The Senate Finance Committee Held a Hearing on Abuse and Neglect

On March 6, 2019, the Senate Finance Committee, chaired by Senator Grassley, held a hearing entitled, “Not Forgotten: Protecting Americans From Abuse and Neglect in Nursing Homes.” After opening statements from Chairman Grassley and Ranking Member Senator Ron Wyden, the daughters of two nursing home residents gave heartbreaking and distressing testimony about each of their mother’s experiences - one with neglect, the other with abuse. Following their statements, five additional witnesses provided testimony: Dr. David Gifford, American Health Care Association; Dr. David Grabowski, Harvard Medical School; Dr. Kate Goodrich, Centers for Medicare and Medicaid Services; Antoinette Bacon, Department of Justice; and Keesha Mitchell, Office of the Ohio Attorney General. Numerous issues were raised during the hearing, among them, Nursing Home Compare and the Five-Star Rating System, the closing of rural nursing homes, Medicaid reimbursement rates, regulations and enforcement, and staffing.

Director of Public Policy and Advocacy Robyn Grant attended the hearing. She expressed concern that there was no consumer advocate on the panel who could have testified to the resident experience nationwide and provided In this Issue

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the consumer perspective on care, abuse, and neglect. Grant also voiced disappointment that although the title of the hearing indicated the topic would be abuse and neglect, there was not a focused discussion and examination of ways to prevent and end nursing home abuse and neglect.

Both a video recording of the hearing and written testimony from the witnesses are available here. Note the video begins at 16:28.

Moratorium on Civil Monetary Penalties for Nursing Homes Will End in May

Chief Medical Officer of the Centers for Medicare & Medicaid Services Kate Goodrich testified at last Wednesday's Senate Committee on Finance hearing that the 18-month moratorium on monetary fines for nursing homes will end in May. The moratorium of enforcement penalties under Phase 2 of the Final Rules of participation was put in place in late 2017 to give nursing homes more time to comply. Dr. Goodrich expressed that CMS still surveyed for these deficiencies and cited skilled nursing facilities that were not in compliance, but that the enforcement remedies "were more educational in nature." During the hearing last week, Dr. Goodrich assured federal officials that providers will soon begin receiving civil monetary penalties in the eight additional categories soon. For more information, read the article in McKnight's.

Fund Opportunity from ACL for Legal Assistance Enhancements

The Administration for Community Living (ACL) has announced a new funding opportunity for legal assistance enhancements. The Legal Assistance Enhancement Program supports outreach efforts for education about legal

Spotlight on Resources

New Consumer Voice Conference Information

New information is available for the Consumer Voice Conference - November 3-6 in Arlington Virginia. Visit our website to view a preliminary agenda, information about group discounts on registration, and hotel reservations. Stay tuned for conference registration opening in the Spring!

Remember: Conference session proposals are due this Friday, March 15. More info here.

Calendar of Events

March: Developmental Disabilities Awareness Month

May: Older Americans Month

November 3-6, 2019: Consumer Voice Annual Conference, Crystal Gateway Marriott, Arlington, Virginia

Join the conversation and follow us on social media!

Last Week's Most Popular Post:

Tuesday March 5:
assistance; intake strategies that are integrated with the broader aging network; partnerships within and outside the aging network that serve communities of older adults; and delivery of full-range legal assistance. ACL will award 8 grantees funding between $100,000 to $250,000 per grant year, for up to three years. Applicants can include state and local governments, Indian tribal governments and organizations, faith based-organizations, community-based organizations, hospitals and institutions of higher education. Grant applications are due April 29th. For more information, click here.

March is Developmental Disabilities Awareness Month

March is Developmental Disabilities Awareness Month. The National Association of Councils on Developmental Disabilities provides many resources on their website for raising awareness during the month. Its campaign is meant to highlight the many ways in which people with and without disabilities come together to form strong, diverse communities. The campaign seeks to raise awareness about the inclusion of people with developmental disabilities in all areas of community life, as well as awareness to the barriers that people with disabilities still sometimes face in connecting to the communities in which they live. DD Awareness Month covers three main areas: education, employment and community living. For more information, click here.

