Q: My Grandfather recently entered a nursing facility. In the admissions contract, I noticed a clause about arbitrations. Is this legal for the facility to have in an admissions contract?

A: As of July 16, 2019, a recent final rule by the current administration removes an Obama-era standard that prohibited nursing facilities from putting forced, pre-dispute arbitration clauses in their residency contracts.

In 2016, recognizing the inherent unfairness of these clauses, CMS (the federal Centers for Medicare and Medicaid Services) prohibited them. Now, CMS is permitting facilities to put these clauses in. When a resident or responsible party signs a pre-dispute arbitration clause, they are signing away their Constitutional right to ever go to court for any abuse or neglect that occurs any time in the future, no matter how heinous, hurtful, or demeaning.

The one positive here for residents and families is that CMS did not allow nursing homes to make signing such a provision a condition of being admitted to the facility. However, this is a very small positive since most people who enter a facility are not in a position to understand that they have a right not to sign, or are even aware of the full ramifications of pre-dispute arbitration clauses.

Sometimes in the contract the facility offers you, there will be a clause known as a “mandatory arbitration agreement.” It may even have its own signature line in the contract. If you see such a clause, tell the employee asking you to sign it to mark out or to delete it from the contract. Make sure you initial and date the deletion.

Many consumers overlook the arbitration clauses because they don’t completely understand them, or they don’t think anything will go wrong at the facility. Many people assume that admission to the nursing facility requires that you sign the contract “as is,” without any changes.

If you ever ask a provider to delete a contract provision, and the employee refuses, make a written note of your request, reminding yourself of the date of your request, the date it was denied, what you requested and who denied it. It will come in handy if there is a dispute later. If you are requesting such a change, you will probably want to speak with a facility manager or ask him/her to contact their legal department to consider the change.

If anything goes seriously wrong with the care or services at the facility, make sure that you keep your own records with important details. You can be sure the health care provider will be keeping its own records from its viewpoint. Medical records are mostly one-sided documents, but if a dispute or serious injury results, you may need to be able to prove that you tried to get the problem fixed. Without your own contemporaneous written notes, it will be your word against that of the health care provider.
Increase in Protected Income Level Helps Thousands

Approximately 5,000 older Kansans and persons with disabilities who use Medicaid/KanCare home-based waiver services or PACE/Program of All-Inclusive Care of the Elderly celebrated along with KABC and other advocates the 2019 Kansas Legislature’s approval of an increase in the amount of monthly income they will be able to keep and live on. The new amount of $1,177/month is a step up from the current $727/747 monthly limit in place since 2008. Imagine trying to cover the cost of food, housing, medication, transportation and all living expenses on this amount. The increase will mean as much as $430/month additionally for some.

When talking about what the increase would mean for them, individuals said time and again, “food” or “enough food,” or “the right food.”

- I would buy the over the counter skin medication my doctor recommended, from an aging adult
- I would pay down overdue utility bills, from an adult with a disability
- I would buy a pair of shoes
- I would buy adult briefs
- I would buy a toy for my little girl, from a young father recovering from a brain injury

The Legislature provided funding to begin this in July 2019, however implementation challenges make it look more like September or possibly later. Keep in touch with KABC for the latest on how quickly we can get this major improvement implemented. Every day longer it takes to get this in place means that Kansans affected will have to wait to buy food, or a toy for their daughter, or over the counter medications, or mounting utility bills and tattered shoes.

Let your representatives, senators and the Governor know that you applaud policies like these that change lives for aging Kansans and encourage your elected officials to do what is needed to make it happen now.

The Kansas Legislature adjourned in early June. After the session’s end, KABC continues its advocacy including asking for more consumer representatives on the Kansas Attorney General’s proposed Elder and Dependent Adult Abuse Prevention Council. Also, at the federal level KABC met with CMS/Centers for Medicare & Medicaid Services and other stakeholders to advocate for public identification of facilities where abuse and neglect has occurred as a means to alert older adults, families and the public about risks of harm. We also advocated for CMS to publish listings of facilities which are receiving heightened oversight from inspectors for failing to meet health safety requirements for residents, as well as the list of facilities which would be receiving greater oversight if more state and federal dollars were available for oversight. If you’d like a list of these facilities, contact the KABC office for a current listing.

