Urge Your Representative to Support the FAIR Act to End Forced Arbitration

The US House is set to vote this week on HR 1423, the Forced Arbitration Injustice Repeal (FAIR) Act. This bill would end forced pre-dispute arbitration in contracts between consumers and corporations, including nursing homes and assisted living communities. Tell your representative to vote yes to stop this practice which deprives residents and other long-term care consumers of their right to seek justice in court before an impartial judge or jury when they are harmed. You can read the bill [here](#).

Forced pre-dispute arbitration is a legal process in which a consumer is essentially forced to agree, before a dispute arises, to have the issue settled by one or more arbitrators who decide the outcome. Forced pre-dispute arbitration takes advantage of long-term care consumers at their most vulnerable, stacks the deck against them, restricts consumer choice, hides poor care, and lessens provider accountability. [Click here](#) to learn more about this issue.

Help protect consumers from these harmful agreements!

[Click here](#) to send a message to your Representative by this Thursday, September 19 to vote in favor of the FAIR Act.
Final Arbitration Rule in Effect as of September 16th

On September 16, the final nursing home arbitration rule that was released by the Centers for Medicare & Medicaid Services (CMS) in July of this year went into effect except for a number of facilities involved in a recently filed lawsuit against the rule. For those facilities, enforcement of the rule has been delayed until December 31, 2019.

The rule reverses the ban on forced pre-dispute arbitration agreements mandated in the 2016 revised federal nursing home regulations. While it permits facilities to ask residents and their representatives to sign arbitration agreements, the agreements may not be required as a condition of admission or continuation of care. Additionally, the facility must ensure the resident or his or her representative understands the agreement; provide for an arbitrator and venue that both parties agree to; and give residents the right to rescind an agreement within 30 days. Consumer Voice will be hosting a webinar on the rule and developing consumer education materials.

Consumer Voice Hiring Program-Policy Specialist

The Consumer Voice is seeking a Program-Policy Specialist to work with staff and the Executive Director in the development and implementation of programmatic, legislative, and regulatory activities affecting long-term care consumers nationwide.

Responsibilities:

• Serve as primary staff support to several grant-funded programmatic initiatives
• Inform, educate, and provide technical assistance to the Consumer Voice network
• Conduct development duties as support to the Executive Director and other staff

Calendar of Events

Tuesday, September 24: Asked and Answered: Frequently Asked Questions About the Revised NORS Webinar, 3:00pm ET, NORC Webinar

Wednesday, September 25: Advocacy Tools and Successful Practices to Protect Residents from Nursing Facility Discharges, 3:00 ET, NORC Webinar

October: Residents’ Rights Month

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

Join the conversation and follow us on social media!

Like us on Facebook

Last Week’s Most Popular Post:

Monday, September 9: Thank you to all those who submitted fantastic Resident’s Voice Challenge entries.
• Provide support for federal and state legislative and regulatory policy activities
• Provide written and oral updates and reports to Consumer Voice staff, members, and committees as directed
• Interact with other organizations at the state and national levels and represent the organization’s interests as directed

For further responsibilities, requirements and how to apply, [click here]. Please share this posting.

Last Week’s Most Popular Tweet:

Friday, September 13:

Every September, National Preparedness Month brings focus to disaster planning and getting ready for emergencies. This year’s theme is "Prepared, Not Scared."

Long-Term Care Resources & News

• [US: Rollback of Nursing Home Protections, Human Rights Watch], September 13, 2019

New Website for Reframing Elder Abuse Project

The National Center on Elder Abuse has announced a new website for their Reframing Elder Abuse Project. The project supports a reframed communication approach for introducing elder abuse to the public; an approach that doesn’t reinforce misconceptions or hopelessness, but a

Support the Consumer Voice While You Shop Online

[Support the Consumer Voice]
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:

Consumer Voice Issue Page: Reauthorization of the Older Americans Act