



# THE VOICE

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

March 26, 2019

## President's Budget FY2020

President Trump released his [FY2020 budget proposal](#), calling for deep cuts in a range of non-defense discretionary programs, including elder justice programs. Overall, programs at the Administration for Community Living were cut by over 6 percent; programs in the Department of Health and Human Services were cut by 12 percent overall. In addition to severe cuts to Medicaid and adding work requirements for Medicaid beneficiaries in every state, funding proposals for elder justice programs include:

- A \$1 million cut to the long-term care ombudsman program, currently funded at around \$17 million
- A \$2 million cut to the Elder Justice Initiative, currently funded at \$12 million
- “Flat funding” (funding at the same level as FY 2019) for elder rights support activities under the Older Americans Act
- Elimination of the Social Services Block Grant, which funds Adult Protective Services
- Replacing the Victims of Crime Act (VOCA) Crime Victims Fund annual caps, currently at \$3.353 billion for FY 2019, with a mandatory appropriation of \$2.3 billion per year
- Set-aside (from reducing existing funding) of \$2 million from the Elder Justice Initiative to fund APS demonstration programs on opioids and elder abuse; and

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- An estimated increase of \$44 million dollars to state survey & certification (includes hospitals, nursing homes, home health agencies, and other Medicare/Medicaid providers).

To read a full listing of Health and Human Services programs, click [here](#).

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## Free Consumer Voice Webinar - Overview of Phase 3 Nursing Home Regulations

On November 28, 2019 - 3 years after the revised federal nursing home rules were issued - "Phase 3" requirements will go into effect. These include a number of new requirements that nursing homes must implement, and in some cases, new systems that must be put in place. Join the webinar Tuesday, April 9th from 3:00-4:30pm ET hosted by Consumer Voice and hear experts from the Center for Medicare Advocacy, Justice in Aging and Consumer Voice talk about the following topics and more:

- Compliance and ethics program
- Infection preventionist
- Trauma-informed care
- Quality assurance and performance improvement program
- Training

Presenters:

Eric Carlson, Directing Attorney, Justice in Aging  
Toby Edelman, Senior Policy Attorney, Center for Medicare Advocacy  
Robyn Grant, Director of Public Policy & Advocacy, Consumer Voice

Space is limited. [Register now](#).

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## NORC's Webinar Series on Revised NORS Training -

## Consumer Voice, with Other Organizations, Submits Statement after Senate Hearing on Abuse and Neglect

Consumer Voice in conjunction with California Advocates for Nursing Home Reform, Center for Medicare Advocacy, Justice in Aging, Long Term Care Community Coalition, and the National Association of State Long-Term Care Ombudsman Programs have submitted a [statement for the record](#) after the hearing held by the Senate Finance Committee on March 6 - "[Not Forgotten: Protecting Americans from Abuse and Neglect in Nursing Homes](#)." The statement provides recommendations for preventing and combating abuse and neglect and responds to some of the issues raised by witnesses.

## Calendar of Events

**March:** [Developmental Disabilities Awareness Month](#)

**Thursday, March 28:** [HCBS Settings Heightened Scrutiny FAQ Training Session](#), 1:30pm ET, CMS training

**Tuesday, April 9:** [Overview of Phase 3 Nursing Home Regulations: A Look Ahead](#), 3:00pm ET, Free Consumer Voice webinar

**Wednesday, April 24:** Navigating the National Ombudsman Resource Center Website, 3:00pm ET, NORC Webinar, Registration info forthcoming

**May:** [Older Americans Month](#)

**Saturday, June 15:** [World Elder Abuse Awareness Day - Lifting Up Voices](#)

## Materials Available and Registration Still Open for Remaining Webinars

State Ombudsman programs submit data regarding program activities to the Administration for Community Living (ACL)/Administration on Aging (AoA), using the codes, definitions, and activities outlined in the instructions for the National Ombudsman Reporting Systems (NORS). The data has been collected since 1996, and this is the first comprehensive revision. The revised NORS data collection is effective October 1, 2019.

NORC has updated the four-part NORS training materials to reflect the updated codes, definitions, and activities and instruct programs on how to record the work they do. States are to continue to use the current approved NORS [codes](#) and [instructions](#) and [training materials](#) to ensure consistent reporting until the updated data collection is effective on October 1, 2019.

The purpose of [NORC's webinar series](#) on the topic is to introduce the new training materials to help programs prepare for the transition to new codes, definitions, and activities.