2019 Legislative Session Results. Few notable measures passed in the 2019 session. Wins were mostly in the budget process. KABC requested legislation which would have greatly improved rights for older adults to be free from abuse and neglect, such as: written informed consent for the over/misuse of drugs to chemically sedate older adults with dementia, use of electronic monitoring to assure safety and care, and use of paid care workers without a cleared background check. These were all held up due to the legislature’s concerns over Medicaid expansion. Two special legislative committees agreed to study Medicaid expansion over the next few months. An 11-member joint committee was approved for a two day meeting (not announced yet) and will have five senators and six House members, with eight being Republicans and three Democrats. It also approved a Senate-select committee to explore options.

SB 232/amends the Adult Care Home Licensure Act. Following on the heels of the State’s takeover of 22 failing nursing facilities in 2018, this bill was introduced to require the applicant for a license to operate an adult care home include evidence of 12 months of operating funds or access to funds. (continued on next page)
Advocacy in Action  (continued)

The current requirement is to verify a month’s worth of funding. Additionally the applicant must list current or previously licensed facilities the applicant has or had any ownership interest in, in or out of Kansas. The State is acting to avoid future circumstances which leave residents in adult care facilities in the hands of applicants and licensees who are unfit or unqualified to provide for residents. Passed and signed by the Governor.

These funding provisions for the 2020 KDADS budget were passed by the Legislature and signed by the Governor into law. Kansas Dept. for Aging & Disability Services/KDADS budget includes (amounts below are combined state and federal funds. FY is fiscal year abbreviation):

- Client Obligation/Protected Income — see article page 1.
- $3.0 million to increase Medicaid dental reimbursement rates.
- $5.0 million for Community Mental Health Center grants.
- $3.7 million for Community Mental Health Centers providing Crisis Center services, Clubhouse Model Programs.
- $6.8 million for 1% increased reimbursement rates for nursing facilities.

The Legislature also passed measures to require the Kansas Dept. for Health & Environment (KDHE) provide the following reports or actions:

- Quarterly report to the Robert G. (Bob) Bethell Joint Committee on Home & Community Based Services and KanCare Oversight detailing progress on timely processing of Medicaid applications; and on details of any contract entered into with Maximus, or any future Medicaid eligibility processing contractor, for approval prior to finalizing any contract in FY 2019.
- Disallows payment for a lease associated with the Clearinghouse until KDHE has exhausted options to use property the state already leases in FY 2019.
- Facilitate a detailed review of the costs and reimbursement rates for behavioral health services, including mental health and substance use disorder treatment in FY 2019; report to the Senate Committees January 2020.

Bills Not Passed: The following bills can be voted on in the 2020 Legislature:

- **HB 2034/Enacting the supported decision-making agreements** act to provide a statutory/legal framework for adults who want assistance with making decisions. In Senate on General Orders.
- **HB 2343/Eliminates the “60-day Provisional Employment.”** Law now allows adult care facilities, home health agencies, and other in-home care providers to hire a worker for up to 60 days without a completed, clean background check and without notifying individuals who receive care from such a worker. The law puts older adults at serious risk and holds harmless the employer or facility. In House Children and Seniors
- **HB 2344/Written Informed Consent.** KABC requested the introduction of this bill which would require written informed consent from an older adult or her/his legal representative prior to the use of an anti-psychotic drug on an adult in any Kansas nursing or assisted residential facility. In House Children and Seniors
- **HB 2404/Creation of a Senior Services Task Force.** Introduced late in the session, this bill would create a task force focused on older adult issues. The way the task force would be configured with representation and similar legislation introduced in other states makes it appear to be a vehicle for higher reimbursement rates for nursing facilities. A number of advocacy groups, including KABC, voiced concerns about the underrepresentation of consumers on the task force and overrepresentation of adult care facilities during testimony. While a review of senior needs and services is long over-due and action urgently needed to address priority concerns, the task force as defined in the bill did not reflect parity for consumers with those representing the concerns of providers. KABC believes as introduced it would continue the status quo to the detriment of aging Kansans. The bill remains alive in House Children & Seniors
RSVP now to KABC’s Annual Caregiver Training

Friday, September 13th from 1:00 - 4:00 pm

Presenters: Secretary Laura Howard, KS Dept. for Aging & Disability Services
Secretary Howard assumed her post January 2019 and will address issues of interest to long-term care consumers and advocates and the course she is charting for aging services.

