



# THE VOICE

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

October 30, 2018

## Comments Needed by Nov 19 on Proposed Rollback of Emergency Prep Rules

On September 20, the Centers for Medicare and Medicaid Services (CMS) issued a proposed rule impacting a wide range of Medicare providers that includes revisions to the new emergency preparedness regulations. The proposed rule is part of the agency's efforts to "relieve burden on healthcare providers by removing unnecessary, obsolete or excessively burdensome Medicare compliance requirements for healthcare facilities." The emergency preparedness requirements are targeted for rollback even though they were implemented *less than a year ago*.

The proposed rule changes a number of key provisions in the current rule. Under the proposed rule, facilities would only be required to review and update their emergency plan, policies and procedures, communication plan, and training and testing program every two years rather than annually. Also, staff training on emergency preparedness would no longer be required annually, but instead only every other year. To read more about the proposed changes, click here.

Both Consumer Voice and Justice in Aging are extremely concerned that the proposed revisions would make nursing homes less ready when disaster strikes and subject residents to greater danger, even death.

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### Thank You for a Successful Annual Conference!

Thank you to all who attended the 2018 Consumer Voice Conference last week in

**CMS needs to hear from all of us that this proposed regulation is not acceptable! Follow the 3 easy steps below to submit comments opposing this proposed rule by 11:59 PM ET on November 19, 2018.**

1. You can choose from two sample comment templates, developed by Consumer Voice and Justice in Aging:
  - o Click [here](#) to download shorter comments.
  - o Click [here](#) to download more in-depth comments addressing specific provisions in the rule.
2. Personalize your comments with your name, your organization's name (if applicable), and your own experiences, observations, or concerns about the impact of these proposed changes.
3. Click [here](#) to submit your comments. For step-by-step instructions that navigates you through the comment portal, click [here](#).

#### **Additional Information**

- Read the proposed rule [here](#).
- To learn more about the proposed rule, click [here](#).
- To learn more about emergency preparedness, click [here](#).
- Shareable link of this information: <http://theconsumervoicework.org/news/detail/latest/ep-rules-rollback>

Questions? Contact us at [info@theconsumervoicework.org](mailto:info@theconsumervoicework.org).

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## **Celebrating a Successful Residents' Rights Month**

This has been a very exciting month celebrating Residents' Rights. This year's theme "[Speak Up: Know Your Rights and How to Use Them](#)" emphasized 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. We have heard of celebrations from across the country of residents, facilities, ombudsmen, and other advocates honoring residents' rights and focusing on the respect and dignity of all residents. Plus, we have heard many residents "Speak Up!" as a part of this year's Resident's Voice Challenge.

Be sure to check out the many wonderful entries to the Resident's Voice Challenge on our [website](#). Thank you to all who participated!

Alexandria, VA. It was great to reconnect with old friends and see so many new faces!

Stay tuned - conference materials will be available shortly.

Plus, attendees, look out for the general conference evaluation which will be arriving in your inbox soon. We appreciate your feedback!

### **Calendar of Events**

**October:** [Residents' Rights Month](#)

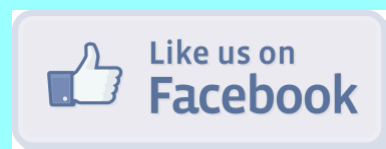
**Thursday, November 8:** [Innovative State Approaches to Promoting Compliance with Federal HCBS Settings Criteria](#), 2:00pm ET, Part I of ACL Webinar Series

**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:**

Plus, check out [events and media coverage](#) of Residents' Rights Month nationwide.

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## New LTCCC Report on Promising Practices in Assisted Living

Long Term Care Community Coalition (LTCCC) has published a new report "[Assisted Living: Promising Policies and Practices](#)." The report comes in response to a 2018 Government Accountability Office report, [Medicaid Assisted Living Services: Improved Federal Oversight of Beneficiary Health and Welfare is Needed](#), which found that all too often states fail to protect ALF residents or even keep track of when they are harmed.

LTCCC's new report provides information and insights into best practices and policies for assisted living. The report focuses on four areas of concern which were identified as particularly important to ensuring resident safety and a resident-centered and directed environment. The areas include staff training requirements; dementia care; whether a registered nurse is employed; and state oversight and quality assurance. Read the full report from LTCCC [here](#).

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## Brief on Understanding and Working with APS

The National Center on Elder Abuse, in collaboration with the National Adult Protective Services Association, has developed a three-part brief, [Understanding and Working with Adult Protective Services](#). The goal of these resource is to provide information for understanding and collaborating with Adult Protective Services (APS) in order to benefit older adults and adults with disabilities who are subjected to abuse, neglect, or exploitation (ANE), including sexual violence. The three-part brief includes:

- [Part I: Overview of APS Programs](#) (released May 2018), which describes APS program functions, responsibilities, policies, practices, clients served, and constraints;
- [Part II: The Reporting and Investigation of Alleged Abuse](#), which addresses collaborating with APS during the

**Thursday, October 18:**

[NORC Director Amity Overall-Laib recently visited with nursing home resident Nancy Bradley.](#)



### Last Week's Most Popular Tweet:

**Monday, October 22:**

[Sara Hunt wins the Elma Holder Founder's Award](#)

### Long-Term Care Resources & News

- [Taking Action: An Advocate's Guide to Assisting Victims of Financial Fraud](#), *National Center for Victims of Crime*

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reporting and investigation of alleged ANE of older adults and adults with disabilities adults; and

- [Part III: Intervention Collaboration](#), which addresses collaborating with APS to remediate substantiated ANE.

