



THE VOICE

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

September 25, 2018

Residents' Rights Month Starts Next Week

Residents' Rights Month is an opportunity every October to focus on and celebrate awareness of dignity, respect and the rights of each resident. The theme for this year's Residents' Rights Month 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. Residents' Rights Month is a time for staff, families, ombudsmen, residents and other advocates to focus on resident-directed care and emphasizing the self-determination, choice, and quality of life of each resident.

Get your community talking about Residents' Rights Month by:

- Writing a letter to the editor of your local newspaper
- Asking your mayor or governor to proclaim October 2018 Residents' Rights Month
- Issuing a press release
- Planning an event to celebrate. Use our Activity Calendar to get ideas for activities.
- We have already heard about some exciting events and media coverage of Residents' Rights

In this Issue

[Residents' Rights Month Starts Next Week](#)

[CMS Posts Proposed Emergency Preparedness Rule in Federal Register](#)

[Materials Available from NORC Webinar on Emergency Preparedness](#)

[Public Charge Rule Being Drafted: Harmful to Older Adults, Immigrant Families, and Healthcare Workers](#)

[Spotlight on Resources](#)

Calendar of Events

October: Residents' Rights Month

Month. What do you have planned? Send us details about your event, coverage in your local media and photos of your activities to info@theconsumervoice.org

- Ordering Residents' Rights Month [buttons](#), [bookmarks](#) or [posters](#) to use for giveaways and gifts during October
- Sharing some of the [tremendous entries](#) we have received to the Resident's Voice Challenge

[Back to Top](#)

CMS Posts Proposed Emergency Preparedness Rule in Federal Register

On September 17, 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. According to a CMS press release, 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.

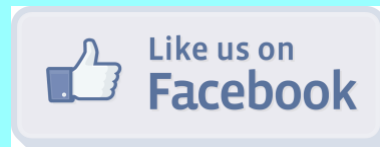
The current emergency preparedness provisions represent years of study and review by federal agencies, nursing home providers, emergency preparedness experts, advocates, and others following the horrendous impact of Hurricane Katrina on vulnerable and frail nursing home residents. In the preamble to the current regulations, CMS states that the regulations are based on lessons learned from the past and today's proven best practices (Federal Register / Vol. 81, No. 180 / Friday, September 16, 2016 / Rules and Regulations 63861). Now, however, CMS is proposing to change the rules based solely on its intent to reduce provider burden. The rule includes proposed changes to emergency plans; policies and procedures; communication plans; and training. Although CMS claims these proposals would balance patient safety and quality with broad regulatory relief for providers, Consumer Voice is concerned that the proposed revisions will instead make nursing homes less ready when disaster strikes and subject



October 22-24: Consumer Voice Annual Conference, Alexandria, Virginia



Join the conversation and follow us on social media!



Last Week's Most Popular Post:

Wednesday, September 19:
Unconscionable. Clearly these facilities were not prepared. See the NY Times article.



Last Week's Most Popular Tweet:

Friday, September 21:

residents to greater danger. For more information about the changes, click [here](#).

The emergency preparedness regulations were released in the [Federal Register](#) on Sept 20. Comments are due by or on Nov 19, 2018. Consumer Voice will be preparing sample comments that advocates can submit.

[Back to Top](#)

Materials Available from NORC Webinar on Emergency Preparedness

Recent natural disasters have significantly impacted several states, including consumers of long-term care services and supports. During the recent webinar from NORC - "Emergency Preparedness: Ombudsman Program Advocacy and Facility Responsibilities," presenters shared their experience before, during, and after a natural disaster. Also, attendees learned about CMS' emergency preparedness rule, model policies and procedures for Ombudsman programs by the Administration for Community Living (ACL), the most common reactions of residents after a disaster and how to support them, and tips to help prepare personally and professionally.

Presenters were Louise Ryan, Ombudsman Program Specialist, Administration for Community Living/Administration on Aging (ACL/AoA); Maria Greene, Consultant, National Ombudsman Resource Center (NORC); Mike Milliken, Florida State Long-Term Care Ombudsman; Dania Vazquez, Puerto Rico State Long-Term Care Ombudsman; and Lisa Hayes, Managing Local Ombudsman, Houston-Galveston Area Agency on Aging/Houston-Galveston Area Council.

Find materials from the webinar [here](#). Additional information about Emergency Preparedness can be found on the [NORC website](#) and [archived webinars](#) are located here.

[Back to Top](#)

Public Charge Rule Being Drafted: Harmful to Older

[CMS Proposes Rollback of Emergency Preparedness Rules - read the Consumer Voice Policy Break for more information](#)

Long-Term Care Resources & News

- [Grassley joins the chorus of lawmakers demanding answers on nursing home 'oversight failures', McKnight's](#), September 21, 2018

[DONATE NOW](#)

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

[Support the Consumer Voice While You Shop Online](#)