Amy Yeager, KU Alzheimer’s Disease Center
MyAlliance is an innovative approach to care, education, and support for persons with dementia and their families. Amy will introduce us to MyAlliance and talk about dementia diseases, early diagnosis benefits, and stages of dementia.

Mitzi McFatrich, KABC Advocating for yourself, others, and the care you want

RSVP Now
info@kabc.org or 785-842-3088 in Lawrence
1+800-525-1782 Toll-free
No cost, open to the public
Lawrence Health Department, 200 Maine Street, Lawrence

Memorials
Antonia Casagrande from Peter & Pam Casagrande
John Fluker from J M & Heide Connolly
Dr. & Mrs. Jim Otten
Dr. Robert Harder from Dorothy Harder

Bill & Ruth Kueser from Denise Kueser
Ralph Pearson from Paula Pratt
Diane Puerers

John Burgess from Eva Callahan
Harriet Nehring from Robert Tomasek
Earl Nehring

Jean Edward & Maxine Ruth Soldan from
Linda Mason

Marjorie Roy from Lenette Hamm
Naoma Wachter Schott from Webster Schott
Reaching a Milestone!

Congratulations to Earl Nehring - 99 years young!

Earl continues to inspire us as an active older adult, an ambassador for KABC and a KABC member working for better care. Earl’s contributions and roots with KABC are deep, helping make KABC the vital organization it is today. He signed on as a founding member of KABC’s endowment in 2005. When Earl’s wife Harriet died in 2007, he honored her memory by setting up two memorial funds dedicated to educating and training of caregivers. Harriet was one of KABC’s original founders and its first executive director in 1975.

Thank you Earl for inspiring us!

You can join these folks in honoring Earl’s 99th with a donation by mail or via the KABC website.

Linda Carlsen
Mitzi McFatrich
Lenette Hamm

Nursing Home Inspections & Details

The information provided on the following pages identifies nursing facilities that were cited for significant deficient practices during annual health surveys, complaint investigations, or based on noncompliance found during a revisit. The Kansas Department for Aging & Disability Services (KDADS) does not always make an on-site follow-up after an inspection. In the past KDADS policy was to make follow-up visits to confirm corrections were made if the level of harm cited was F (minimal risk of harm) or above. More recently KDADS has only made on-site confirmation of corrections when the higher level or harm categories: G-I (actual harm) or J-L (Immediate Jeopardy) were cited. KDADS was audited by the federal government which found KDADS was not verifying corrections were actually made of deficiencies cited 52% of the time. KDADS might not conduct an on-site verification if the facility provides a “credible allegation of compliance, and evidence of correction”; implements each corrective action in the plan, and is in compliance with all regulatory requirements by the referenced date(s). Without on-site follow up, KDADS is relying only on the facility to assure resident safety or health.

Facilities cited for actual harm (AH), immediate jeopardy (IJ) or mistreatment/abuse, neglect, exploitation (ANE) may have additional sanctions, such as civil monetary penalties (CMP). Typically, KDADS imposes a denial of payment for new admissions (DPNA), which will be in effect as long as the facility is out of compliance. If substantial compliance is not achieved within 6 months of the survey, the facility risks losing it’s certification to participate in the Medicare program, thus not being reimbursed for Medicare and Medicaid related services.

No Opportunity to Correct (NOTC) means the facility will have remedies imposed immediately after a determination of noncompliance has been made (at the inspection completion date). The facility still must submit a plan of correction within 30 days and attempt to come back into compliance prior to any KDADS revisit.

Substandard Quality of Care means one or more deficiencies related to quality of life or care that constitute either immediate jeopardy to resident health or safety, a pattern of or widespread actual harm that isn’t immediate jeopardy, or widespread potential for more than minimal harm, but not immediate jeopardy with actual harm. Often times, facilities cited for substandard quality of care will be assessed a Civil Monetary Penalty -CMP. Citations for Substandard Quality of Care are in bold & italicized.

Save the Date

Stand By Me
10 | 27 | 19
Sunday, October 27th
2:00 - 5:00 pm
Maceli’s in Lawrence

KANSAS
ADVOCATES
for BETTER CARE
making elder care better every day

Linda Carlsen
Mitzi McFatrich
Lenette Hamm
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## Recognizing Elder Abuse

Over half a million reports of the abuse of older Americans are made to authorities each year. Many more are not reported.  
[HelpGuide.org](http://www.HelpGuide.org)

Elder abuse can happen at home or in facilities. Perpetrators can be family or paid caretakers. Scammers try to defraud older adults on the phone, computer, at their door. Older adults needing care may be neglected, going without food, personal hygiene care, needed medical care or lacking basic safety.