Fiscal Year 2020 Budget Released

President Trump has released his Fiscal Year 2020 Budget. The Department of Health and Human Services’ budget includes priorities such as reforming the individual market for insurance; lowering the cost of prescription drugs; reforming Medicare and Medicaid; combating the opioid crisis; and ending the HIV epidemic. Read the HHS Budget in Brief here. The Department of Labor’s budget

On March 6, join with others across the country to urge Congress to continue funding MFP.

Last Week’s Most Popular Tweet:

Wednesday, March 6:

Consumer Voice is attending the Eldercare Workforce Alliance Congressional Briefing this morning about the need for a well-trained workforce to provide quality long-term care.

Long-Term Care Resources & News

$66 a month for medicine and clothes. Adult care home residents say that's not enough. The News & Observer, March 6, 2019

Read past issues of The Voice here.
focuses on building a skilled and competitive workforce; supporting working families; and protecting workers. Read the DOL's Budget in Brief [here](#).

Consumer Voice has serious concerns about the budget's proposed changes and cuts to the Medicare and Medicaid programs and the resulting impact that will have on individuals needing care and services. See our [webpage](#) on the importance of Medicaid in the long-term care system, and stay tuned for more information about the President's proposals.

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CMS Memos on Improvements to Nursing Home Compare; Immediate Jeopardy Cases; and Infection Prevention Training for Nursing Home Staff

The Centers for Medicare & Medicaid Services has released three memos.

The first [memo](#) provides information on improvements to Nursing Home Compare and the Five Star Rating System effective April 2019. The improvements will include ending the freeze on health inspection star ratings. The traditional method of calculating health inspections scores by using three cycles of inspections will resume. CMS is also making improvements in the Quality Measure domain by introducing separate ratings for short- and long-stay measures; by revising the thresholds for ratings, adding a system for regular updates to thresholds, and weighting individual QMs differently; and adding the long-stay hospitalization measure and a measure for long-stay emergency department transfers. CMS is also making improvements to the staffing domain by adjusting the thresholds for staffing ratings.

CMS also released a [memo](#) regarding immediate jeopardy cases. This new guidance clarifies what information is needed to identify immediate jeopardy cases across all

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healthcare provider types, which CMS believes will result in quickly identifying and ultimately preventing these situations. In addition to the guidance, CMS has also developed an administrative tool that helps inspectors make sure they have the evidence needed to meet criteria for immediate jeopardy. Because these changes affect all Medicare- and Medicaid-certified healthcare providers, suppliers, and laboratories, CMS is providing online training on this new guidance, available to the public here.

Stay tuned for Consumer Voice's review of these memos.

The third memo from CMS included information on specialized infection prevention and control training for nursing home staff. CMS collaborated with the Centers for Disease Control and Prevention (CDC) to create a free online training course on this issue. The training provides 19 hours of continuing education credits and is located on the CDC’s TRAIN website here.

### New Elder Abuse Resource for Law Enforcement

A new resource is available for law enforcement and first responders to document elder abuse. The Elder Abuse Guide for Law Enforcement (EAGLE) includes roll call videos by the International Association of Chiefs of Police (IACP), Department of Justice updates and archived webinars. EAGLE is designed for law enforcement, but could be useful for anyone who would like to learn more about the types of elder abuse and what can be done to build strong community supports for prevention.

### Session Proposals for the 2019 Consumer Voice Conference Due March 15

We are looking for proposals that create an engaging, informative conference agenda that provides resources, tools, opportunities for discussion, and strategies our attendees can incorporate in their life and/or advocacy. All
proposals must be submitted using SurveyMonkey. Proposals are due by March 15, 2019. Late or incomplete proposals will not be considered. Additional information can be found on the conference webpage here.

Spotlight on Resources

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:

Abuse, Neglect, Exploitation and Misappropriation of Property Fact Sheet

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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