

Know Your Rights

A Guide for
Long-Term Care Residents in Kentucky



Nursing Home Ombudsman Agency
of the Bluegrass

3138 Custer Drive, Suite 110
Lexington, KY 40517
859.277.9215
or 877.787.0077 (toll free)
nhoa@ombuddy.org
www.ombuddy.org

My Ombudsman Is



Dear Residents, Families, and Loved Ones,



Individual dignity, respect, and self-determination are among the special legal rights afforded residents of long-term care facilities by the Nursing Home Reform Act of 1987. Sudden changes in health, independence, and

living arrangements, however, can result in feelings of powerlessness, sadness, and confusion. Being sick or disabled can further diminish an individual's sense of self and confidence in his or her abilities. Add an unfamiliar environment with new rules and social codes to the mix, and it's no wonder many residents feel as if their world has been turned upside down.

Our certified Ombudsmen are here to advocate for you. Their mission is to improve quality of care for you and all residents of nursing homes and other long-term care facilities. The first step toward a more satisfactory experience is for residents to know and exercise their rights.

Ombudsmen also want to get to know you. When your Ombudsman visits, tell him/her about your family, the kind of work you've done, your likes and dislikes, and any complaints you may have. Ask questions. Let him/her know if something doesn't seem right. Ombudsmen realize you may not have the energy to resolve concerns on your own and that you don't want to upset your caregivers. They're trained to resolve problems to your satisfaction.

In spite of everyone's best efforts, problems arise. Remember that your Ombudsman is on your side. Period. Please read this booklet and keep it handy for future reference. Questions? Ask your Ombudsman or call the Nursing Home Ombudsman Agency of the Bluegrass at 859-277-9215.

Sincerely,

Denise Wells

Bluegrass District Ombudsman
denise@ombuddy.org

The Nursing Home Ombudsman Agency (NHOA) prepared this guide to inform you of specific legal rights accorded residents of long-term care facilities under the Nursing Home Reform Act of 1987. It also summarizes your rights as citizens of the Commonwealth of Kentucky and the United States of America.

Sources include the following:

- State and federal laws, regulations, and educational materials
- National Consumer Voice for Quality Long-term Care www.theconsumervoice.org
- National Ombudsman Resource Center libraries www.ltombudsman.org
- Kentucky Office of the Attorney General <https://ag.ky.gov/>
- Nursing Home Ombudsman Agency of the Bluegrass resource collection www.ombuddy.org.

Knowing your legal rights is essential to having a positive experience as a resident of a long-term care facility.

What is the Nursing Home Ombudsman Agency?

The Nursing Home Ombudsman Agency of the Bluegrass (NHOA) is a nationally-recognized non-profit organization that improves the quality of care for 5,640 residents living in long-term care facilities in 17 counties in Central Kentucky. Founded in 1981, NHOA's award-winning Ombudsman program will record 5,000 visits to nursing homes and other long-term care facilities in 2019.

Headquartered in Lexington, NHOA serves anyone who needs assistance, regardless of age, race, ethnicity, religion, gender, sexual orientation, gender identity, national origin, and disability. There's never a charge for our services, thanks to the loyal, generous support of hundreds of compassionate individuals and organizations.

Known for its low ombudsman-to-resident ratio, NHOA is a model program known for implementing innovative, research-based practices. We freely share information and training guides with other Ombudsman programs throughout the United States.

If you have questions or concerns, please contact your Ombudsman or Bluegrass District Ombudsman Denise Wells at 1-859-277-9215 or toll free at 1-877-787-0077.

What does a Nursing Home Ombudsman do?

- **Protects the rights of all residents**
- **Identifies, investigates, and works to solve problems**
- **Provides regular friendly visits to all residents**
- **Provides services to all residents**
- **Provides information and assistance to the community**
- **Monitors government actions affecting residents**
- **Educates facility staff and providers**

What can I expect in the first few weeks of moving into a nursing home?

The facility must complete a comprehensive assessment within 48 hours of your admission to the facility. The purpose of an assessment is to evaluate your physical and mental condition including your ability to perform activities of daily living (ADL) such as eating, dressing, walking, bathing, and communicating. Your personal preferences and habits also should be discussed.

Within 7 days of your assessment, the facility must hold a care plan conference. The care plan describes how the staff will assist you on a daily basis to ensure that you maintain the highest levels of physical, mental, and social functioning.