You can spot the clues that abuse or neglect may be happening. Look for:

- Changes in personality or behavior?
- Noticeable tension or friction between an older person and their caregiver?
- Loss of weight? May be a sign of malnutrition or dehydration, not being fed properly.
- Dirty or unkempt person or clothes? Broken eye glasses or lost dentures which aren’t replaced.
- Left without assistance or supervision when they shouldn’t be or are confused?
- Bruising, injuries, bedsores, or use of restraints (used to tie down or sedate with drugs).

People who abuse or neglect don’t always set out to harm. Instead, it may be that they cannot handle the pressures and responsibilities of looking after someone who is fragile or losing cognitive function. Aging adults must be protected from such treatment, no matter why it occurs.

In Kansas, if you suspect abuse in a long-term care facility, report to the Kansas Dept. for Aging & Disability Services, 800-842-0078. If you suspect abuse of a person living in a private residence, call Adult Protective Services, 800-922-5330.

Anytime you feel an older person is in a dangerous situation, call 911 or local law enforcement.
Enforcement Actions - Assisted Living-Type Care Homes

The Kansas Department for Aging & Disability Services (KDADS) is responsible for regulating most licensed adult care homes. The federal government does not regulate homes licensed as assisted living, residential health care, home plus, etc. The following information is reproduced from KDADS records. This listing represents civil monetary penalties/CMP (fines), bans on admission, license revocation actions, orders of correction/CO and other enforcement proceedings by KDADS against licensed assisted living type care homes. All facilities may appeal any of these actions until they have reached a final settlement agreement with KDADS. This information is the most current available to KABC as of July 9, 2019.

Comments regarding the accuracy of this information should be directed to KDADS, 800-432-3535.

Augusta
Homestead of Augusta - ALF/RHCF
4/23/19: Cs #19-SCCC-66: CO-*Facility food storage; *Construction.

Baxter Springs
The Autumn Place - RHCF
4/10/19: Cs #19-SCCC-57: CO-*Health care services/standards of practice; *Medication storage; *Infection control.

Carbondale
Winter Meadows Homes of Carbondale - HP
4/1/19: Cs #19-SCCC-43: CO-*Health care services (Actual Harm); *Construction.

Chanute
Country Place Senior Living - ALF
4/3/19: Cs #19-SCCC-47: *Health care services; *Facility administration of medications; *Delegation of medication administration; *Over-the-counter drugs; *Staff qualifications/employee records; *Disaster & emergency preparedness.

Country Place Memory Care - HP
6/3/19: Cs #19-SCCC-83: CO-*Resident rights; *Health care services (Actual Harm); *Dietary services. 6/3/19: Cs #19-SCCC-84: $10,000 CMP: *Disaster & emergency preparedness (Immediate Jeopardy).

Clearwater
Clearwater Village - ALF
7/3/19: Cs #19-SCCC-106: CO-*Building exterior. 5/20/19: Cs #19-SCCC-81: CO-*Over-the-counter drugs; *Resident records; *Disaster & emergency preparedness. 7/3/19: Cs #19-SCCC-81: $2,500 CMP *Disaster & emergency preparedness.

Harbor Home B - HP
6/5/19: Cs #19-SCCC-85: CO-*Staff treatment of residents/ANE (Actual Harm); *Staff treatment of residents/reporting; *Health care services; *Facility food storage; *Disaster & emergency preparedness; *Disaster & emergency preparedness/education; *Resident records; *Resident records/documentation of incidents; *Construction. 6/6/19: Cs #19-SCCC-86: $10,000 CMP: *Resident criteria ( Immediate Jeopardy).

Coffeyville
Asbury Village - RHCF
4/3/19: Cs #19-SCCC-49: CO-*Negotiated service agreement; *Facility administration of medications; *Over-the-counter drugs; *Resident records/confidential.

Colby
Fairview Estates Retirement Community - ALF
4/9/19: Cs #19-SCCC-29: $2,500 CMP: *Facility administration of medications; *Medication regimen review/frequency; *Disaster & emergency preparedness; *Food preparation; *Facility food storage; *Construction.

Columbus
The Autumn Place Memory Care Unit - RHCF
6/3/19: Cs #19-SCCC-82: CO-*Health care services; *Facility food storage; *Infection control.

