the Elderly

In May, *The Chicago Reporter* launched a series of articles that concluded Illinois is arguably the worst state in the nation for black senior citizens seeking quality nursing home care. The investigation found that in Chicago, people in white homes got better care than those in black homes, even if both were poor. In this session, NCCNHR Public Service Award winner Jeff Kelly Lowenstein and *Chicago Reporter* Editor Kimbriell Kelly will show how the *Reporter* conducted its investigation, using the CMS Five-Star Rating System and other public information to track disparities in quality of care, even when nursing homes had the same owner. Community Organizer Rev. Elaine Bellis will describe how the Civic Action Network, which is a part of the *Reporter's* parent organization, the Community Renewal Society, is using the information to advocate for change in Chicago and other cities.

• **Quality of Care False Claims Act Cases - The Role of Advocates** – *Lafayette Room* – Presenter: Kelly Bagby, Senior Counsel, AARP Foundation Litigation; Andy Mao, Senior Counsel for Health Care Fraud and Elder Justice in the Civil Fraud Section, Department of Justice; Moderator: Jerry Kasunic, DC Long-Term Care Ombudsman

As state and federal law enforcement agencies pursue legal cases that involve egregiously poor care in



long-term care facilities, what do they need to do to conduct their investigations? How can residents, ombudsmen, and other advocates help? How do advocates know where to report cases? What information should be included? Hear from current and former staff from the Department of Justice and the Office of the Inspector General about what it takes to pursue failure of care cases, including how can residents and their advocates can make a difference in whether these cases succeed.

3:30 p.m. - 4:00 p.m.

Break

4:00 p.m. - 6:00 p.m.

NCCNHR Membership Meeting – *Hamilton Ballroom*

6:30 p.m. - 10:00 p.m.

NCCNHR Board of Directors Meeting – *Farragut Square Room* – (Open to NCCNHR Board Only)

7:30 p.m.

Washington at Night Tour (Additional fee of \$34 is required. Please sign up at the registration desk) - Boxed dinner available for purchase.





Sunday, October 25th

8:30 a.m. - 10:30 a.m.

Awards Ceremony & Brunch – Sphinx Ballroom (in the Almas Temple)

Moderator: *Norma Atteberry, NCCNHR Board President*

Cernoria Johnson Memorial Advocacy Award

Cernoria McGowan Johnson (1909-1990) was appointed in 1974 to set up the national nursing home ombudsman program, a task that she accomplished within a span of about three years. The award in her honor is presented each year to someone whose work has had national impact or is a model for national excellence and who exemplifies accomplishment in his or her chosen field.

Presented by Martha Deaver, Arkansas Advocates for Nursing Home Resident



This year we are proud to present the award to **Kathie Gately**, Arkansas State Long-Term Care Ombudsman. Kathie Gately was one of the pioneers in developing social work programs in facilities in the mid-1980s. During that time she was the first in the nation to obtain both optometric and audiology treatment for residents in facilities, emphasizing treatments for those who, due to their physical or medical condition were, are unable to seek services outside the facility. Kathie also enabled enrollment of mentally challenged adults living in facilities in local school programs and facilitated university admissions and financial assistance for disabled facility residents. Kathie has always been a strong advocate for the implementation of holistic care, and when sharing her experience with others as a learning tool, she says, "I was culture change before culture change was cool."

NCCNHR Public Service Award

The NCCNHR Public Service Award is given to a person or entity whose work has profoundly expanded coverage and public understanding of long-term care issues.

Presented by Wendy Meltzer, NCCNHR Board of Directors

This year we are proud to present the award to **Dr. Vincent Mor**, chairman of the Department of Public Health at Brown University, and to **Jeff Kelly Lowenstein**, reporter, and *The Chicago Reporter* for their work showing widespread racial disparity in Illinois nursing homes and its human impact. Dr. Mor and his colleagues have published a series of studies showing that African Americans are significantly more likely to live in nursing homes with the lowest staffing levels, worst compliance records, poorest outcomes and greatest likelihood of involuntary closure. Most recently, he has shown that Hispanics are more likely to live in nursing homes with the highest pressure sore rates. Jeff Kelly Lowenstein and *The Chicago Reporter* were nominated for their investigation of racial disparities in Illinois nursing homes, which "explained what these disparities actually mean to residents and made the issue understandable in human terms."



Dr. Vincent Mor



Jeff Kelly Lowenstein



Howard Hinds Memorial Award

The Hinds Award was established in 2005 in memory of the late Howard Hinds, a Tennessee District Long-Term Care Ombudsman. Hines was a true champion for residents and for the ombudsman program as well as a passionate advocate on national issues. The award honors a local or regional who has effectively advocated for residents on the local level.

Presented by John Weir, NCCNHR Board of Directors



This year we are proud to present the award to **Kathleen Johnson**, executive director of Advocacy Inc. In 1998, Kathleen began to care for her mother in Santa Cruz, California, and joined Ombudsman/Advocate (now Advocacy, Inc.) She worked as Ombudsman Program Coordinator for three years before becoming executive director of the agency eight years ago. Kathleen is a relentless voice for residents with dementia, victims of abuse and residents without legal representation. Her accomplishments include establishing a staff training program that enables residents with dementia-related behavioral symptoms to receive appropriate care in their facilities; creating awareness of mandated abuse reporting in the medical community; and creating an Unrepresented Persons Task Force to address residents' lack of legal representation in matters such as admissions contracts. She was chosen for this award because of her remarkable, admirable and tireless determination to protect the rights of vulnerable populations.