It is very important that you and a loved one participate in the meeting. You and your family can ask your Ombudsman to attend the care plan conference with you.

What is a care plan?

A care plan is an agreement between the resident and the facility about how both medical and non-medical care will be provided. For example, a care plan may include how nurse aides will help you walk to each meal to build your strength. Also, it can address issues with your roommate. The plans must be reviewed regularly and revised as needed. You should feel confident and comfortable with how the plan meets your needs.

Who will be taking care of me?

- **Certified Nursing Assistants (CNA) provide most of your day-to-day needs.**
- **Registered Nurses (RN) and/or Licensed Practical Nurses (LPN) manage your care and supervise the CNAs. An RN or LPN usually distributes your medications.**
- **Director of Nursing (DON) is in charge of nursing services.**
- **Social services assist in maintaining or improving your ability to manage physical, mental, and psychosocial needs.**
- **Director of Dietary Services oversees your dietary needs.**
- **Administrator oversees operation of the facility.**

What's a care plan conference?

At a care plan conference, staff, residents and/or families discuss life in the facility-- meals, activities, therapies, personal schedules, medical and nursing care, and emotional needs. You can bring up concerns about daily routines, ask questions, and offer information for staff who provide your care. Each staff member who works with you should be involved in the conference to talk with you about treatment decisions. Nursing homes should only give care that you have agreed to. Be sure you understand and agree with the care plan. Does it meet your needs? You have a right to a complete and detailed copy of the care plan and the name of the person you can speak with to change it.

When are care plan conferences held?

Care plan conferences must occur every three months and when there is a significant change in your physical or mental health that might require a change in care. If you want a family member, friend, or the Ombudsman at the meeting, ask staff to schedule the meeting when it's convenient for them to attend.

A good care plan should

- be specific, individualized, and written in a plain language that everyone can understand.
- reflect your concerns and support your well-being, functioning, and rights. It should not label your choices or needs as "problem behaviors."
- use a multi-disciplinary team approach and use outside referrals as needed.
- be re-evaluated and revised routinely.

Whom do I contact if I have a problem?

If possible, write down concerns and include dates, times, names, and the problem. Speak with nursing home staff or staff supervisors about it. Other residents may share your concerns, so consider working with the Resident Council or Family Council, as well.

What happens if facility staff don't resolve my concerns?

Your Ombudsman is your advocate. Federal law grants him/her the power and authority to intervene on your behalf.

With your consent, your Ombudsman will investigate to verify the problem, identify the parties involved, and share his/her findings with you. Next, your Ombudsman will explain options for resolving the issue. Once the Ombudsman and facility have agreed on a solution, he/she will follow up to ensure agreements remain in effect and that no additional problems arise.

Your Ombudsman can investigate and resolve problems in a manner that allows him/her to keep your identity and concerns confidential.

Resident and Family Councils in Nursing Homes

Kentucky law gives residents and family members the right to present concerns without retaliation. Medicare- and Medicaid-certified nursing homes must allow councils to operate and must provide meeting space in the facility for their activities.

There are two types of councils in nursing homes: a resident council and a family council. A resident council is an organized group of residents who meet regularly— free from facility interference-- to discuss concerns regarding the nursing home. Similarly, a family council is an organized group of relatives and friends of the nursing home's residents.

What's the purpose of a Resident Council and Family Council?

The main purpose of most councils is to protect and improve the quality of life in the nursing home. However, there are benefits for the nursing home, too. Councils provide a means for staff to deal directly with family concerns and ideas, to convey information to families, and to establish lines of communication. Administrative staff may use the family council as a sounding board for new ideas. Facility staff and administration must act upon concerns or grievances the family council brings to them.

Resident Councils provide an opportunity for residents to express concerns with different departments, such as nursing, dietary, and activities. Some examples include:

- planning activities
- selecting menu items for meals
- discussing concerns about care

Family Councils give families a voice in decisions that affect them and loved ones living in the facility. Some examples include:

- support for families
- education and information
- discussion and action on concerns
- services and activities for residents
- joint activities for families and residents

Your Ombudsman can answer questions about Resident or Family Councils. If your nursing home doesn't have a Family Council, the Ombudsman can help you start one. He or she also can attend council meetings to help residents and families voice their concerns and to share resources and information.

