

SUMMER 2011

# OMBUDSMAN OUTLOOK VOL.13

THE OFFICIAL NEWSLETTER OF FLORIDA'S LONG-TERM CARE OMBUDSMAN PROGRAM

## I HAVE TO MOVE OUT OF MY HOME?

Imagine suddenly hearing you have to move out of your home in just one day. Would you feel alone? Would you feel anxious trying to make plans for a move? Would you be confused or unsure of what to do next?

Many long-term care facility residents are confused, stressed, and concerned when they hear their facility is closing. Florida's Long-Term Care Ombudsman Program's staff and volunteers are all too familiar with residents' concerns when they are forced to move from their home because their long-term care facility is closing.

However, by working with its sister state agencies including the Agency for Health Care Administration (AHCA) and the Department of Children and Families Adult Protective Services (DCF), the Ombudsman Program is able to educate and assist residents with the process of locating

and moving to a new facility that will meet the residents' needs. Robin Baker, West Central District Ombudsman Manager, and ombudsman volunteer, Don Hering, recently assisted residents during the emergency closure of Jerold Mack, an adult family-care home in Tampa. Due to lack of supervision and other dangerous conditions discovered when Hering visited the facility in the morning, all residents were asked to leave the facility that same day.

Hering and Baker remained at the home and assisted residents throughout the afternoon. "We brought a list of adult family-care homes in the area," said Baker. "We worked with AHCA and DCF's Adult Protective Services Unit to place residents in appropriate facilities and made sure the residents were going to get the care they needed."

According to Baker, residents often have problems retrieving



*Palazzo Di Oro, an assisted living facility in Pinellas County, announced it would be closing.*

refunds from advance rent or deposits paid to the closing facility, or making sure funds from Optional State Supplementation or Social Security are transferred to the resident in a new facility. Residents are usually told their only recourse is to file a civil case in court. If they wish to pursue this, they or their family members can contact

a legal services organization for assistance or the Ombudsman Program may assist in providing these contacts.

Although filing a civil case can benefit the resident, it can be a time-consuming process and is often too expensive to consider.

Another resource for a resident is a protective

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State Ombudsman  
Jim Crochet began  
serving with the  
Ombudsman  
Program as its  
Director on  
May 2, 2011.

Governor  
Rick Scott

Department of  
Elder Affairs  
Interim Secretary  
Charles T. Corley

State Long-Term  
Care Ombudsman  
Jim Crochet

Ombudsman  
Outlook Editor  
Erica Wilson

## FROM OUR DIRECTOR

*Moving Forward: Volunteer  
Recruitment, Retention, and  
Agency Collaboration*

I am excited to begin my role as the Long-Term Care State Ombudsman. Since starting, I see there is a growing need for ombudsman volunteers. Florida has over 160,000 beds in assisted living facilities, adult family-care homes, and nursing homes. The Ombudsman Program currently has around 277 volunteers. That's roughly one ombudsman for every 605 beds!

This number demonstrates the importance of volunteer recruitment, retention, and recognition. Moving forward, this is what I want to emphasize. The program needs more volunteers and we need to retain and reward the current volunteers we have for their advocacy efforts on behalf of our most vulnerable population. Advocacy is successful when it's done with compassion and while working together with sister agencies and community providers. Working together with partners like the Agency for Health Care Administration and the Department of Children and Families Adult Protective Services, the Ombudsman Program can help solve long-term care resident issues and concerns and protect the residents' health, safety, welfare, and rights.

## A GUIDE TO COMPLAINT DATA

Following the release of each edition of the *Ombudsman Outlook*, the Ombudsman Program invariably receives questions from facility staff members, residents, and others about just what its data means. Residents and consumers ask, "How can I use the data to choose a place to live?," while facility staff members wonder, "What does the data indicate about my facility?"

So here goes—the answers to your questions, or at least an overview of the program's reported complaint data. We hope the information below will explain the meaning of the terms used in ombudsman investigations.

**How does a complaint investigation start?** After the local office receives a complaint from a resident, a resident's family member, a facility staff member or other concerned citizen, an ombudsman visits the resident to determine whether the resident would like the ombudsman to open a case and investigate this complaint and/or others on the resident's behalf.

**What's the difference between a case and a complaint?** A case is like a basket that holds all the complaints the resident would like investigated. Some cases contain only one complaint while others contain multiple complaints. Each complaint is individually investigated, determined whether it is verified, and assigned one of nine disposition codes.

**Now that the resident wants a case opened, what happens?** After the resident consents to an investigation, the ombudsman interviews staff and family members, inspects records and/or uses his or her keen observation skills to determine whether each complaint is verified or not verified. A "Verified" complaint means, "It is determined after work (interviews, record inspection, observation, etc.), that the circumstances described in the complaint are generally accurate."

**After determining whether the complaint is verified, what happens next?** The ombudsman works with the resident to resolve the complaint to the resident's satisfaction by developing a resolution plan. If a complaint cannot be verified, the ombudsman still works to resolve a complaint to the resident's satisfaction.