**Join NORC for the remaining two webinars in the series. Participants only need to register once to attend the remaining webinars.**

- **Part III: Closing the Case – Verification, Referral, and Disposition** April 30, 2019 3:00 – 4:30 ET
- **Part IV: Activities** May 29, 2019 3:00 – 4:30 ET.

### REGISTER

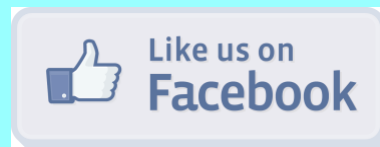
Additional information about NORS can be found on the [NORC website](#) and archived webinars are located [here](#).

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## LA City Attorney Secures \$600K Settlement from SNF

**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:**

**Wednesday, March 20:**

[Congressman Joe Courtney, Congressman Glenn Thompson, and Senator Sherrod Brown have reintroduced bipartisan legislation regarding observation status.](#)



**Last Week's Most Popular Tweet:**

**Wednesday, March 20:**

[Chief Medical Officer at CMS Kate Goodrich testified at the Senate Finance hearing that the 18-month moratorium on monetary fines for nursing homes will end in May](#)

**Long-Term Care Resources & News**

## for Alleged Patient Dumping

The Los Angeles City Attorney has reached a \$600,000 settlement with a skilled nursing facility (SNF) to settle allegations that the facility inappropriately discharged homeless and mentally-impaired residents and did not meet quality of care standards required by law. Patient dumping is prohibited by City Ordinance in Los Angeles, and LA City Attorney Mike Feuer has made enforcing the ordinance a priority of his administration. He has resolved eight cases, securing more than \$4.45 million from hospitals and SNFs alleged to be involved with patient dumping. Molly Davies, long-term care ombudsman at WISE and Healthy Aging in Los Angeles County, assisted the City Attorney with the recent settlement. For more information, click [here](#).

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## Save the Date: Webinar on Navigating the NORC Website

Save the date for a webinar from NORC on Wednesday, April 24th at 3:00pm ET on Navigating the NORC Website. The National Ombudsman Resource Center (NORC) [website](#) is filled with information, resources, and news from Ombudsman programs to support and inform programs across the country. This presentation will walk through the NORC website and new [On-Demand Training Center](#). The presentation will show how resources and information are organized on the website and where to go if you need help. Registration information will be available soon.

Watch this short [video](#) as an introduction to the NORC website and read the [March NORC Notes](#) to learn more about the NORC website and recent updates.

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- [DC Assisted Living Home Waited Days to Report Possible Sex Abuse](#) *NBC4 Washington*, March 20, 2019 - Consumer Voice Executive Director Lori Smetanka interviewed

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# CMS Issues Guidance Related to HCBS Settings Rule

The Centers for Medicare & Medicaid Services issued [guidance](#) related to home and community-based services last week. The guidance responds to Frequently Asked Questions on implementation activities associated with the January 2014 HCBS final rule. The guidance reaffirms CMS' commitment to implementing the HCBS Settings Rule, including important requirements around the "heightened scrutiny" process for settings that have institutional qualities. Join CMS on Thursday, March 28th from 1:30-3:30pm ET for an HCBS Settings Heightened Scrutiny FAQ training session. Register [here](#).

The HCBS Advocacy Coalition, of which Consumer Voice is a part, issued a statement in response to CMS' guidance. Read the statement [here](#).

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## Spotlight on Resources

The screenshot shows the website for the National Consumer Voice and the National Long-Term Care Ombudsman Resource Center. The page features a navigation bar with links for Home, News, About, New ombudsman?, Library, Events, Support, and Issues. Below the navigation bar, there is a search bar and a section for "Specialized Information for:" with links for Nursing Homes, Assisted Living/Board & Care, and Home and Community Based Services. The main content area is titled "Transfer/Discharge" and includes a "Back to Issues" button. The text explains that complaints regarding facility-initiated transfers and discharges are one of the top complaints that Ombudsman programs receive nationwide. A list of resources is provided, including NORC Resources, Consumer Voice Resources, Information from CMS, Ombudsman Program Examples, Additional Resources, and Information to Share with Consumers.

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 Transfer/Discharge Issue Page**

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## **About The Voice**

The Voice is a weekly e-newsletter, published by the National Consumer Voice for Quality Long-Term Care. If you do not wish to continue receiving this publication, please unsubscribe below. Your contributions and comments are welcome and should be sent to [info@theconsumervoice.org](mailto:info@theconsumervoice.org). Copyright © 2019.

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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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