Janet Tulloch Memorial Award

The Tulloch Award was established in 2000 after the death of Janet Tulloch, a nursing home resident, writer, committed advocate and long-time member of NCCNHR's Board of Directors. It honors a citizen advocate who has worked directly with and for residents to improve the lives of residents of nursing homes and other long-term care facilities.

Presented by Norma Atteberry, NCCNHR Board President

NCCNHR is proud to present this award to **Floyd Stewart**, Center for Independent Living, Nashville, Tennessee. Floyd Stewart has helped thousands of Tennesseans with disabilities change their lives. After suffering a spinal cord injury in a 1984 accident that left him a quadriplegic, he lived in a nursing home for five years while learning skills that enabled him to graduate from college, purchase his own fully accessible home and lift-equipped van, and become employed counseling persons with disabilities, including nursing home residents, to achieve their own goals. Floyd's experience makes him an effective spokesman in the state capitol and as an op-ed writer advocating for nursing home quality, residents' rights, and home and community-based services, and opposing medical malpractice reform. His life in nursing homes - living away from his wife and children, surviving life-threatening mistakes by poorly trained staff, risking forfeiting his education - drives his advocacy. "I made it my mission to get out of that home," he has written, "and now work to help others do the same."



NEW AWARD - Toby S. Edelman Legal Justice Award

This new award honors individuals who, working through or with the legal system, go to extraordinary lengths to achieve justice for long-term care consumers. It was created in honor of Toby Edelman, staff attorney with the Center for Medicare Advocacy, whose work for more than 30 years has influenced and shaped long-term care law, policy and enforcement.

Presented by Toby S. Edelman, Esq., Senior Policy Attorney, Center for Medicare Advocacy



This year, the Legal Justice Award is given to **Claire E. Curry**, managing attorney of the Civil Advocacy Program of the Legal Aid Justice Center, in Charlottesville, Virginia, and **Mary Ann Parker**, legal counsel to the District of Columbia Long-Term Care Ombudsman Program. Claire Curry, a lawyer representing individual nursing home residents, is a creative, dynamic and passionate community organizer whose accomplishments include founding the Community Partnership for Improved Long-Term Care. The Partnership is rallying nursing home residents, family members, health care professionals, long-term care ombudsmen and others to improve conditions in nursing homes in Central Virginia.



Mary Ann Parker upholds the highest standards of legal advocacy in her defense of residents through negotiating, mediating and litigating involuntary discharge, transfer and relocation of residents as well as Medicaid decertification and eligibility denials. During her career, Parker has won all of her 169 hearings and 117 mediations for residents who were involuntarily discharged. She brings her analytic skills and experience to the development of a wide array of local and federal laws and regulations.

10:30 a.m. - 11:00 p.m. Break

11:00 a.m. - 12:15 p.m. Closing Plenary featuring: Kathy Greenlee, U.S. Assistant Secretary for Aging - Sphinx Ballroom (in the Almas Temple)
Moderator: Sarah Slocum, NCCNHR Board of Directors

Presenter Biographies:



Kathy Greenlee, U.S. Assistant Secretary of Aging, previously served as Secretary of Aging for the state of Kansas. In that capacity, she led a cabinet-level agency with 192 full-time staff members and a total budget of \$495 million. Her department oversaw the state's Older Americans Act programs, the distribution of Medicaid long-term care payments and regulation of nursing home licensure and survey processes. Ms. Greenlee has served on the board of the National Association of State Units on Aging since 2008. During 2004-2006, she served as State Long-Term Care Ombudsman in Kansas, and prior to that was the state's Assistant Secretary of Aging. During 1999-2002, Ms. Greenlee served as general counsel at the Kansas Insurance Department. During her tenure there, she led the team of regulators who evaluated the proposed sale of Blue Cross/Blue Shield of Kansas, and oversaw the Senior Health Insurance Counseling for Kansas program. Ms. Greenlee also served as Chief of Staff and Chief of Operations for then Governor Kathleen Sebelius. She is a graduate of the University of Kansas with degrees in business administration and law.



Sarah Slocum began working in the aging network in 1983 as a VISTA volunteer with the Area Agencies on Aging Association of Michigan. Sarah spent one year staffing various senior coalitions, assisting with the planning and production of two Michigan Senior Power Day events and working with administration officials on health and consumer issues

Sarah then worked for 10 years as an Assistant State Ombudsman with Citizens for Better Care and supervised local ombudsman programs; she also served as the program expert on Adult Foster Care Homes, Homes for the Aged, and Medicaid policy. From 1994 through 2002, Sarah served as the Statewide Coordinator and then State Director of the Medicare/Medicaid Assistance Program. She also served for from 2000 through 2002 on the National State Health Insurance Program Steering Committee, the second year of her term as Vice Chair.

In 2002, Sarah began working for AARP Michigan as the principal staff for long-term care policy reform efforts. Since 2003, she has served as Michigan's State Long Term Care Ombudsman. She is the lead advocate on behalf of Michigan residents of licensed long-term care facilities and continues to work toward individual and systemic changes to improve the quality of life care for Michigan citizens.

12:15 p.m. - 12:30 p.m.

Closing Remarks - Sarah Wells, NCCNHR Executive Director

12:30 p.m.

Attendees Depart