Highest Practicable Level of Well-Being

Nursing homes are responsible for helping residents attain or maintain the residents' highest achievable level of physical, mental, and psychosocial well-being. Factors affecting a resident's well being include activities, meals, staff attitudes, the environment, and care.

Resident's Rights

Residents' Rights are part of the Nursing Home Reform Law enacted in 1987 by the U.S. Congress. Residents' Rights were also incorporated into Kentucky Regulatory Statutes (KRS 216.515). These laws require nursing homes and other long-term care health facilities to promote and protect the rights of each resident. These are their rights as residents of the facility and as citizens of the United States and the Commonwealth of Kentucky. Residents' Rights place a strong emphasis on individual dignity and self-determination. Nursing homes must meet federal Residents' Rights requirements to participate in Medicare or Medicaid.

The right to be fully informed.

- If you are entitled to Medicaid benefits at the time you are admitted to the facility or when you do become eligible for Medicaid benefits, the facility must inform you in writing of the services for which you may not be charged and those for which you may be charged.
- Before or at the time of your admission and periodically during your stay, the facility must inform you of services available in the facility and of charges for those services. You must acknowledge receipt of this information in writing. The facility must keep the acknowledgement in your file.
- The facility must prominently display written information (and provide you with oral and written information) about how to apply for and use Medicare and Medicaid benefits and how to receive refunds for previous payments covered by such benefits.
- You and your legal representative or interested family member have the right to receive prompt notice before there is a change in your room or roommate assignment.

- You have the right to be fully informed in advance about your care and treatment and any changes in your care and treatment. You have the right to participate in planning your care and treatment.
- You have the right to examine the results of the most recent survey of the facility conducted by federal or state surveyors and any plan of correction in effect with respect to the facility, as well as all inspection reports of the facility.
- The facility must not require residents or potential residents to waive their rights to Medicare or Medicaid.
- The facility must not require a third-party guarantee of payment as a condition of admission or continued stay in the facility.
- The facility must conspicuously post a list of your rights and responsibilities under state law.
- The facility shall have written procedures for the submission and resolution of complaints and recommendations by you and your responsible party or your responsible family member or your guardian and shall conspicuously display these policies.

The right to participate in your own care.

- You, your physician, and your legal representative or an interested family member must be notified immediately of any serious accident, significant change in your health or mental status, or a decision to transfer or discharge you from the facility.
- You have the right to be fully informed in a language you can understand of your total health status, including but not limited to your medical condition.
- You have the right to refuse treatment, to refuse to participate in experimental research, and to make advance directives.

Your Medical Records

You and your legal representative have the right of access to all records pertaining to your care, including current clinical records, within 48 hours of your oral or written request (excluding holidays and weekends).

You also have the right to a copy of your medical record or to purchase additional photocopies. To receive a copy of your medical record, you must submit a written request to the facility. A facility must provide a copy of your records within 48 hours of receiving your written request. Some nursing homes have a form for you to fill out, but they should honor a letter. In your letter, include a clear statement requesting the records and instructions on how they should be delivered (pick up in person or have them faxed or mailed).

The right to make independent choices.

- Prior to or upon your admission to the facility and during your stay, you must be informed, both orally and in writing, in a language that you understand, of your rights and all rules and regulations governing your conduct and responsibilities. You must acknowledge in writing receipt of this information. The facility must keep the acknowledgement in your file.
- You have the right to live in the facility with reasonable accommodation of your individual needs and preferences, except when the health or safety of you or other residents would be endangered.
- You have the right to participate in social, religious, and community activities that do not interfere with the rights of other residents.

- You have the right to choose your personal attending physician.
- You have the right to self-administer drugs if it has been determined that this practice is safe.

The right to privacy and confidentiality.

- You have the right to personal privacy, in accommodations, medical treatment, written and telephone communications, personal care, visits, and meetings of family and resident groups. The facility isn't required to provide a private room for you. You also have the right to confidentiality of your personal and clinical records.
- You may approve or refuse to allow the release of your personal and clinical records to any individual outside the facility, except when you are transferred to another health care institution or when release of your records is required by law.
- If you're married, privacy must be assured for your spouse's visits. If you and your spouse reside at the facility and both consent, you may live in the same room.
- You have the right to have reasonable access to the use of a telephone where calls can be made without being overheard.
- You have the right to privacy in written communication, including the right to send and promptly receive mail that is unopened.
- The facility must assure you of visual privacy, at the least, in multi-bed rooms and in tub, shower, and toilet rooms.

