

RESIDENTIAL FACILITIES ADVISORY COMMITTEE (RFAC) MEETING

(Via Teleconference)

March 18, 2016

at the

Office of the Long-Term Care (LTC) Ombudsman

Training Room

3855 Wolverine NE, Suite 6

Salem, Oregon 97305

MINUTES

MEMBERS PARTICIPATING:

Michele Edwards, Chair
Betsy Welch, Vice Chair
Teena Ainslie
Bill Bard
Kelly Breshears
Jan Friedman
Tom Giles
Claudia Kyle

STAFF PARTICIPATING:

Fred Steele, Director/State LTC Ombudsman
*Travis Wall, Oregon Public Guardian
*Rebecca Fetters, Deputy Director
*Toni Larson, Residential Facilities Ombudsman
Gretchen Jordan, Coordinator of Volunteer
*Mary Ann Lebold, Committee Administrator and
Office Manager

GUESTS:

Keith Putman, Liaison from the Governor's Commission on Senior Services

CALL TO ORDER: Ms. Edwards called the meeting to order.

COMMITTEE BUSINESS - APPROVAL OF MINUTES: Ms. Friedman moved that the minutes of the February 19, 2016 meeting be approved as written. The motion was seconded by Tom Giles and passed.

CORRESPONDENCE: Ms. Edwards discussed correspondence that the Committee received during the past month and the response by both Committee Members and LTCO staff.

RELATED ACTIVITIES: Mr. Bard participated in a focus group last month in his role as a member of the Leadership Council for the National Consumer Voice for Quality Long-Term Care. The purpose of the focus group, which was sponsored by Rand Corporation and CMS, was to discuss the mandate brought to CMS by the IMPACT Act, in particular the requirement to create a new, more effective, assessment tool for the discharge planning process. If Committee Members are interested in viewing the entire Act, it can be found at:

<https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/Post-Acute-Care-Quality-Initiatives/IMPACT-Act-of-2014-and-Cross-Setting-Measures.html>

Ms. Ainslie shared information about an article that she read recently about changes in payroll classifications of LTC facility staff. She will provide the article to Ms. Lebold who will distribute it to Committee Members.

OLD BUSINESS: Ms. Edwards reported on work done evaluating Committee Member attendance at Committee meetings. Committee members are asked to advise the Committee Administrator as far in advance as possible when they will not be able to attend a meeting.

Ms. Edwards reported on the discussion during a teleconference where Judge Welch, Fred Steele and herself participated along with Dani Ledezma, Governor Brown's Housing and Human Services Policy Advisor, and Mary Moller, Governor Brown's Executive Appointments Director, to discuss the Committee's role in filling Committee vacancies and the work that Ms. Moller is doing to identify possible candidates for Committee appointments. Mr. Steele met with Ms. Moller recently to clarify which position Ms. Friedman fills on the RFAC. Mr. Steele will connect with partners to identify possible candidates for appointment to this Committee.

GRETCHEN JORDAN, COORDINATOR OF VOLUNTEERS, LTCO: Ms. Jordan reported that she has received twice as many applications to date this year than at this time last year. Numerous Certified Ombudsman training sessions are planned for the first half of 2016. Ms. Jordan whose last day with the LTCO will be March 31 has offered to provide services as a contractor to assist in bringing her replacement on board. She reviewed the events that she will be attending to promote the LTCO program and attract Certified Ombudsmen applicants. Ms. Jordan answered Committee Member questions. Ms. Jordan discussed the results of articles and advertising in community newspapers regarding the LTCO Program. Ms. Ainslie thanked Ms. Jordan for the materials that Ms. Jordan supplied to support Ms. Ainslie's efforts to make people in her community aware of the LTCO Program.

TONI LARSON, RESIDENTIAL FACILITIES OMBUDSMAN (RFO): Ms. Larson reported on the recruitment for Deputy RFOs. Ms. Larson is optimistic that the recruitment will result in the hire of more than one Deputy RFO.