Concordia
Marquis Place - ALF
4/30/19: Cs #19-SCCC-73: CO-*Functional capacity screen on admission; *Negotiated service agreement; *Health care services; *Medication regimen review; *Staff qualifications/employee records; *Written emergency plan; *Disaster & emergency preparedness.

Mount Joseph Senior Village - RHCF
3/21/19: Cs #19-SCCC-38: CO-*Administrator position description; *Negotiated service agreement; *Facility administration of medications/documentation; *Over-the-counter drugs; *Medication storage; *Staff qualifications/awake, responsive; *Written emergency plan; *Disaster & emergency preparedness.

Sunset Home - ALF/RHCF
6/3/19: Cs #19-SCCC-87: CO-*Notice of rights & services; *Functional capacity screen accurate; *Negotiated service agreement signatures; *Health care services; *Written emergency plan; *Disaster & emergency preparedness.

Dodge City
RL Dodge City I, LLC - HP
4/26/19: Cs #19-SCCC-36: $2,500 CMP: *Staff treatment of residents/reporting.

Fort Scott
Fort Scott Presbyterian Village - 4/10/19: Cs #19-SCCC-50: CO-*Facility food storage.

Garnett
Guest Home Estates VII - RHCF
4/30/19: Cs #19-SCCC-72: CO-*Over-the-counter drugs; *Medication storage; *Disaster & emergency preparedness.

Halstead
The Homestead of Halstead - ALF
6/24/19: Cs #19-SCCC-100: CO-*Facility food storage.
Enforcement Actions - Assisted Living-Type Care Homes

Haven
Haven House - HP
4/23/19: Cs #19-SCCC-68: CO-*Food preparation; *Disaster & emergency preparedness; *Delegation of medication administration.

Hiawatha
Maple Heights Nrsg & Rehab - RHCF
7/9/19: Cs #19-SCCC-110: CO- *Health care services; *Disaster & emergency preparedness; *Infection control policies; *Construction.

Highland
Two Timbers - HP
4/30/19: Cs #19-SCCC-76: CO-*Delegation of duties; *Disaster & emergency preparedness/education; *Resident records/documentation of incidents; *Staff qualifications/employee records; *Over-the-counter medications; *Medication storage.

Holton
The Pines South - HP
6/14/19: Cs #19-SCCC-95: $10,000 CMP: *Staff treatment of residents/reporting (Immediate Jeopardy).

Horton
Mission Village Living Center - RHCF
6/24/19: Cs #19-SCCC-97: CO-*Functional capacity screen on admission; *Functional capacity screen re-assessment; *Negotiated service agreement revisions; *Health care services; *Disaster & emergency preparedness; *Infection control policies.

Lawrence
Bridge Haven Village - HP
6/3/19: Cs #19-SCCC-69: CO-*Health care services; *Over-the-counter medications.
6/3/19: Cs #19-SCCC-71: $10,000 CMP: *Disaster & emergency preparedness (Immediate Jeopardy).

The Windsor of Lawrence - ALF
5/20/19: Cs #19-SCCC-79: CO-*Delegation of duties; *Resident records/documentation of incidents; *Disaster & emergency preparedness; *Infection control policies.

Lenexa
Vintage Park at Lenexa - ALF
4/23/19: Cs #19-SCCC-63: CO-*Facility administration of medications; *Food preparation; *Finishes.

Mission
Bickford at Mission Spgs II - ALF/RHCF
4/3/19: Cs #19-SCCC-48: CO-*Staff treatment of residents; *Negotiated service agreement signatures; *Health care services (Actual Harm); *Medication verbal & standing orders; *Over-the-counter drugs; *Medication storage; *Disaster & emergency preparedness; *Dietary services; *Infection control policies.

North Newton
Bethel Health Care Center - ALF
4/30/19: Cs #19-SCCC-70: CO-*Health care services; *Over-the-counter drugs; *Disaster & emergency preparedness; *Facility food storage.

Nortonville
Village Estates - ALF
6/24/19: Cs #19-SCCC-101: CO-*Functional capacity screen accurate; *Facility administration of medications; *Medication regimen review/frequency.

Olathe
Cedar Lake Village - ALF
4/23/19: Cs #19-SCCC-54: CO-*Staff treatment of residents/reporting; *Negotiated service agreement; *Health care services (Actual Harm); *Health care services/standards of practice; *Facility administration of medications; *Over-the-counter drugs; *Infection control policies.

