



THE VOICE

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

November 6, 2018

New Senate Finance Minority Report finds Nursing Homes Unprepared for National Disasters

The Senate Finance Committee Ranking Member Ron Wyden, D-Ore., unveiled a [report](#) examining critical safety failures at nursing homes in Texas and Florida during and after Hurricanes Harvey and Irma. The report found that these incidents, which in Florida resulted in the deaths of 12 seniors, were not chance accidents but preventable tragedies that resulted from inadequate regulation and oversight, ineffective planning and communications protocols, and questionable decision-making by facility administrators.

The report, provides comprehensive reviews of the incidents at Texas long-term care facilities during Hurricane Harvey and at Hollywood Hills following Hurricane Irma. This review puts the incidents in the context of regulatory failures and lapses in communication and planning at every level of government. The report also examines regulations issued by the Centers for Medicare & Medicaid Services (CMS) meant to ensure long-term care providers like nursing homes are prepared for emergency conditions. The report finds that these rules are wholly inadequate when it

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Calendar of Events

Wednesday, November 7: [HCBS Quality Webinar: Outcome Measurement Tools](#), 2:00pm ET, Webinar from University of Minnesota's Research and Training Center on HCBS Outcome Measurement and the Administration for Community Living

comes to giving nursing homes the direction they need to be prepared in emergency situations. The report offers 18 recommendations for federal, state and local officials to help nursing homes prepare for natural disasters and execute contingency plans effectively when needed.

A summary of the report's findings and recommendations can be found [here](#). Appendices from the report can be found on the Finance Committee website [here](#).

New York Times Article on the Senate Report

The New York Times published an [article](#) highlighting the Senate report and its calling for tougher disaster preparedness standards. The article also mentions that CMS has said they will clarify expectations for how nursing homes must maintain safe temperatures in emergencies and they defended the agency's new preparedness requirements for health care providers. The new rule requires nursing homes to work with local and state authorities and other community organizations to help safeguard residents in emergencies. But the Senate report argues that the regulations leave gaps that endanger lives.

Take Action!

Despite ongoing concerns about emergency preparedness of healthcare facilities, including nursing homes, and less than a year after finalizing comprehensive new rules on emergency preparedness, CMS has issued proposed rules that would roll back some of the new protections that were just implemented. Follow 3 easy steps to submit comments on the troublesome proposed rule by 11:59PM ET on November 19, 2018. Consumer Voice and Justice in Aging have developed two sample comment templates you can choose from:

- [Shorter comments.](#)
- [In-depth comments addressing specific provisions in the rule.](#)

Personalize your comments with your name, your organization's name (if applicable), and specific experiences that you have with a facility not being prepared for an emergency. [Visit here to submit your comments.](#) For step-by-step instructions that navigates you through the comment portal, click [here](#).

Thursday, November 8: [Innovative State Approaches to Promoting Compliance with Federal HCBS Settings Criteria](#), 2:00pm ET, Part I of ACL Webinar Series

Thursday, November 8: [Barriers and Facilitators to Health, Wellness, and Treatment in Tribal Communities Dealing with Elder Abuse](#), 2:00pm ET, Part of Elder Justice Initiative's Rural and Tribal Elder Justice Webinar Series

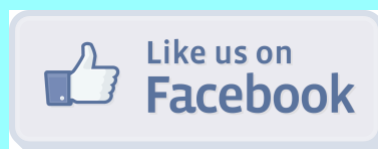
Friday, November 9: [Rural Multidisciplinary Teams: Challenges, Opportunities, and Innovations](#), 2:00pm ET, Part of Elder Justice Initiative's Rural and Tribal Elder Justice Webinar Series

Tuesday, November 27: Giving Tuesday

Thursday, November 29: [Promising State Strategies for Working with Providers to Meet with HCBS Settings Criteria & Promote Optimal Community Integration](#), 2:00pm ET, Part II of ACL Webinar Series

Thursday, December 13: [After Receiving Final Statewide Transition Plan Approval: Tackling the Ongoing Systems-Change Work that Remains](#), 2:00pm ET, Part III of ACL Webinar Series

Join the conversation and follow us on social media!