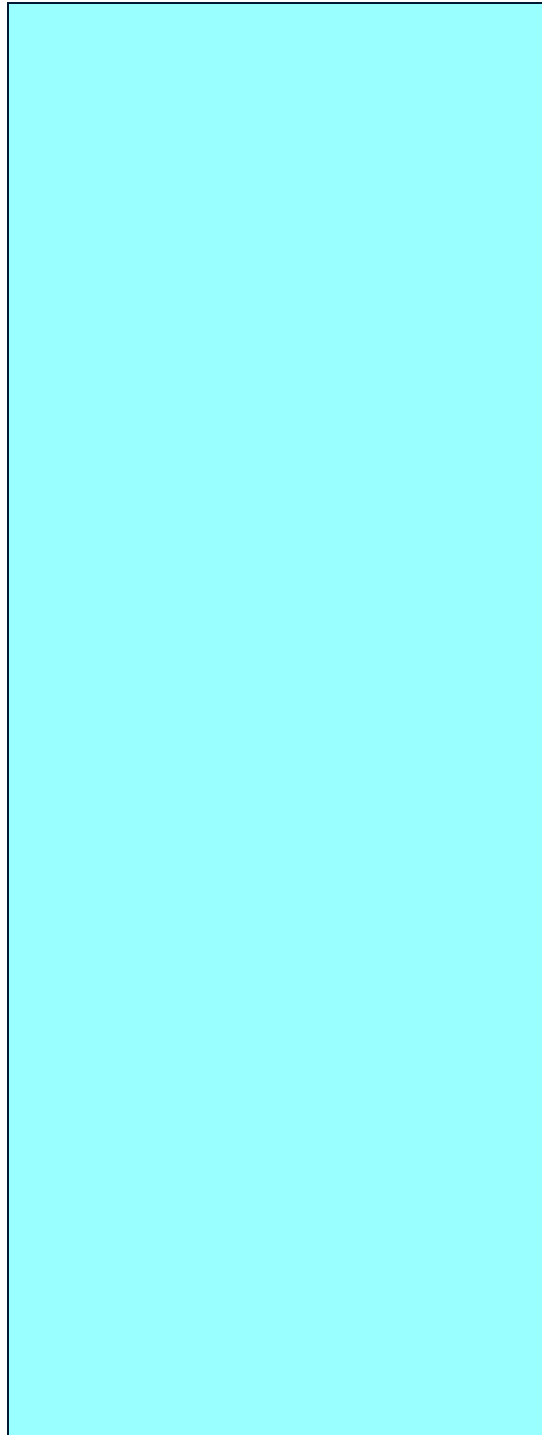
amazon smile
You shop. Amazon gives.

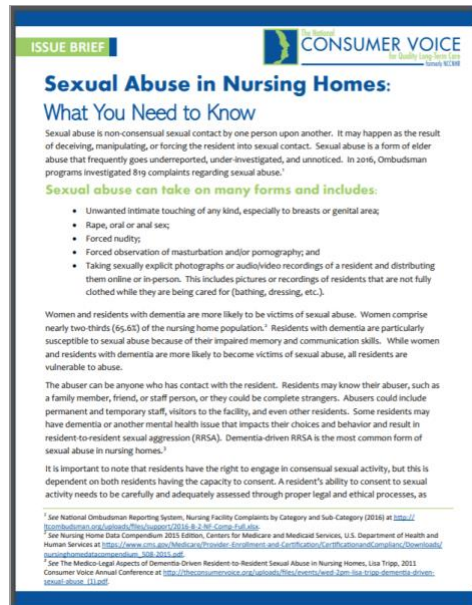
Adults, Immigrant Families and Healthcare Workers

On Saturday, the Department of Homeland Security [publicized](#) a proposed rule change that would make using health and affordable housing programs a disadvantage for some immigrants, putting millions of families at risk. Currently, under the Public Charge Rule, the government can deny admission to the U.S. or refuse an application for lawful permanent residency if the applicant is using cash assistance programs such as Supplemental Security Income (SSI) or government-funded institutional long-term care (including through Medicaid). The proposed Public Charge Rule greatly expands the programs that can be counted against an applicant or a family member who is applying for lawful permanent residency. The [draft rule](#) includes Medicaid, Medicare Savings Programs and Part D Extra Help, Affordable Care Act subsidies for health insurance, and many more housing, nutrition, and comparable state and local programs as disqualifying programs when evaluating an applicant's lawful permanent residency application. Because of the drastic consequences of this rule, it will cause many, including older adults, their families, and critical healthcare workers, to forego utilizing essential healthcare programs, like Medicaid and Medicare, even if they are eligible to use them. Once the proposed rule change is published, there will be a 60 day period for the public to leave comments. To read more about the proposed rule and its impact on older adults and their families, read Justice in Aging's [fact sheet](#).

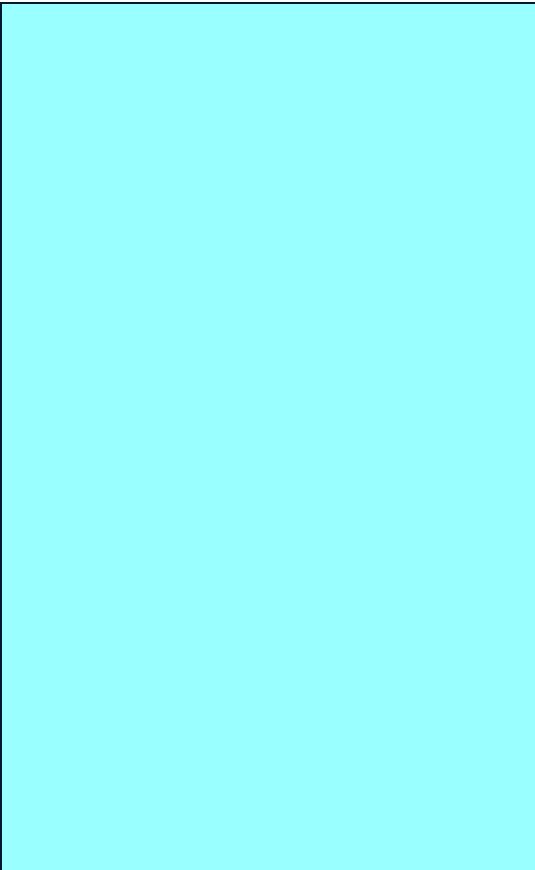
[Back to Top](#)

Spotlight on Resources





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:

[Sexual Abuse in Nursing Homes: What You Need to Know](#)

[Back to Top](#)

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](#)