The Kansas Experience

Congratulations are in order to KABC’s Public Policy Coordinator Barb Conant. In March, Barb was appointed to the Attorney General’s Elder & Dependent Adult Abuse Prevention Council. The council’s duties include establishing working groups on specific topics, developing local or regional multi-disciplinary teams to assist local authorities in investigating abuse and neglect, as well as coordinating and engaging in education and outreach activities including creating a publicly available clearinghouse of information on elder and dependent adult abuse prevention.

Kansas Beat the Virus 2021

Kansas Leadership Center (KLC) alumni and partners across the state have embraced a bold intervention to mobilize Kansans to end the pandemic in our state. There are too many new cases. Businesses are struggling. Kansans in every community can make a difference. All Kansans can take action to beat the virus.

The Self-Advocates Coalition of Kansas (SACK), in partnership with KLC, is facilitating group meetings an hour in length to reach the disability community. The purpose of these meetings is to get Kansans to generate clear action plans for local solutions to our public health dilemma. This is a unique opportunity that SACK hopes many will take advantage of. Funding is available for projects to be developed and completed in the next 4-5 weeks.

Please don’t hesitate to join this effort. For more information or to schedule a meeting, contact Stephanie Sanford at 785-749-5588 or stephs@sackonline.org.

Advocacy In Action

Protected Income Level Update

KABC’s testimony and work with our partners across the state in the KanCare Advocacy Network successfully raised the amount of money that elder Kansans and those with disabilities who receive care through Medicaid can now keep. The amount increased from $1,177/month to $2,382/month. This is huge for Medicaid recipients to help with their expenses, and still receive in-home care. Many thanks to all who supported this measure.

However, Medicaid Director Sarah Fertig said on May 24th the timeline of implementation of the Protected Income Level increase will require a State Plan Amendment, and the State is not able to put the increase into effect until CMS approves that SPA. Sarah said that while some parts of the Medicaid team will be ready to go by July 1, the actual policy change cannot occur until they receive CMS approval.

Resources

June is Elder Abuse Awareness Month

Elder abuse is a nationwide issue that affects millions of people each year. Do you know the signs? What should you do if you suspect a loved-one has been abused, neglected or financially exploited?

According to the National Council on Aging, about one in 10 Americans aged 60 or older have suffered from at least one of the 7 forms of elder abuse identified by the National Center on Elder Abuse (NCEA). One study estimated that only one in 24 cases of abuse are reported to

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authorities. Knowing the different forms of elder abuse can help protect older adults from subtler forms of mistreatment. The 7 types of elder abuse are:

- Physical abuse
- Sexual abuse
- Emotional or psychological abuse
- Neglect
- Abandonment
- Financial abuse
- Self-neglect

Regardless of type, elder abuse can have devastating consequences, including great emotional suffering, serious physical injuries, and even death.

This short video comes from Canada, but provides examples of the types of elder abuse that can happen, even within families. If you suspect abuse, neglect or exploitation of an older adult in Kansas, do not hesitate to make a report. In a long-term care facility, KDADS: 800-842-0078

In the community, Adult Protective Services: 800-922-5330

If you feel it’s an emergency or that someone is in immediate danger, call local law enforcement/911.

As advocates and a respected resource for aging Kansans, KABC often hears from families about situations with a loved-one, either in a facility or at home, that they’re not sure falls into the category of elder abuse, neglect or exploitation (ANE). We listen and help them understand the signs of elder abuse, and especially how to report their concerns and to whom. For more on that subject, read our booklet “Preventing Financial Harm, Abuse, Neglect, & Exploitation of Older Adults”.

We also know that facility staff/caregivers as well as law enforcement officers & EMTs have not always had adequate training to recognize the signs of abuse or how to safely diffuse a potentially dangerous situation, especially when working with a person who has dementia or Alzheimer’s. To that end, KABC has made many presentations over the years to caregivers, and most recently to law enforcement personnel across Kansas. Read “Understanding & Intervention” to learn more.