	Indicators of Care:	Action Steps:
 <p>Green Light Care</p>	<ul style="list-style-type: none"> • Residents look nice and groomed. • Residents look busy doing interesting activities inside and outside the building • Facility is clean, smells fresh, and is kept at a comfortable temperature • There are enough staff to meet resident needs. Call bells are answered quickly. • Care plan meetings include residents, their preferences, and their support system. • Person-Centered Care is obvious. Residents receive individualized care. • Food looks good, smells appetizing, and tastes good. • The atmosphere feels positive and life-affirming. • End of life care is sensitive and hospice-based. 	<ul style="list-style-type: none"> • Get to know your ombudsman • Relax and enjoy your visits • Start a Family Council and invite speakers to educate families on important issues. • Volunteer with the activities department. • Invite your social group to have meetings in the facility and include residents. • Look for residents who have no family and get to know them. • Praise staff for doing a good job.
 <p>Yellow Light Care</p>	<ul style="list-style-type: none"> • Residents' rights are often disregarded. • Activities look boring, aren't age-appropriate, and are often cancelled. • Residents eat in their rooms because of short staffing. • Residents seem to be guarded in their communication with visitors. • Families talk about complaints not being resolved. • Care plan meetings are hurried and participation is not encouraged. • Facility frequently hires temporary staff who don't know residents. • Call bells are not answered promptly or are turned off. Staff promises to return but doesn't. Staff is noisy, especially at night 	<ul style="list-style-type: none"> • Work with the Ombudsman to address individual complaints and concerns which affect all residents. • Make notes of problems which seem to affect all the residents. Be specific. • Visit at odd hours and on weekends. Make notes of problems you see. • Bring up your concerns at Resident and Family Councils. Discuss recommendations for improvement with the administrator. • Check the survey report to see if the state has cited the facility for problems you observe.
 <p>Red Light Care</p>	<ul style="list-style-type: none"> • Residents are fearful, and families are "put down" by administration. • Residents appear to be losing weight and mobility. • Residents look unkempt and smell unclean, especially those in bed. • Residents are physically restrained. • Residents are slumped in wheelchairs and left alone. • There's a noticeable disregard of residents' rights. • Meals are skimpy, snacks are missing, and there's a greater reliance on tube feeding. • Care plans are ignored. 	<ul style="list-style-type: none"> • Work with the Ombudsman to address individual complaints and concerns which affect all residents. • Call the Office of Inspector General to report concerns and details (be willing to provide names). • Report abuse and gross neglect to Adult Protective Services. • Locate contact information for the facility's corporate headquarters, and take your concerns there. • Call 800-372-7181 to invite your Congressperson to tour the facility. • Consider contacting the media. • Consider seeking legal advice.

Types of Abuse

- **Physical abuse is the intentional infliction of injury or pain, including hitting, slapping, pinching, shoving, force-feeding, and rough handling and careless transfers.**
- **Psychological abuse includes emotional and verbal attacks, including berating, ignoring, intimidating, ridiculing, yelling at, threatening, or isolating a resident.**
- **Sexual abuse is the improper touching or treatment of residents, including unnecessary medical procedures around the genitals, coercion to perform sexual acts, rape, and vulgar or offensive comments or conversations which make a resident uncomfortable.**
- **Exploitation is obtaining or using another person's resources, including but not limited to funds, assets, or property, by deception, intimidation, or similar means, with the intent to deprive the person of those resources.**

The right to dignity, respect, and freedom.

- The facility may not charge, solicit, accept, or receive any gift, money, donation, or other consideration as a precondition of admission or continued stay in the facility.
- You have the right to be free from any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat your medical symptoms.
- You have the right to be free from verbal, sexual, physical, and mental abuse, corporal punishment, and involuntary seclusion.
- The facility must promote care for you in a manner and in an environment that maintains or enhances your dignity and respect in full recognition of your individuality. This includes privacy in treatment and in caring for your personal needs.
- You have the right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility.
- You have the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising your rights.
- If you have been found mentally disabled under State law, your rights are exercised by your guardian.
- You have the right to have private meetings with the nursing facility inspectors from the Cabinet for Health Services.
- You have the right to be suitably dressed at all times and given assistance when needed in maintaining body cleanliness and good grooming.
- Unless you have been found mentally disabled under state law, you cannot be detained against your will. You must be given permission and encouragement to go outdoors and leave the premises as you wish unless a legitimate reason can be found and documented for refusing such activity.
- You have the right to refuse to perform services for the facility unless you choose. The need or desire for work is documented in your plan of care.