Heritage Avonlea of Olathe - ALF
4/9/19: Cs #19-SCCC-30: $2,500 CMP: *Negotiated service agreement; *Over-the-counter drugs; *Medication storage; *Mechanical requirements.

Travanse Living at Olathe - RHCF
6/28/19: Cs #19-SCCC-105: $2,100 CMP: *Staff treatment of residents/reporting (Immediate Jeopardy).
7/3/19: Cs #19-SCCC-104: CO-*Negotiated service agreement signatures; *Infection control policies.

Osage City
Peterson Assisted Living - ALF
4/3/19: Cs #19-SCCC-45: CO-*Staff treatment of residents/reporting; *Negotiated service agreement; *Administration of selected medications; *Disaster & emergency preparedness.

Ottawa
Rock Creek of Ottawa -
4/10/19: Cs #19-SCCC-56: CO- *Health care services; *Facility food storage.

Vintage Park at Ottawa - ALF
4/3/19: Cs #19-SCCC-44: CO- *Negotiated service agreement; *Facility food storage.

Overbrook
The Fields of Brookside Retirement Community - HP
6/10/19: Cs #19-SCCC-94: CO-*Health care services; *Dietary services; *Facility food storage; *Disaster & emergency preparedness; *Disaster & emergency preparedness/education; *Infection control policies; *Delegation of medications administration; *Medication storage; *Construction.

Overland Park
Autumn Leaves of Overland Pk-ALF
7/9/19: Cs #19-SCCC-109: CO-*Over-the-counter drugs; *Medication regimen review/frequency; *Resident records/documentation of incidents; *Disaster & emergency preparedness/education; *Facility food storage; *Disaster & emergency preparedness/education; *Infection control policies; *Delegation of medications administration; *Medication storage; *Construction.
Enforcement Actions - Assisted Living-Type Care Homes

Glenwood Village of Overland Park
Assisted Living & Memory Care - ALF
7/9/19: Cs #19-SCCC-108: CO-
*Functional capacity screen on admission; *Health care services; *Health care services/negotiated service agreement; *Over-the-counter drugs.

Morningside Place - RHCF
4/22/19: Cs #19-SCCC-58: CO-
*Negotiated service agreement signatures; *Facility administration of medications; *Medication regimen review/variance report; *Staff qualifications/employee records; *Infection control policies.
6/24/19: Cs #19-SCCC-59: $6,000 CMP; *Staff treatment of residents/ANE (Immediate Jeopardy).

Park Meadows Senior Living - ALF
5/20/19: Cs #19-SCCC-77: CO-
*Negotiated service agreement; *Over-the-counter drugs; *Sample & indigent medications program medications; *Medication storage; *Infection control policies.

The Heritage of Overland Pk - RHCF
6/24/19: Cs #19-SCCC-99: CO-
*Health care services/standards of practice; *Facility administration of medications; *Medication storage; *Disposition of medications.

Overland Park Center for Rehab & Healthcare - ALF
4/30/19: Cs #19-SCCC-65: CO-
*Health care services; *Facility administration of medications; *Medication verbal & standing orders.

The Prairie Farmstead West - HP
4/10/19: Cs #19-SCCC-52: CO-
*Plumbing & piping systems.

Tallgrass Creek - ALF/RHCF
4/30/19: Cs #19-SCCC-64: CO-
*Functional capacity screen on admission; *Health care services; *Disaster & emergency preparedness.

Oxford
Joy Home - HP
6/10/19: Cs #19-SCCC-92: CO-*Staff treatment of residents/ANE (Actual Harm); *Health care services; *Food preparation; *Disaster & emergency preparedness; *Infection control policies.

Parsons
Woodridge Estates - ALF
4/30/19: Cs #19-SCCC-62: CO-
*Negotiated service agreement; *Negotiated service agreement/revisions; *Health care services; *Facility administration of medications; *Delegation of medications administration; *Staff qualifications/employee records.

Pittsburg
Comfortcare Homes Millie’s Place - HP
6/10/19: Cs #19-SCCC-91: CO-
*Resident rights/privacy & confidentiality; *Food preparation; *Facility administration of medications.

Prairie Village
Addington Place of Prairie Village - ALF/RHCF
7/9/19: Cs #19-SCCC-107: CO-*Food preparation; *Facility food storage.