On top of these already dreadful statistics, the The Pandemic further magnifies gap in elder abuse prevention enforcement. The pandemic has also highlighted that more could, and should, be done to protect the elderly. If you have questions related to suspected ANE of a loved-one, please let us know. Call toll-free, 800-525-1782 or email our office. If you fear a person is in immediate danger, always call 911.

June is Men’s Health Month

Americans are living longer than ever, but American men still aren’t living as long as American women. Experts agree that by taking better care of themselves, men can increase their odds of living healthier, longer lives. The American Geriatrics Society came out with this Tip Sheet For Men: Tips for Good Health in Later Life:

According to the CDC, heart disease is the leading cause of death for men in the United States, accounting for nearly 1 in every 4 male deaths in 2019. Heart disease is the leading cause of death for men of most racial and ethnic groups in the United States, including African Americans, American Indians or Alaska Natives, Hispanics, and whites. This is why KABC included Heart Healthy recipes in our Recipe Book: Health & Nutrition For Every Step Of Life so that men and their caregivers have access to delicious recipes that are good for the heart.

June also serves as the national month for many other health issues: Alzheimer’s & Brain Awareness, Aphasia Awareness, and Cataract Awareness

COVID-19 Resources

Nursing Home Visitation and Quarantine

In March 2021, the Centers for Medicare and Medicaid Services (CMS) revised their visitation guidance based on the high COVID-19 vaccination rates of nursing home residents. The Centers for Disease Control and Prevention (CDC) also updated their guidance in March and again in April regarding when long-term care facility residents are required to quarantine.

Despite these changes, many families still have questions and concerns relating to visitation and quarantine. This new document reviews some of the most frequent questions asked by family members. Responses are based on the CMS and CDC guidance and show how the guidance can be used to help families advocate for their loved ones.

When making a determination about individual or facility-wide visitation, nursing homes should be following current CMS Guidance.
Below is the text of the CDC guidance related to nursing home visitation. As you can see, it explicitly allows for indoor visitation for all residents, with three limited exceptions. Nursing facilities should not be making up their own rules or following guidelines from third parties, including corporate offices, industry lobby associations, or their own “experts” if those guidelines contradict what CMS and CDC are saying.

- If your nursing facility is not following the CMS/CDC guidance, we urge you to file a complaint with your state health department, (in Kansas it’s the KS Dept. for Aging & Disability Services/KDADS) making clear any harm or suffering that is resulting from the resident’s isolation. This includes emotional distress and psycho-social harm, which the health department is required to take seriously.
- It can be very helpful to seek help from your local Long-Term Care Ombudsman office in these situations, however, that does not relieve the state health department of its mandate to enforce these important residents’ rights.

In addition, the CMS guidance states:

- Facilities shall not restrict visitation without a reasonable clinical or safety cause, consistent with Federal regulations regarding resident rights/visititation. A nursing home must facilitate in-person visitation consistent with the applicable CMS regulations, which can be done by applying the guidance stated above.
- Failure to facilitate visitation, without adequate reason related to clinical necessity or resident safety, would constitute a potential violation of 42 CFR § 483.10(f) (4), and the facility would be subject to citation and enforcement actions.
- Residents who are on transmission-based precautions for COVID-19 should only receive visits that are virtual, through windows, or in-person for compassionate care situations, with adherence to transmission-based precautions. However, this restriction should be lifted once transmission-based precautions are no longer required per CDC guidelines, and other visits may be conducted as described above.

If you have questions or concerns about your ability to visit your loved-one, please let us know by calling toll-free, or via email.

About Kansas Advocates for Better Care

KABC is a charitable 501(c)(3) non-profit organization whose mission is to improve long-term care for older adults in Kansas. Our mission is achieved through public policy advocacy, trainings and education, and by providing guidance & support to older adults and their families who need help with long-term care issues.

Our Contact Information
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