The right to visits.

- The facility must allow immediate visits by representatives from federal or state government, your personal physician, and representatives from the Kentucky State Long-Term Care Ombudsman program. Visits by immediate family and other relatives are subject to the resident's consent.

The right to security of possessions.

- You have the right to manage your financial affairs. The facility may not require you to deposit your personal funds with it.
- If the facility accepts responsibility for managing your funds, the facility must keep funds over \$50 in an interest-bearing account, separate from the facility's accounts. The facility must keep funds of less than \$50 in a separate account, such as a petty cash fund.
- The facility must maintain a full and separate accounting of your funds held by the facility and must provide a statement to you or your legal representative quarterly or upon request.
- If you receive Medicaid benefits, the facility must notify you when the amount in your account comes within \$200 of the Medicaid limit and the effect on your eligibility.
- The facility must purchase a surety bond to ensure the security of your funds deposited with the facility.
- You have the right to retain and use personal possessions, including some furnishings and clothing, as space permits, unless doing so infringes on the rights, health, or safety of other residents.
- The facility must return your valuables, personal possessions, and any balance of money from your account to you at the time of your transfer or discharge from the facility. In case of your death, these items must be returned to your responsible party or family member, guardian, or executor.

Residents' rights during transfers and discharges.

- You must be permitted to remain in the facility and not be transferred or discharged from the facility unless
 - it's necessary for your welfare (acute care at a hospital is needed) or
 - your health has improved and you no longer need nursing home care or
 - the safety or health of other individuals would be endangered or
 - you haven't paid your bill, or
 - the facility closes.

If you've lived in a facility for at least 30 days, staff must give you a minimum of 30 days' notice of impending transfer or discharge, or as soon as practicable if safety or medical reasons require immediate transfer.

You may appeal a transfer or discharge by sending a written request for a hearing to Secretary, Cabinet for Health and Family Services, 275 East Main Street 5W-A, Frankfort, KY 40621 or faxing it to 502-564-7091. The request must be filed within 15 days of receipt of an involuntary discharge notice.

The Nursing Home Ombudsman Agency recommends hiring an attorney to handle your appeal. If you don't have an attorney or can't afford to hire one, call us at 859-277-9215 to expedite the appeal and connect you with Legal Aid of the Bluegrass.

Once it reviews the appeal, the Cabinet will schedule a hearing, usually at your nursing home, where you may present reasons the transfer is inappropriate. The burden of proof lies with the nursing home to explain how the transfer met the aforementioned conditions.

If the hearing officer doesn't approve the discharge, you can remain in the nursing home. If the discharge is approved, you will have to leave the facility. The nursing home is required to help you find another appropriate facility and to provide counseling before the move to minimize the trauma of relocation.

The right to complain.

- You have the right to voice grievances without discrimination or reprisal. The facility must make prompt efforts to resolve your grievances.
- The facility must allow representatives of the State Long-Term Care Ombudsman program to examine your medical and social records, if you or your legal representative grant permission.
- If any of your rights are denied or infringed upon, you have the right to take legal action against the facility responsible for the violation. You may be entitled to recover actual and punitive damages, reasonable attorney's fees, costs of the action, and other relief as determined by the court.
- You shall be encouraged and helped to exercise your rights as a resident and a citizen. You may voice grievances and recommend changes in policies and services to facility staff and to outside representatives of your choice, free from restraint, interference, coercion, discrimination, and reprisal.

Keeping records

If you've brought a concern to a facility staff person and it hasn't been addressed, write it in a journal. State facts and be objective. Include staff names, full dates, times, conditions, surroundings, and as many other details as possible. **Be specific.** Broad, general statements aren't helpful.

- What happened? When did it happen? Where did it happen? Were there any witnesses? Does anyone else know about the problem? How did the facility staff respond?
- Does the facility have a policy or procedure to address this issue?
- What have you done to try and resolve the problem? Who have you talked to? When? What were the results?
- Maintain a file of all correspondence to and from the facility.
- Maintain a file of other types of documentation, such as photographs, video or audio files, medical records, and facility insurance documents.

Do I need an attorney?

