

Joe Lombardo
Governor



Richard Whitley
Director

Resident Choice in Care Settings

Aging and Disability Services Division

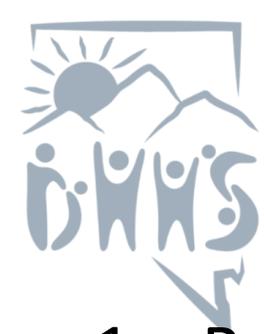
Marie Coe

March 07, 2023



Department of Health and Human Services

Helping people. It's who we are and what we do.



Agenda

1. Role of Ombudsman
2. Who do we advocate for
3. Assessments
4. Locked settings and Memory Care
5. Placement Assessment
6. Resident Choice
7. Resources
8. Advocacy



Role of Ombudsman

- Ombudsmen act as advocates for residents of nursing homes, residential facilities for groups, homes for individual residential care, intermediate care facilities and assisted living facilities.
- Ombudsman are trained to resolve problems and represent the perspective of residents in monitoring laws, regulations, and policies.
- Ombudsman may **ONLY** advocate with consent from the resident or representative.
- Nevada Revised Statute NRS 427A.125
- Nevada Administrative Code 427A.010-427A.048



Role of Ombudsman Cont.

- Ombudsman visit all licensed facilities monthly for non-complaint visits
 - Provide education and resources regarding resident rights to residents and staff
 - Connect with residents to build relationship
 - Monitor environment
- Ombudsman investigate resident or representative complaints
 - Complaints are received from residents, family, community and more
 - Must receive consent from resident or legal representative
 - Obtain documentation
 - Send referrals to applicable agencies
- Identify systemic advocacy opportunities



Who do we advocate for?

- Ombudsmen may advocate for residents regardless of age who reside in skilled nursing facilities, residential facilities for groups, intermediate care facilities and homes for individual residential care.
- Residents may be in these settings for a variety of reasons:
 - Rehabilitation – Short-Term
 - Long term skilled needs
 - Mental health services and supervision
 - Memory care settings within skilled nursing or residential facility for groups



Assessment

- Nevada Administrative Code 449.2751
- Residential facility which provides care to persons with Alzheimer's disease:
- Application for endorsement; general requirements.
- 3. If a residential facility provides assisted living services, the written policies that the residential facility is required to develop pursuant to [NAC 449.258](#) must include, without limitation, procedures to be followed:
 - (a) To ensure that the residential facility complies with the requirements set forth in subsections 7 and 8 of [NRS 449.0302](#);
 - (b) By the administrator to ensure that residents of the residential facility whose physical or mental condition is significantly changing over time are identified;
 - (c) To obtain a medical professional to assess and monitor, as necessary, but not less than once every quarter in each calendar year, each resident of the residential facility whose physical or mental condition is declining over time;



Memory Care and Locked Settings

Nevada Administrative Code 449.2754

Residential facility which provides assisted living services:

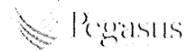
Application for endorsement; general requirements.

- A residential facility which offers or provides care for a resident with Alzheimer's disease or related dementia **must obtain an endorsement on its license** authorizing it to operate as a residential facility which provides care to persons with Alzheimer's disease. The Division may deny an application for an endorsement or suspend or revoke an existing endorsement based upon the grounds set forth in [NAC 449.191](#) or [449.1915](#).
- A residential facility which provides care to persons with Alzheimer's disease **may admit or retain a resident** who requires confinement in locked quarters.
- (b) Evidence that the facility has established interaction groups within the facility which consist of not more than **six residents for each caregiver during those hours when the residents are awake;**



Placement Assessment

The Chateau at Gardnerville



EVALUATION FOR PLACEMENT IN A SECURED ENVIRONMENT

Resident Name: _____

Date: 5/16/21

Reasons this resident would benefit by a secured environment:
(check all appropriate factors)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Short term Memory | <input checked="" type="checkbox"/> Need for Supervision |
| <input checked="" type="checkbox"/> Disoriented to Time and Place | <input type="checkbox"/> Wandering |
| <input type="checkbox"/> Does Not Recognize Loved Ones | <input type="checkbox"/> Socially Inappropriate Behavior |
| <input type="checkbox"/> Inability to Use Telephone for Safely | <input checked="" type="checkbox"/> Unsafe Use of Appliances |
| <input type="checkbox"/> Unable to Perform ADL's | <input type="checkbox"/> Unable to Self-Medicare |
| <input checked="" type="checkbox"/> Unable to Provide Adequate Nutrition | <input checked="" type="checkbox"/> Unable to control Environment (heat, etc.) |
| <input checked="" type="checkbox"/> Aggressive Behavior or Verbal Outburst | <input checked="" type="checkbox"/> Difficulty with Verbal Communication |

Comments from Physician regarding need for secured environment:

Secured environment is needed yes is not needed _____.

Physician's Signature _____

Date 3/16/22



Resident Choice

- Resident's have the choice of where they would like to reside.
 - Settings should be supported by need
 - Resources provided to maintain placement at home and in community
- Locked settings should be last option
 - Valid reason for setting
 - Resident's Physician performing assessment
 - Authority to admit into setting



Resources

- Long-Term Care Ombudsman Program
 - Possible violation of resident rights
- Legal Aid Programs Statewide
 - Assist to enforce laws regarding inappropriate admission
 - Possible assistance with obtaining funds for inappropriate admission
- Education
 - Who needs memory care?
 - What are the services being provided?
 - Can the needs be met in a lower level setting?



Advocacy

- Providers are not accepting change
- Inappropriate practice by facility for admission
- Educating residents and family regarding care options
- Systemic advocacy with State Legislature and Federal Partners



Contact Information

Marie Coe

State Long Term Care Ombudsman

macoe@adsd.nv.gov

(775) 687-0818

www.adsd.nv.gov

1-888-282-1155



Questions?