



THE VOICE

The e-newsletter of National Consumer Voice for Quality Long-Term Care

July 2, 2019

New Issue Brief from CMA on *Jimmo v. Sebelius*

The Center for Medicare Advocacy (CMA) has published a new issue brief - [Implementing *Jimmo v. Sebelius*: An Overview](#). The settlement in *Jimmo v. Sebelius* in 2013 confirmed that Medicare coverage should not be determined based on the individual's potential for improvement but on the person's need for skilled care. CMA reiterated that "The *Jimmo* Settlement and court decisions pertain to all Medicare beneficiaries throughout the country and apply regardless of whether an individual is in traditional Medicare or a Medicare Advantage plan." CMA created this issue brief to provide an overview of the *Jimmo* settlement, what it means in different care settings, CMA's work on the topic, and links and references to further resources and materials. The issue brief can help Medicare beneficiaries, their families, providers, contractors and adjudicators learn about *Jimmo* and ensure that the Settlement is properly implemented.

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Leadership Award Nominations Due Friday

Are you looking for a way to recognize a long-term care consumer, long-term care ombudsman, family caregiver, citizen advocate, or another individual for their advocacy on behalf of long-term care consumers? We encourage you to nominate individuals that are "standing for quality" and have made significant contributions to improving the lives of long-term care consumers.

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Based on your nominations, Consumer Voice will recognize people who have demonstrated an exceptional commitment to improving the lives of long-term care consumers.

Visit our [website](#) for additional information about the awards and nomination process.

There are 3 easy steps to submit a nomination!

1. Review the [award categories and criteria](#).
2. Complete the nomination form via [SurveyMonkey](#).
3. Submit a letter of recommendation from someone other than yourself.

Individuals and organizations may nominate people for an award. Awards will be presented at our [43rd Annual Conference](#), November 3-6, 2019 in Arlington, Virginia. **Nominations are due by Friday, July 5!**

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Proposed Nursing Home Regulations Could Be Released Any Time

The proposed nursing home regulations have cleared the Office of Management and Budget where they've been waiting to be reviewed since November 8, 2018. The proposed rules now go back to the Centers for Medicare and Medicaid Services and then will be published in the Federal Register. The date of their publication is unknown; they could be released at any time.

Consumer Voice will analyze the proposed regulations as soon as they come out. We will then provide information and education about what changes are proposed and assist consumers, advocates and others with preparing comments, as well as engaging in additional advocacy action steps.

Also, as a reminder, we are waiting for the final rules on forced nursing home arbitration agreements to be released.

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Thursday, July 18: [Consumer Voice Hill Day](#), 9:00am-3:00pm, Washington, DC

October: [Residents' Rights Month](#)

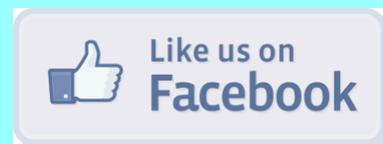
November 3-6, 2019: [Consumer Voice Annual Conference](#), Crystal Gateway Marriott, Arlington, Virginia

Join Us on Capitol Hill July 18th!

Consumer Voice is hosting its first-ever summer [Hill Day](#). Join with your fellow consumers, family members, and advocates for this day of advocacy in Washington, DC! We will give you the guidance and support you need to set up and conduct your own visits. [RSVP by Monday, July 8 by clicking here.](#)

After your Hill visits, join us at our Washington, DC office for the [Annual Jackie Koenig Memorial Internship Program Fundraiser](#).

Join the conversation and follow us on social media!



Last Week's Most Popular Post:

Friday, June 28:

[The proposed nursing home regulations have cleared the Office of Management and Budget where they've been waiting to be reviewed since November 8, 2018.](#)

Study Finds 75% of Nursing Homes Never Meet Federal RN Staffing Levels

Researchers from Harvard and Vanderbilt medical schools have released a study revealing that 75% of US nursing homes never meet federal staffing expectations for registered nurse staffing. The study reviewed a year's worth of payroll data and also found that 70% of facilities self-reported higher total direct staffing under the CASPER system than in the Payroll-Based Journal, which is now standard. The study, which was published in *Health Affairs*, examined records from 15,399 nursing homes from April 2017 through March 2018. For more information, read the [article in McKnight's](#).

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New Webpage from ABA on Elder Abuse Fatality Review Teams

The American Bar Association Commission on Law and Aging has created a new webpage on elder/adult abuse fatality review teams (EAFRTs). EAFRTs examine deaths caused by or related to mistreatment in order to identify system gaps and improve victim services. The webpage lists 35 EAFRTs or domestic violence fatality review teams that review some elder deaths in 13 states. It also features eleven charts which update or add to *Elder Abuse Fatality Review Teams: A Replication Manual*. The webpage will continue to be updated. Find it

at: https://www.americanbar.org/groups/law_aging/resources/elder_abuse/elder-abuse-fatality-review-team-projects-and-resources.

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Celebrating the 20th Anniversary of the Olmstead Decision

Last week, the Administration for Community Living (ACL) and Office for Civil Rights held an event in celebration of the 20th Anniversary of the Olmstead Decision. In the landmark case *Olmstead v. L.C.*, the Supreme Court ruled that people with disabilities cannot be separated or isolated from the rest of society, under the Americans with Disabilities Act. This decision has helped older adults and people with disabilities live and participate in their communities. Last week's event

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Last Week's Most Popular Tweet:

Tuesday, June 25:

[The U.S. House of Representatives passed H.R. 3253 - Empowering Beneficiaries, Ensuring Access, and Strengthening Accountability Act which includes four and a half years of funding for the Money Follows the Person Program.](#)

Long-Term Care Resources & News

- [Medicare Home Health Coverage, Fact Sheet from Center for Medicare Advocacy](#)

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featured discussion about the importance of Olmstead, including people with disabilities sharing their own experiences, and featured remarks from national experts. See information from the event on [ACL's website](#).

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Spotlight on Resources



Resources for Supporting Lesbian, Gay, Bisexual, or Transgender (LGBT) Elders



Consumer Voice and the National Ombudsman Resource Center have a multitude of resources available online covering a wide range of long-term care topics. Visit the [Consumer Voice](#) and [NORC websites](#) to explore all the available resources. Check out this week's highlighted resource:

[NORC Notes: Resources for Supporting Lesbian, Gay, Bisexual or Transgender Elders](#)

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About The Voice

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Consumer Voice is the leading national voice representing consumers in issues related to long-term care, helping to ensure that consumers are empowered to advocate for themselves. We are a primary source of information and tools for consumers, families, caregivers, advocates and ombudsmen to help ensure quality care for the individual. Consumer Voice's mission is to represent consumers at the national level for quality long-term care, services and supports.

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