**How does a complaint investigation end?** A case is closed when there is no further work for the ombudsman to do on

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# SUMMARY OF TOP COMPLAINTS: SPRING QUARTER

*Under State law, the Long-Term Care Ombudsman Program is responsible for publishing its complaint data each quarter. The following data reflects verified complaints from cases closed between February 1, 2011 - May 31, 2011. The data also shows the number of these complaints resolved.*

## 18 complaints

61% resolved

Boynton Beach Assisted Living Facility (ALF) - Boynton Beach

(examples: verbal/psychological abuse; retaliation)

## 18 complaints

77% resolved

Hands of Grace (ALF)- Mayo

(examples: shortage of staff; personal property)

## 12 complaints

33% resolved

Park Plaza Ret. Residence (ALF) - North Miami Beach

(examples: personal hygiene; lack of dignity/respect)

## 11 complaints

100% resolved

Visionary Living Inc. (ALF) - Pensacola

(examples: menu; cleanliness/pests; shortage of staff)

## 10 complaints

100% resolved

Windsor of Venice (ALF) - Venice

(examples: menu; staff turnover; weight loss)

## 9 complaints

100% resolved

Consulate Health Care (nursing home) - New Port Richey

(examples: cleanliness/pests; lost laundry; odors)

## 9 complaints

100% resolved

Harbour Health Center (nursing home) - Port Charlotte

(examples: discharge/eviction; fluid availability)

## 8 complaints

87% resolved

Heritage Healthcare Center (nursing home) - Venice  
(examples: symptoms unattended; reprisal/retaliation)

## 6 complaints

100% resolved

Evans Health Care (nursing home) - Ft. Myers

(examples: dignity/respect; tubes-neglect of catheter)

## 5 complaints

60% resolved

Sarasota Health and Rehab. Center (nursing home) - Sarasota

(examples: reprisal/retaliation; infection control)

### Complaint Data Terms:

**Verified:** It is determined after work (interviews, record inspection, observation, etc.), that the circumstances described in the complaint are generally accurate.

**Not Verified:** It is determined after work (interviews, record inspection, observation, etc.), that the circumstances described in the complaint are not generally accurate. *Verification is determined by the ombudsman.*

**Resolved:** The complaint was addressed to the satisfaction of the resident. Resolved is one of several disposition codes used by the program. *Resolution is determined by the resident.*

*To find out more about the Long-Term Care Ombudsman Program's complaint or facility assessment data, call toll-free 1-888-831-0404 and ask to be transferred to a representative in your area. All services are free and confidential.*



## A GUIDE TO COMPLAINT DATA

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any of the complaints contained in the case. Once closed, a case is no longer under investigation.

**What does case disposition mean?** When a case is closed, one of nine disposition codes is assigned to each complaint included in the case. Resolved is one of these nine codes. The ombudsman works for the resident and tries to resolve each complaint to the resident's satisfaction, but recognizes that while all cases can be closed, not all can be resolved.

Ideally, the ombudsman has worked with facility staff members, family members, or other agencies to resolve the complaint on the resident's behalf. Some complaints, though, require legislative change for a satisfactory resolution for the resident; others may be referred to another agency.

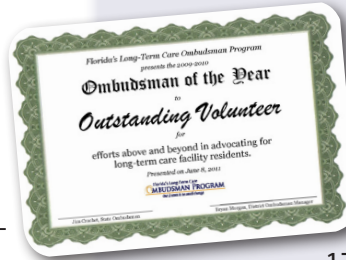
**What data is reported and how do I use it?** The data reported in this *Outlook* edition reflects verified and closed cases during the reporting period. Because the most important goal for the Ombudsman Program is to encourage all stakeholders to work to resolve a problem for the resident, resolution rates will now be included in the data for its reported complaints. The program wants to recognize the work ombudsmen and others do to resolve issues to the benefit of residents.

If you are choosing a facility, you should consider not just the number and types of complaints, but also the resolution rate. A high resolution rate may indicate that the facility staff will be receptive to resident's concerns. Lots of complaints are made, but what is most important is the work and cooperation to resolve these for residents. Of course, ombudsman complaint data is only one factor to consider when choosing a facility. You should also consider other agencies' data, visit the facility and talk with staff, other residents and their family members.

A guide titled, **Complaint Data Terms**, will appear in each upcoming newsletter as a key to use when looking at the program's complaint data. For this issue, the Complaint Data Terms can be found on page three. And as always, we're available to answer your questions!

## "OMBUDSMAN OF THE YEAR" 2010 AWARD WINNERS

Florida's Long-Term Care Ombudsman Program recognizes its "Ombudsman of the Year" winners.



This award designation is given to ombudsmen volunteers who demonstrate exceptional efforts, going above and beyond the call of duty, in advocating for long-term care facility residents. Each of the 17 local councils recently selected

an "Ombudsman of the Year." The State Council will choose one of these recipients to receive the "Don Hering Excellence in Advocacy Award" in August. This award was named after retired two-term State Council Chairman, Donald Hering, for his advocacy, leadership, compassion and tireless work for long-term care facility residents.