Rose Hill
Peace of Mind Home Plus - HP
6/24/19: Cs #19-SCCC-98: CO-
*Negotiated service agreement; *Health care services; *Resident records/documentation of incidents; *Construction.

Rossville
Oakley Place of Rossville - HP
4/30/19: Cs #19-SCCC-74: CO-
*Ombudsman; *Health care services; *Resident records/documentation of incidents.

Salina
Dignity Care Home - RHCF
6/24/19: Cs #19-SCCC-96: CO-
*Medsation clinical record; *Facility food storage; *Construction.

Shawnee
Brookdale Shawnee - RHCF
6/10/19: Cs #19-SCCC-90: CO-
*Negotiated service agreement signatures; *Over-the-counter drugs; *Facility food storage.

Care Touch Homes - HP
5/20/19: Cs #19-SCCC-80: CO-*Health care services; *Medication storage.

Smith Center
Heritage Harbor - BCH
4/30/19: Cs #19-SCCC-67: CO-
*Admission; *Resident records.

Independent Living - BCH
4/10/19: Cs #19-SCCC-51: CO-
*Admission.

Topeka
Hillsdale Place LLC - HP
5/20/19: Cs #19-SCCC-78: CO-*Over-the-counter medications; *Medication storage.

Karaway, LLC - HP
4/23/19: Cs #19-SCCC-60: CO-
*Admission policy; *Delegation of duties; *Infection control policies; *Resident records/documents/records of incidents; *Staff qualifications/employee records; *Facility administration of medications; *Over-the-counter medications; *Medication storage; *Construction.
4/26/19: Cs #19-SCCC-61: $1,500 CMP; *Disaster & emergency preparedness (Immediate Jeopardy).

Oak Creek Senior Care - RHCF
6/10/19: Cs #19-SCCC-93: CO-
*Admission negotiated service agreement; *Health care services; *Facility administration of medications; *Medication storage.

KABC staff personally respond to your inquiries about long-term care. Toll-free: 800-525-1782 or email: info@kabc.org
Making Elder Care Better Since 1975

Enforcement Actions - Assisted Living-Type Care Homes

Wichita
Comfort Care Homes #147 - HP
3/21/19: Cs #19-SCCC-39: CO-*Health care services; *Facility food storage; *Construction

Fusion Senior Care Homes, LLC - HP
4/1/19: Cs #19-SCCC-46: CO-*Health care services (Actual Harm); *Disaster & emergency preparedness/education.

Meadowlark Adult Care Home 2 - HP
4/10/19: Cs #19-SCCC-53: CO-*Functional capacity screen re-assessment; *Disaster & emergency preparedness/education; *Infection control policies; *Plumbing & piping systems.

Rainbow Care Homes LLC - HP
3/21/19: Cs #19-SCCC-40: CO-*Functional capacity screen re-assessment; *Disaster & emergency preparedness/education; *Infection control policies; *Plumbing & piping systems.

Residence Begonia Home Plus II - HP

Stratford Home - HP
4/30/19: Cs #19-SCCC-75: CO-*Staff treatment of residents/reporting; *Health care services (Actual Harm).

Sunflower Meadows #2 - HP
4/9/19: Cs #19-SCCC-28: $2,500 CMP *Disaster & emergency preparedness; *Facility administration of medications. 5/20/19: Cs #19-SCCC-88: CO-*Disaster & emergency preparedness.

Via Christi Village Georgetown - ALF
7/3/19: Cs #19-SCCC-102: CO-*Health care services; *Delegation of medication administration; *Disaster & emergency preparedness. 7/3/19: Cs #19-SCCC-103: $700 CMP *Staff treatment of residents/ANE (Immediate Jeopardy). *indicates regulation violated

Giving On A Budget

How To Give At No Cost To You!
In recent years many corporations have made it their priority to give back to the communities in which they operate, and they do so through you! Companies have created free giving programs which donate a portion of your purchases to the charitable organization of your choosing. You can choose to support aging Kansans every time you shop by designating KABC as your charity of choice! Below are two organizations in Kansas that offer their customers the free option to donate.