There are many avenues for problem resolution in nursing homes, but some situations may call for legal assistance. Pursuing legal action against a facility is a major decision. It's intense, emotional, time-consuming, and expensive. An attorney can advise you of your rights and help you strategize, communicate and negotiate with facility staff and determine whether you have a viable case against the facility.

How do I find an attorney?

Look for an attorney with experience with long-term care issues and trial experience. Ask your friends, family, neighbors, and acquaintances if they have used an attorney for long-term care litigation. You may also visit the Kentucky Bar Association's website at www.kybar.org and use their Lawyer Locator tool.

How do I choose an attorney?

The first time you meet with an attorney you will be asked about what happened so that the attorney can begin to evaluate your case. Be sure to bring the records of events, concerns, and conversations you have had with facility staff. As the client, you should be asking the attorney questions to evaluate whether he or she is the best attorney to represent you. Your discussion should include:

- what you've done to address your complaints with the facility
- what you want the attorney to do and other options you may have
- what you want to gain from any action taken,
- how you'll be charged
- number of cases similar to yours the attorney has handled and outcomes of those cases
- attorney's case load
- chances for success and hurdles that could arise?
- description of the litigation process, if you're considering filing a lawsuit.
- what you'll be required to do if you sue.

Questions or Concerns?

Nursing Home Ombudsman Agency

3138 Custer Drive, Suite 110,
Lexington, Kentucky 40517

Bluegrass District Ombudsman:

(859) 277-9215 or toll free **1-877-787-0077**

State Ombudsman Program:

(859) 277-9215 or toll free **1-800-372-2991**

www.ombuddy.org

nhoa@ombuddy.org

Adult Protective Services (APS)

is the government agency that investigates complaints concerning abuse, neglect, and exploitation of vulnerable adults as prescribed in Kentucky law KRS 209.

Central Office – **(502) 564-7043**

Abuse Hotline – **1-800-752-6200** or **1-877-597-2331**

Office of Inspector General - Division of Health Care

275 East Main Street, 5E-A,
Frankfort, Kentucky 40621

(502) 564-7963

The Office of Inspector General (OIG) regulates and licenses long-term care facilities and investigates complaints. When facilities violate resident rights, provide poor care, fail to provide care, or fail to protect residents from predators, OIG can investigate and sometimes impose sanctions on the facility.

Office of the Attorney General for the Commonwealth of Kentucky

1-877-228-7384

The Office of the Attorney General (OAG) houses Kentucky's Medicaid Fraud and Abuse Control Unit, which prosecutes fraud perpetrated by providers against the Medicaid program. In addition to Medicaid fraud, this unit also prosecutes crimes of abuse, neglect, and exploitation of long-term care residents.

Kentucky Bar Association

514 W. Main Street, Frankfort, KY 40601

(502) 564-3795

www.kybar.org

The Kentucky Bar Association maintains lists of attorneys in Kentucky. Search the website or call for names and contact information of elder law attorneys in your area.

Follow Up On Complaints

If you've filed a complaint with Adult Protective Services, the Office of Inspector General, or local law enforcement, you may be able to follow up to determine if action has been taken. Be aware, however, that some agencies may have policies preventing them from providing specific information. You may follow up with the resident and/or facility to determine whether the problem has been corrected.

When you file a complaint, write down the name of the agency, the name of the person to whom you spoke, and what the person said. Keep this information with your other important personal papers.

Kentucky Open Records law allows citizens to request records of complaints, investigations, reports, complaint resolutions, statements of deficiencies, Type A or B citations, allegations of non-compliance, plans for correction, continuous quality assessments, and any and all other records pertaining to your facility.

To request records from Adult Protective Services, send a letter to the Cabinet for Health and Human Services, Department for Community-Based Services, Records Management Section, 275 East Main Street, Section 3E-G, Frankfort, KY 40621.

To request records from the Office of Inspector General, send a letter to OIG at Attn: Public Records Custodian, Division of Health Care, Office of Inspector General, Cabinet for Health and Family Services 275 East Main Street, 5 E-A, Frankfort, KY 40621 or DHCOpenRecords@ky.gov.

For more information about filing an open records request and to receive a sample letter, call the Nursing Home Ombudsman Agency at 859-277-9215 or email at nhoa@ombuddy.org or visit the Office of the Attorney General's website at <https://ag.ky.gov/shielding-seniors>.