All of our volunteers, including the "Ombudsman of the Year" winners, are a valuable part of the Ombudsman Program. Ombudsmen volunteers share a passion for serving and protecting Florida's most vulnerable population. Thank you for your hard work and efforts on behalf of long-term care facility residents.

The Long-Term Care Ombudsman Program congratulates its 2010 "Ombudsman of the Year" winners!

**Ray Sykes**  
**JoAnna Emerson**  
**Charlotte Poss**  
**Millicent Dangerfield**  
**Robert "Bob" Shiels**  
**John Strothers**  
**Jim Vermiglio**  
**Donald "Don" Courtney**  
**Ruth Battle-Hall**  
**Stephen Fescella**  
**Joann Farrell**  
**Win Hoffman**  
**Ramsey Simon**  
**Teresita Mestre**  
**William "Bill" Hearne**  
**Kathryn Kabath**  
**Sheldon Kanars**  
**Judy Kargel**



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# I HAVE TO MOVE OUT OF MY HOME?

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services counselor from Adult Protective Services who may be able to issue emergency funds and other supplemental services related to the resident. To prevent problems with funds being transferred to their new facilities, residents receiving social security income should contact the Social Security Office to make sure funds will go to the new facility before leaving their current facility.

“The Ombudsman Program is a support system available to residents,” said Baker. “We can assist in contacting the Social Security Office to make sure payments are going to the right place, and filling out change of address forms, as well as contacting family members to alert them of the resident’s change in location. If any property is not returned, the Ombudsman Program can assist residents in filling out police forms for missing belongings.”

While the closure Baker and Hering assisted with was unexpected, some closures occur when a facility plans to close, providing more time for residents to adjust to the change and to locate a new home. Nevertheless, residents often experience many of the same feelings that residents of Jerold Mack experienced: stress, confusion, and fear. Moving even with weeks or months of notice is still disconcerting for residents who must leave a place they called home for a number of years.

The Ombudsman Program is available and provides many of the resources Baker and Hering provided during an emergency closure, but the additional time allows the Ombudsman Program to assist in creative ways that meet the residents’ needs.

“LOSS OF PERSONAL PROPERTY IS ALWAYS A MAJOR CONCERN.”

Within minutes of receiving a call regarding the possible closure of Palazzo Di Oro, an assisted living facility in Pinellas County, District Ombudsman Manager Natalie Clanzy stepped into action to assist the facility’s residents. Local ombudsmen volunteers rallied around Clanzy to ensure residents were well-educated about their moving options. “We wanted to make sure residents were given a choice about which assisted living facility to move to and ensure that their personal belongings went with them to their new place,” said Clanzy.

Ombudsmen volunteers and staff worked in concert with Palazzo Di Oro’s administrator and the Florida Assisted Living Association (FALA) to invite local assisted living facilities to a coordinated function at the closing facility. Over 50 facilities attended, displaying their services and amenities to residents, allowing residents to meet other facility representatives and freely choose which one would best meet their needs.

“I was impressed with the way the ombudsmen volunteers assisted with the event and the number of assisted living facilities that participated,” said Regional Ombudsman Manager, Diane Carpenter. “This may be a difficult transition for many residents. With such a diligent group of ombudsmen volunteers and staff, I know they will continue to assist residents in making the move as smoothly as possible.”

Nursing home and adult family-care home residents must receive 30 days’ notice when being discharged or relocated from their homes. Assisted living facility residents must receive 45 days’ notice. However, in some emergency cases, facilities may provide less notice.

Whether a resident has a few days or a month to prepare to move, there are a few things family members and residents should remember. “Loss of personal property is always a major concern,” said Clanzy. “Residents should never leave anything behind before they move, including medications or doctor orders.”

Often times, the facility a resident is moving to will help transport a resident’s belongings. The Ombudsman Program may aid residents in contacting the new facility for possible moving assistance. Clanzy adds, “It’s also a good idea to ask for a contact number of someone to call, usually the closing facility administrator or owner, in case there are problems after the move.”

# OMBUDSMAN

[awm-buhdz-man]

An ombudsman is a volunteer who helps to improve the lives of people who live in long-term care settings like nursing homes, assisted living facilities and adult family care homes.

As members of Florida's elder population make the transition into long-term care facilities, a strong support system for each individual becomes critical. Unfortunately, many long-term care residents do not have anyone to look out for their best interests when it comes to personal health, safety, welfare and rights.

The Long-Term Care Ombudsman Program is made up of more than 200 volunteers who are passionate about improving the quality

of life for residents. It takes a special kind of person to commit to such a mission. We are proud to be a unique program whose success depends on the boldness and compassion of volunteers. These special individuals dedicate thousands of unpaid hours each year to ensuring that the voices of Florida's long-term care facility residents are heard.

To learn more about how the Long-Term Care Ombudsman Program can help you or someone you know, call us toll-free at

**1-888-831-0404**

or visit us online at

<http://ombudsman.myflorida.com>.

All services are free and confidential.



If you would like to start receiving a free copy of the *Ombudsman Outlook* at your home or business, call us toll-free at 1-888-831-0404 or send an email to [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org) today.