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## ACL Webinar Series on State Strategies to Implement Federal HCBS Settings Criteria

The Administration for Community Living (ACL), in partnership with the Centers for Medicare & Medicaid (CMS) and other partners, is hosting a three-part technical assistance webinar series on innovative strategies states are taking to implement the federal settings criteria for home and community-based services (HCBS). You must register for each webinar in the series.

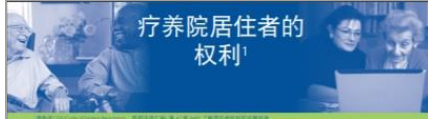
- [Innovative State Approaches to Promoting Compliance with the Federal HCBS Settings Criteria on Thursday, November 8, at 2:00pm ET](#) will provide an overview of innovative state strategies in setting assessment, validation and remediation of HCBS settings and will provide information on training/technical assistance models that states have rolled out.
- [Promising State Strategies for Working with Providers to Meet the HCBS Settings Criteria & Promote Optimal Community Integration on Thursday, November 29 at 2:00pm](#) will provide a review of promising state practices for provider transformation and building provider capacity to improve community integration.
- [After Receiving Final Statewide Transition Plan Approval: Tackling the Ongoing Systems-Change Work that Remains on Thursday, December 13 at 2:00pm](#) will provide a review of creative examples of state policy reforms, reimbursement/rate restructuring and engagement activities to facilitate ongoing HCBS systems-change.

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## Spotlight on Resources

Support the Consumer Voice  
While You Shop Online





## 疗养院居住者的权利

疗养院居住者享有由联邦 Nursing Home Reform Law (疗养院改革法) 提供保障的权利。该法律保证疗养院“促进和保护每位居住者的权利”，并强调个人尊严和自主决定。许多州还将州法律或规定中的居住者权利纳入其中。

### 以享有尊严的方式居住的权利

- 以体面、享有尊重和尊严的方式得到对待，承认每名居住者的独特性
- 尊重隐私、意愿、选择和财产自主
- 无遭受身体或化学性的害
- 生活质量和精神或改善
- 计划和不会遭到干涉、限制、歧视或惩罚
- 国家式环境，并在可能的情况下使用个人物品
- 平等获得优质服务
- 财产安全

### 自主决定的权利

- 活动、日程安排、健康护理和膳食的选择，包括主治医师
- 合理的隐私需求和偏好
- 参与制定和实施以人为本的护理计划，其中包括个人和文化偏好
- 选择制定一些基本护理权利和标准
- 组织并参与居住者和家属组织
- 请求、拒绝或中止治疗

### 充分知情以下事宜的权利

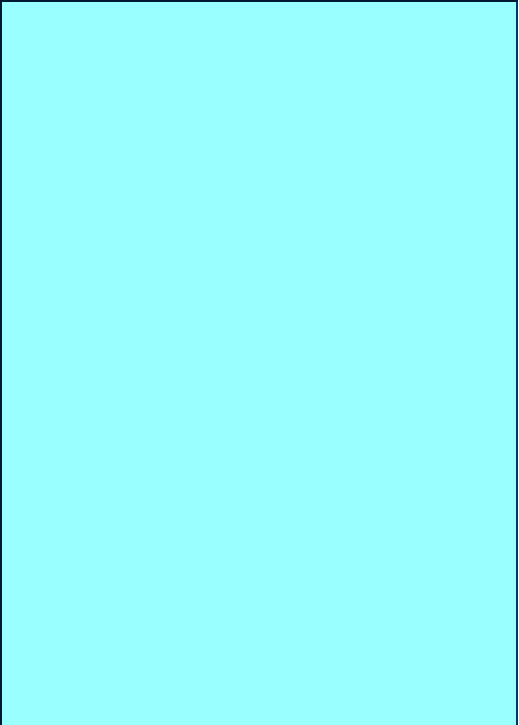
- 提供的护理类型，以及建议治疗的风险和益处
- 护理计划的变更，或医疗或健康状态的改变
- 选择福利和规定，包括有国家认可的居住者权利法案
- Long-term Care Ombudsman Program (长期护理申诉专员计划) 和州调查机构的联系信息
- 州调查报告和护理机构的修正计划
- 访问或要求发生变更的书面通知
- 从居住者理解的适当方式充分知情所有通知和信息 (西语/汉语、盲文等)

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 in Other](#)

[Languages](#)

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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 © 2018.

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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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