



THE VOICE

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

October 2, 2018

Congress Passes Natural Disaster Preparedness Bill

Congress passed the "Worst-Case Scenario Hospital Preparedness Act" which aims to strengthen emergency preparedness for nursing homes and other providers. The bill was introduced last December after deadly hurricanes hit Florida and Puerto Rico. "Maintaining a high standard of inspection, upkeep and disaster preparedness, especially in places like in my home state of Florida, reduces the future loss of important facilities that many seniors and veterans in my district rely on," Rep. Daniel Webster (R-FL), who co-sponsored the bill with Rep. Debbie Dingell (D-MI), said in a statement. Consumer Voice will be reviewing the bill. For more information, read the [article](#) in *McKnight's*.

[Back to Top](#)

New Federal Law Regarding Credit Freezes for "Protected Consumers"

The Federal Trade Commission and the Bureau of Consumer Financial Protection posted a blog about new federal law provisions regarding credit freezes. Beginning September 21, 2018, a new federal law allows some financial caregivers to request a security freeze (also called

In this Issue

[Congress Passes Natural Disaster Preparedness Bill](#)

[New Federal Law Regarding Credit Freezes for "Protected Consumers"](#)

[Legislation Would Alter Ban on CNA Training](#)

[It's Residents' Rights Month!](#)

[Spotlight on Resources](#)

Calendar of Events

October: [Residents' Rights Month](#)

October 22-24: [Consumer Voice Annual Conference](#), Alexandria, Virginia

a credit freeze) on their loved one's behalf. The new law is meant to help protect "protected consumers" - an incapacitated person with an appointed guardian or conservator - from financial exploitation and scams. A person acting on behalf of a protected consumer can freeze or unfreeze a protected consumer's credit by providing to the credit reporting agency a court order (naming you guardian or conservator) or a valid power of attorney. Read the blog post [here](#).

[Back to Top](#)

Legislation Would Alter Ban on CNA Training

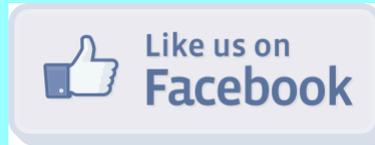
Rep. Sean Duffy (R-WI) has introduced legislation that would change the so-called certified nursing training lockout. The existing laws, which have been in effect since 1987, state that nursing homes lose their ability to train CNAs for two years if they are operating under a waiver for coverage by licensed nurses, they have been subject to an extended or partial extended survey, they have been assessed civil monetary penalties over \$10,000, or they have been subject to imposition of a denial of payment, temporary manager, or termination. This bill would rescind the ban on training for facilities that have been assessed penalties over \$10,000, but which have demonstrated that they have corrected the deficiencies for which the fine was imposed. Providers say that eliminating training programs for these facilities threatens quality of care and exacerbates the existing workforce shortage. Consumer advocates have concerns about the ability of those facilities to adequately train staff on quality care practices. For a copy of the bill, click [here](#).

[Back to Top](#)

It's Residents' Rights Month!

This week marks the beginning of a month long celebration of residents' rights. Spend time this month honoring residents living in all long-term care facilities, including nursing homes, sub-acute units, assisted living, board and care and retirement communities. Plus, take time to focus on individuals receiving care in their homes or communities.

Join the conversation and follow us on social media!



Last Week's Most Popular Post:

Friday, September 28:

[Sexual abuse is a form of elder abuse that frequently goes underreported, under-investigated and unnoticed.](#)



Last Week's Most Popular Tweet:

Monday, September 24:

[Residents' Rights Month starts next week!](#)

Long-Term Care Resources & News

- [5 Things to Know About Trump's New "Public Charge" Immigration Proposal](#), *Kaiser Health News*, September 25, 2018

The theme for Residents' Rights Month 2018 is "[Speak Up: Know Your Rights and How to Use Them.](#)" The theme emphasizes the importance of residents being informed about their rights; being engaged partners in achieving quality care and quality of life; and feeling confident in speaking up about what is important to them.

Be sure to check out the fantastic entries we have received for the [Resident Voice Challenge](#); our [resources](#) on this year's theme; and [activity suggestions](#). Plus, let us know how you plan to celebrate. Send details and photos to info@theconsumervoice.org.

[Back to Top](#)

Spotlight on Resources



Residents of nursing homes have rights that are guaranteed by the federal Nursing Home Reform Law. The law requires nursing homes to "promote and protect the rights of each resident" and stresses individual dignity and self-determination. Many states also include residents' rights in state law or regulation.

Right to a Dignified Existence

- Be treated with consideration, respect, and dignity, recognizing each resident's individuality
- Freedom from abuse, neglect, exploitation, and misappropriation of property
- Freedom from physical or chemical restraints
- Quality of life is maintained or improved
- Exercise rights without interference, coercion, discrimination, or reprisal
- A homelike environment, and use of personal belongings when possible
- Equal access to quality care
- Security of possessions

Right to Self-Determination

- Choice of activities, schedules, health care, and providers, including attending physician
- Reasonable accommodation of needs and preferences
- Participate in developing and implementing a person-centered plan of care that incorporates personal and cultural preferences
- Choice about designating a representative to exercise his or her rights
- Organize and participate in resident and family groups
- Request, refuse, and/or discontinue treatment

Right to be Fully Informed of

- The type of care to be provided, and risks and benefits of proposed treatments
- Changes to the plan of care, or in medical or health status
- Rules and regulations, including a written copy of residents' rights
- Contact information for the long-term care ombudsman program and the state survey agency
- State survey reports and the nursing facility's plan of correction
- Written notice before a change in room or roommate
- Notices and information in a language or manner he or she understands (Spanish, Braille, etc.)

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:

[Residents' Rights Fact Sheet](#)

[Back to Top](#)

DONATE NOW

Read past issues of [The Voice](#) [here](#).

Support the Consumer Voice While You Shop Online

amazonsmile
You shop. Amazon gives.

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. Copyright © 2018.

If you did not receive The Voice through a subscription, but would like to join our mailing list to receive future issues, click [here](#).

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.

[Click here to unsubscribe](#)