Dillons Community Rewards
With a Plus Shopper's Card and your purchases, KABC receives a donation. Sign into your account on Dillons’ website, select “Community Rewards” on the left hand side of the page, click on “Enroll Now,” and enter KABC’s name in the search box. That’s it! Every time you use your card, KABC gets a donation.
https://www.dillons.com/account/enrollCommunityRewardsNow/

Amazon Smile
This program is a free and easy way to make a gift that impacts the lives and care of older adults in Kansas through your everyday shopping. When you shop at smile.amazon.com Amazon will donate a portion of your purchases to the charitable organization of your choosing. You can choose to support aging Kansans - just select KABC. Sign in to smile.amazon.com, select “Your Account,” then select the option to “Change your Charity,” and search for Kansas Advocates for Better Care.
Consumer Assistance

To report abuse, neglect and exploitation occurring in adult care homes, contact the KDADS hotline: 800-842-0078
8:00 AM to 5:00 PM Monday–Friday
by FAX: 785-296-0256
Caryl Gill, Ernie Beery or Marla Myers

Adult Abuse in the community hotline 800-922-5330 (24/7) (Also for reporting care home abuse/neglect after hours)

KanCare customer service hotline 866-305-5147

KanCare Ombudsman Kerrie Bacon
855-643-8180
KanCare.Ombudsman@kdads.ks.gov

For assistance with concerns/problems with adult care homes, call the State Long-Term Care Ombudsman 877-662-8362
https://ombudsman.ks.gov

Elder Law Hotline 888-353-5337

For assistance with concerns/problems with adult care homes, contact the State Long-Term Care Ombudsman 877-662-8362
https://ombudsman.ks.gov

To report suspected Medicare fraud: 800-876-3160

For info about Medicaid, call: 888-369-4777

For no-cost mediation regarding problems with Medicare Providers, contact KEPRO 855-408-8557

Centers for Medicare/Medicaid Services (CMS) https://www.medicare.gov/nursinghomecompare/search.html

For one-stop long-term care information:
Kansas Advocates for Better Care
Toll-free: 800-525-1782 Email: info@kabc.org
Website: www.kabc.org Follow us on Facebook!

Licensing Categories & Abbreviations

ALF  Assisted Living Facility
ADC  Adult Day Care
BCH  Boarding Care Home
HP  Home Plus
IMR  Intermediate Care Facility for the Mentally Retarded
LTCU  Long-Term Care Unit in a hospital
NF  Nursing Facility
NFMH  Nursing Facility for Mental Health
RHCF  Residential Health Care Facility
CMP  Civil Monetary Penalty (Fines)
CMS  Centers for Medicare/Medicaid Services
CO  Correction Order
d/b/a  doing business as
IDR  Informal Dispute Resolution
LSC  Life Safety Code Survey
NOTC  No Opportunity To Correct
DPNA  Denial of Payment for New Admissions
AH  Actual Harm (deficiency)
ANE  Abuse, Neglect Exploitation (deficiency)
IJ  Immediate Jeopardy (deficiency)
SFF  Special Focus Facility - historically noncompliant facility providing substandard quality of care, and is inspected two times per year, per 1998 CMS initiative.

KABC Privacy Policy

Kansas Advocates for Better Care (KABC) protects your privacy. KABC maintains password-protected computerized data files regarding financial support. We do not sell or share our membership list or member financial information with any other agency, and will not divulge any personal information about any members, contributors or contacts without express written permission.
Join other KABC friends who believe older adults deserve safe and compassionate care. Protect those you love now and ensure a better future for all of us.

You’ve read about the urgent issues facing older Kansans in this newsletter, and you can still make a difference. Please complete the form below, or go online to [www.kabc.org/make-a-donation](http://www.kabc.org/make-a-donation) today.

**Note:** A gift of $100 will train 10 care providers to give safe, quality, compassionate care.

I want to make a difference with my gift today:

- [ ] $50
- [ ] $100
- [ ] $200
- [ ] $500
- [ ] Other amount $ ____________

- [ ] **My Gift is in Honor or Memory** of a loved-one (see below)
- [ ] Please use my gift where needed most
- [ ] Harriet Nehring Education Fund (provides training & resources for caregivers across Kansas)
- [ ] KABC Endowment Fund (to ensure our future ability to help older adults in care)

Name ________________________________________________

Address _______________________________________________

City, State & Zip ________________________________________

Phone __________________________ Email __________________

**In Honor/Memory of: __________________________________

All gifts make a difference ~ Thank You!

Make checks payable to Kansas Advocates for Better Care and mail to: 536 Fireside Ct., Suite B, Lawrence KS 66049 or go online to [www.kabc.org/donate](http://www.kabc.org/donate) to learn more and make your special gift