How To Help Residents

The actual cost of providing Ombudsman services to the 5,640 residents our Ombudsmen serve annually far exceeds the amount provided by state and federal agencies. We rely on the generosity of many individuals and organizations to bridge the gap. Please join hundreds of other compassionate people in demonstrating your appreciation for long-term care residents' many contributions to society prior to becoming ill and disabled.

Remember a Loved One

Many friends of NHOA pay tribute to loved ones by making gifts in their memory or honor. When making this type of contribution, please tell us

- **honoree's name and address**
- **donor's name, address, and phone number**
- **name and address of survivors so we can send notification of the gift (amount remains confidential).**

WAYS TO GIVE

Checks and Cash

Please mail checks payable to NHOA to 3138 Custer Drive, Suite 110, Lexington, KY 40517. Cash donations should be made in person at NHOA's office during business hours.

Credit Card

To make a secure gift online using your credit card, visit www.ombuddy.org and click on "Make a Gift Now."

Planned Gifts

A planned gift is a popular tool that enables individuals to fulfill their philanthropic goals, often more generously than expected. As the name implies, a planned gift is arranged in advance with the understanding that the beneficiary (charity) will receive

a gift following the donor's death. Planned gifts may include life insurance policies and cash, securities, and personal and real property bequeathed in a will. Anyone considering making a planned gift should discuss it with an attorney and/or financial advisor.

Gifts-In-Kind

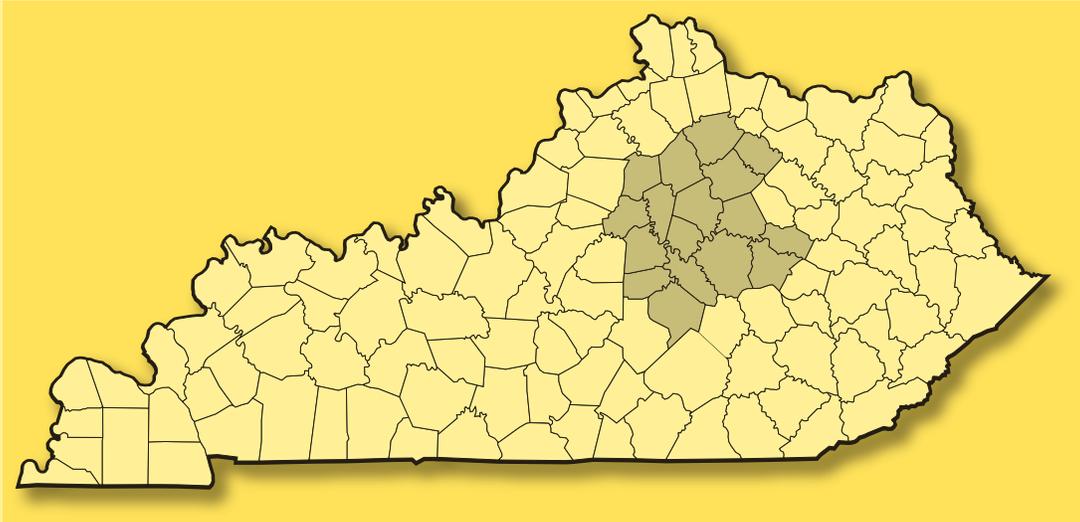
The majority of nursing home residents are impoverished. Medicaid allows them \$40 a month—a little more than a dollar per day—to buy the necessities of daily living such as soap, shampoo, clothing, shoes, snacks, toothbrushes and toothpaste or denture cleaner, glasses, stamps, pens, and stationery, etc. Please call the NHOA office if you'd like to help with these needs. We will ensure residents with the greatest need receive your donations.

Time

Become a "Friendly Visitor." Visit a resident once a week at a facility near your home. Two hours of training and a background check are required.

Become a board member. Email us at nhoa@ombuddy.org or call 859-277-9215 for an application or information.

NHOA will never sell or share your personal information.



The Nursing Home Ombudsman Agency improves the quality of care for residents of long-term care facilities in the following 17 counties of the Bluegrass Area Development District:

Anderson, Bourbon, Boyle, Clark, Estill, Fayette, Franklin, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott, and Woodford

www.ombuddy.org
nhoa@ombuddy.org

This information is made possible by state and/or federal funding provided by the Department For Aging and Independent Living. NHOA gratefully acknowledges the Kentucky Bar Foundation and the United Way for their support in producing this booklet.

