



June 20, 2011

Subject: Annual Report to the Governor and Legislature

Dear Reader:

The Long Term Care Advisory Committee (authorized by ORS 441.137-147) monitors the State Long Term Care Ombudsman. The members of the Committee are pleased to provide you with our June 2011 report attached to this PDF file.

If you have any questions or concerns please feel free to contact Mary Jaeger, State Long Term Care Ombudsman and Director of the Office of the Long Term Care Ombudsman at (800) 522-2602 or via email to [mary.jaeger@state.or.us](mailto:mary.jaeger@state.or.us). Specific questions regarding this report may be directed to the Chair or Vice-Chair of the Committee.

---

LONG-TERM  
CARE ADVISORY  
COMMITTEE

---

Teena Ainslie, Chair  
Portland  
Bill Bard, Vice Chair  
Portland  
Susie Calhoun  
Mission  
Dan Dunham  
Corvallis  
Peter Fuchs  
Black Butte Ranch  
Claudia Kyle  
Salem  
Moray Povey  
Eugene



*The Long-Term Care Advisory Committee monitors the Long-Term Care Ombudsman program and advises the Governor and the Legislature pursuant to ORS 441.137-147. Three members are appointed by the Governor and four by legislative leadership.*

3855 Wolverine NE, Ste 6  
Salem, OR 97305-1251  
(503) 378-6533  
1-800-522-2602  
FAX: (503) 373-0852

# Long Term Care Advisory Committee Report to the Governor and Legislature June 2011

---



## **Introduction**

The Long Term Care Advisory Committee monitors the Office of the Long Term Care Ombudsman for the Governor and the Legislature pursuant to ORS 441.137-147. The Committee's monitoring function is carried out in monthly public meetings in which it confers with the State Long Term Care Ombudsman, Mary Jaeger, members of the staff, trained and certified volunteers, other agencies, and outside entities. The meetings provide a forum for the Committee and invited speakers to discuss issues that impact long term care facility residents directly, or, indirectly, the long term care system itself.

## **The Advisory Committee**

A major change in the composition and experience of the current Committee is the number of its members that are active Certified Ombudsman volunteers. Four of the Committee's members presently serve in over 30 assigned facilities around the state in addition to their service on the Committee. The chair also has taken the Certified Ombudsman training and believes that first-hand knowledge of the volunteer experience has greatly enhanced the insights and value of the Committee to the Office of the Long Term Care Ombudsman. This agency is unusual in that the largest part of its investigative and complaint resolution role is performed by nearly 200 volunteers. In addition, the present State Long Term Care Ombudsman interacts with the Committee in a transparent and collaborative fashion that has made it much easier for the Committee to effectively fulfill its statutory mission.

## **Agency Overview**

The primary purpose of the agency, its staff and the volunteers is to advocate for residents' rights and work to investigate and resolve a myriad of problems experienced by those living in the long term care system (Adult Foster Homes, Assisted Living, Residential Care and Nursing facilities) including inadequate care, theft of personal property, improper discharges, incorrect billings, medication errors, poor food and neglect. Recent accounts in the media about

alleged abuse and neglect have also brought the agency to work more closely than ever with providers and Department of Human Services/Seniors and People with Disabilities staff in protecting residents, and by including law enforcement and the district attorney's offices who must investigate and prosecute those responsible. Oregon's State Long Term Care Ombudsman is a key member of several work groups and task forces attempting to develop a cohesive plan of action on this most troublesome subject.

Since other stakeholders both within state government and in the provider system are facing staffing cuts and reimbursement reductions, the agency and its volunteers' are the "first reporters" or early warning system if or when things go wrong in facilities. Having funded the agency's budget for the next biennium is a hugely important step in insuring that this program will be able to continue to train and recruit the citizen advocates needed to be present by the beds and in the rooms of more long term care residents.

### **Volunteers**

With 2010-2011's dramatic and successful outreach and recruiting efforts, we are going into the next biennium with the largest number of trained volunteers in the history of the program. But even with that increase, more volunteers and the staff to support them are needed if we are to meet the goal of visits to **every** facility under our mandate. The professional staff and support personnel were approved at a flat level for the next biennium. The number of paid staff to beds, a common measure of successful program management, finds Oregon 48<sup>th</sup> out of the 52 states.

Thanks to an innovative and very successful implementation of an Electronic Case and Reporting System developed by a team of volunteers led by a retired Information Technology executive, staff managers have real-time access to the work and activities of the local ombudsman volunteers. But even with process improvement and staff experience with the new system, there is a finite limit on the number of new volunteers that can be accepted into the program without an increase in paid professional staff. This is an issue that we believe the legislators

understand and we are hopeful that a meaningful staff increase can be advocated for and granted in the 2012 session.

### **Numbers and Statistics**

The State Ombudsman has recently provided several legislative committees and the full body some outstanding reports and testimony regarding the trends and demographics of the "silver tsunami" of "boomer elders" just beginning to hit Oregon's long term care system and its facilities. In particular, Ms. Jaeger's Special Report to the Senate Human Services and Rural Health Policy Committee on September 14, 2010 (available for review on the agency web site) and subsequent testimony to that same Committee and to Joint Ways and Means this Spring have provided the quantitative data supporting both this growth and her approach to planning for it. The agency has had the exceptional assistance of a seasoned Consultant/CPA/MBA who volunteers his time and talents in developing projections and finding ways to gain maximum value from every dollar that is spent. As a result the agency will complete the 2009-2011 biennium with required cash reserves. Moreover, the agency has gained approval for a budget going forward that will keep it prepared to address its mission in the year ahead. We must reiterate that without a small number of incremental staff positions in the second half of the coming biennium, the volunteer successes achieved in the last 12 months will not continue.

### **Moving Forward**

While not a part of our current mandate, as the national health care system pushes more strongly to move our elders to the least restrictive and many times less costly types of community based care, there is going to be a demand from the public that quality and safety concerns be re-focused into these community settings. Programs that allow elders to stay in their own homes as long as possible are often the more cost effective and desirable to the individual. But the majority of financial exploitation, physical neglect, and other abuses occurs today to elders who are living independently. If, when and how our trained long term

care ombudsman volunteers could assist those not yet enrolled in the more costly parts of the long term care system is a challenge that must be quantified and designed. But programs like the current fifty facility-driven state Long Term Care Ombudsman programs are a natural and cost effective place to look for expansion. There are simply not enough nursing home beds or assisted living units to address the silver tsunami, so other solutions must be found.

### **Conclusion**

The Office of the Long-Term Care Ombudsman plays a vital part in Oregon's dynamic long-term care system. Staff and volunteers are the eyes and ears committed to honoring the wishes and advocating for the safety of our remarkable and very precious and often very fragile elder Oregonians. This agency and the Advisory Committee charged with monitoring its purpose to carry out the mission given to it by the Older Americans Act, is often the only clear voice speaking for the individuals our long term care system is intended to serve. The Certified Ombudsman volunteers represent a remarkable example of civic engagement in communities throughout the state. They bring incalculable value and a substantial exceptional return on Oregon's investment in this critically important program.

*For more information or to find about volunteering for the Ombudsman program, visit [www.oregon.gov/LTCO](http://www.oregon.gov/LTCO) or call the office at 1-800-522-2602.*