Last Week's Most Popular Post:

Monday, October 29:
[Long-Term Care Ombudsman Carolyn Torres](#)

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Elder Justice Initiative Holding Rural and Tribal Elder Justice Webinar Series

Join the DOJ's Elder Justice Initiative for several webinars as a part of their Rural and Tribal Elder Justice Webinar Series. On Thursday, November 8 at 2:00pm ET, Susan Lynch, Senior Counsel for Elder Justice, U.S. Department of Justice, will discuss the intersection of elder abuse and public health in tribal communities with a special focus on the barriers and facilitators to health, wellness, and treatment as a part of the webinar "[Barriers and Facilitators to Health, Wellness, and Treatment in Tribal Communities Dealing With Elder Abuse](#)." On Friday November 9 at 2:00pm ET, Jason Burnett, Co-Director of the Texas Elder Abuse & Mistreatment Institute (TEAM), Co-Director of the TEAM-Forensic Assessment Center Network, Tammy Sever (Nevada), and Michele Knittle (Nevada) will discuss the unique, but not insurmountable, challenges facing rural MDTs as a part of the webinar "[Rural Multidisciplinary Teams: Challenges, Opportunities and Innovations](#)." Find more information about the Rural and Tribal Elder Justice Webinar Series [here](#).

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Webinar on New Database to Help Understand HCBS Outcome Measurement Tools

Join the University of Minnesota's Research and Training Center on HCBS Outcome Measurement (RT/OM) and the Administration for Community Living for a webinar on Wednesday, November 7 at 2:00pm ET on the development and use of a database designed to help users better understand and use home- and community-based services (HCBS) outcome measurement tools. The relational database is hosted on the University's RTC/OM website and is meant to help users better understand the extent to which currently available instruments allow for

[from Texas held a Residents' Rights Month event and celebrated with a festive cake!](#)



Last Week's Most Popular Tweet:

Tuesday, October 30:

[Join DOJ's Elder Justice Initiative's webinar](#)

Long-Term Care Resources & News

- [Public Charge and Immigrant Seniors](#), Issue Page from Justice in Aging

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measuring personal outcomes and system-level quality based on the National Quality Forum's HCBS Outcome Measurement Framework. The database provides users with additional information related to measures including: psychometric qualities (when available), administration mode, person-centeredness, respondent, target disability population, current usage, and NQF domain and subdomain coverage. The webinar will provide users with background information about the development of the database and a demonstration of how its features (including search capacities) can best be used to support improvements in the quality of HCBS measurement. Register for the webinar [here](#).

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Spotlight on Resources



November 1, 2016
NORS TRAINING, RESOURCES, and FAQs

The SLTCORs use information systems to record the facilities they visit, log complaints they receive and investigate, and track other program activities. Each state reports this data to the United States Administration for Community Living (ACL)/Administration on Aging (AOA), to be summarized in the National Ombudsman Reporting Systems (NORS) and is available on the [ACL website](#). The data has been collected since 1996. All resources, data, FAQs, training, and additional information is available on the [NORC website](#).

NORS TRAINING

A [four-part training module](#) has been developed on NORS to instruct Ombudsman programs on how to record the work they do on behalf of residents, including visits to facilities, complaints, consultations, and more.

NORS RESOURCES

Several materials to assist in submitting your NORS data is available on the [NORC website](#) such as [instructions for completing the NORS form](#) and the [complaint codes](#). You can also find the final revised NORS data collection tables that State Ombudsman programs will use to report data starting on October 1, 2019. NORC is in the process of creating new training materials for the revised NORS data codes and activities. The following information is also available on the [ACL website](#). This information is available on the [NORC](#) and [ACL](#) websites.

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:

[November Issue of NORC Notes](#)

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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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