TRAVIS WALL, OREGON PUBLIC GUARDIAN (OPG): Mr. Wall reported that the program continues to receive inquiries about services and to increase the number of Oregon's citizens receiving guardianship services from his staff. He reported on his continuing work to develop relationships with stakeholders in other parts of the state to provide contracted services. He continues to work with other state agencies to put an automated case reporting system in place and he thanked both Ms. Fetters and Mr. Steele for their support of his efforts and the work they have done to get the automated case reporting system in place. Mr. Wall has been monitoring the OPG Program's expenditures to make certain spending is within the Program's 2015/2017 budget. Mr. Wall fielded questions from Committee Members.

UPDATE FROM "POSSIBILITIES" WORK GROUPS: Ms. Edwards turned the discussion to the Committee's Internal Focus Groups (IFG).

DATA IFG: Ms. Fetters summarized the work of the Data IFG and the work that she has done looking at not only digital information but also information available on paper forms. The Data

IFG members who are also looking at how guardianship filings are being processed by LTCO staff and volunteers put forward suggestions for gathering additional data regarding guardianship materials that are received at the LTCO. Mr. Bard commented that he is very favorably impressed with Ms. Fetters' ability to gather information and data and interpret that data in support of the Data IFG's work.

LEGISLATIVE CONCEPTS IFG: Ms. Friedman reported that this IFG is considering a Legislative Concept where respondents in guardianship petitions would have the right to counsel. Judge Welch explained it is important that there be legislation establishing the qualifications for Court Visitors; that there be a requirement that proposed protected persons automatically be given a hearing; and that there be a board that sets standards for guardians' performance and puts sanctions in place when a guardian has not performed in a satisfactory manner. She would like Committee Members to establish priorities for legislative concepts to be put forward in April for the 2017 legislative session. Mr. Wall suggested that this IFG look into what is being done in other states with regard to guardianship issues. Mr. Steele reviewed the timeline and procedures for submitting Legislative Concepts.

Judge Welch would also like Committee Members to consider changing the name of the Committee via Legislative Concept so that it would be more meaningful to the public. Committee Members put forward ideas and discussion followed. Ms. Edwards asked Committee Members suggest at least one possible alternative Committee name in advance of the Committee's April meeting.

Judge Welch asked Committee Members to consider the information that she provided about the relationship of the LTCO with the Circuit Courts of Oregon. She believes that the citizens of Oregon would benefit from the work of the LTCO being interwoven in the work of the Circuit Courts of Oregon. Discussion about the LTCO's role when notice of a guardianship petition has been received at the LTCO followed. Notice that the Committee will be submitting a Legislative Concept regarding the LTCO's role in guardianship petitions will be submitted and Committee Member work on this Legislative Concept will continue through the summer. Ms. Breshears agreed to work with Ms. Friedman and Judge Welch on this issue.

FRED STEELE, DIRECTOR/STATE LTC OMBUDSMAN: Mr. Steele gave an overview of the agency wide strategic planning that is in process. He discussed the details of the plan which is now in a draft version. He invited Committee Members to provide their feed back on the strategic planning document that he provided to them in advance of this meeting.

The Volunteer Recruiter hired to fill the vacancy created by Ms. Jordan's resignation will begin work on April 18.

Mr. Steele and Ms. Fetters attended a meeting earlier this week to kick off the 2017/2019 budget process and will begin working on that budget immediately. They have been advised to prepare not only a budget that provides what they feel the agency needs to operate at its current level but also to prepare a proposed budget showing as much as a 6.5% cut. Mr. Steele described areas where he expects the LTCO and the OPG to grow and, the need for more funding to support that growth.

Mr. Steele has started a conversation about Memory Care facilities around the state where the LTCO staff and volunteers will have an expanded role in assisting the public with understanding Memory Care facilities and the kind of issues staff and volunteers may encounter in Memory Care facilities. Ms. Fetters will provide a report to this Committee at its April meeting.

The Committee's next meeting will be on April 15, 2016 at the LTCO offices. Ms. Edwards asked Committee Members to consider extending the April meeting to 3:00 PM and reviewed the possible speakers for future meetings.

Today's meeting was adjourned at approximately 11:30 AM.