



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: March 11, 2014

06

TO: Board of Supervisors

SUBJECT: FACING THE SILVER TSUNAMI: IMPROVING OVERSIGHT OF LONG-TERM RESIDENTIAL CARE FACILITIES (DISTRICTS: ALL)

Overview

By 2030, the number of people who are at least 75 years old is expected to nearly double, rapidly outpacing the growth in the rest of the population. This dramatic change in the region's demographics will test our communities, governmental services, housing, medical services, hospitals and the way we shape public policy. The services and resources available for the protection and care of the elderly is not keeping pace with the need and the drastic rise in the number of residents living long into their 70s, 80s and older, is only going to compound the problem. To make matters worse, a recent series of watchdog stories in the local media have documented deeply troubling gaps in staff training and supervision in long-term care and assisted living facilities, along with a lack of rigorous state oversight and follow-through at many residential care facilities.

There are a number of actions and initiatives that can be carried out at the state and local level to prevent neglect and improve oversight at long-term care and assisted living facilities and make meaningful impacts in the lives of our elderly and their families. Today's actions direct the Chief Administrative Officer to strengthen and expand the Long-Term Care Ombudsman program and work with stakeholders from Residential Care Facilities for the Elderly (RCFEs), Skilled Nursing Facilities (SNFs), other long-term care facilities, consumer advocates and the Better Business Bureau to develop a facility grading system or seal program.

Today's actions would also add to the County's Legislative Program support for legislation that increases transparency, inspections and penalties at RCFEs, SNFs and other long-term care facilities, and support for other reforms that protect the health and safety of the patients residing in these facilities.

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Recommendation(s)

CHAIRWOMAN DIANNE JACOB AND SUPERVISOR GREG COX

1. Direct the Chief Administrative Officer (CAO) to identify funding in the Fiscal Year 2014-2015 Operation Plan to increase staffing in the Long-Term Care Ombudsman program to fully offset the 2009 cuts, and report back to the Board of Supervisors within 120 days with recommendations to strengthen and expand the Long-Term Care Ombudsman program, including training and the volunteer component.
2. Direct the CAO to work with stakeholders from Residential Care Facilities for the Elderly (RCFE), Skilled Nursing Facilities (SNFs), other long-term care facilities, consumer advocates, and the Better Business Bureau, to develop a grading system or seal program, and report back to the Board of Supervisors before the end of 2014, and identify any necessary funding to implement the program in the Fiscal Year 2014-2015 Operational Plan.
3. Direct the CAO to add to the County's Legislative Program support for legislation that addresses any or all of the following for RCFEs, SNFs and other long-term care facilities: increases transparency in operations and information disclosure; increases the frequency of facility inspections including unannounced visits; implements a program that notifies and protects the patients' and their rights; increases penalties to facilities for non-compliance; and/or reforms to the current program that protect the health and safety of the patients residing in these facilities.

Fiscal Impact

Costs associated with these actions will be included in the FY 2014-2015 Operational Plan.

Business Impact Statement

N/A

Advisory Board Statement

N/A

Background

By 2030, the number of people who are at least 75 years old is expected to nearly double, rapidly outpacing the growth in the rest of the population. This dramatic change in the region's demographics will test our communities, governmental services, housing, medical services, hospitals and the way we shape public policy.

At the forefront of this issue is the County Office of Aging and Independence Services (AIS), which assists seniors with a wide range of critical services, including access to in-home care. AIS operates the Long-Term Care Ombudsman program that was created to serve as an advocate for those in assisted living homes and other long-term care and skilled nursing facilities (SNFs). It is charged with speaking up on behalf of residents and investigating complaints and allegations of abuse. Assisting these advocates are dozens of dedicated volunteers. The team scans medical charts, checks bed railings, ensures that medications and cleaning supplies are securely locked

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and talks with nurses, administrators and residents.

Unfortunately, the available services and resources for the protection and care of the elderly isn't keeping pace with the need and the drastic rise in the number of residents living long into their 70s, 80s and older, is only going to compound the problem. While it's certain that the need for oversight is going to rise, the Long-Term Care Ombudsman program has been shrinking. State funding was cut in 2009, and the number of full-time advocates in our County has dropped from eight to four. The Ombudsman staff must be fully restored so that we have more eyes and ears in the field advocating for resident safety. The return on investment of increasing the staffing to the pre-2009 level would allow for Ombudsman program staff to expand the training and inspection coverage at RCFEs, SNFs and other facilities, improve community education and increase the complaint resolution rate.

Although the County has an opportunity to enhance the protection of our seniors, action still needs to be taken at the state level because it's the state Community Care Licensing Division that has the primary responsibility for regulating, inspecting and penalizing elder care facilities. A recent series of watchdog stories in the local media have documented deeply troubling gaps in staff training and supervision in long term care and assisted living facilities, along with a lack of rigorous state oversight and follow-through at many residential care facilities. Fortunately, many state legislators have quickly acted to address this unacceptable situation and have introduced more than a dozen bills in Sacramento aimed at bolstering care and state oversight.

Some long-term care facilities are doing a good job but there is currently no easy way for the public to determine the quality facilities from the bad ones. Families looking for a caring home have a hard time selecting the appropriate facility for their loved one.

Chairwoman Dianne Jacob led a stakeholder workgroup made up of owners and managers of assisted living homes along with HHSA staff and the Better Business Bureau. Following a lengthy discussion the group came up with different ideas in developing a uniform measuring system to voluntarily implement in the region. The measuring system could possibly be a seal of approval or grades or numbers. The goal is to develop a tool to guide consumers when choosing a facility for their loved ones. The local Better Business Bureau has volunteered to work with the industry to develop meaningful criteria that would measure the level and quality of care at a facility.

Today's actions direct the Chief Administrative Officer to strengthen and expand the Long-Term Care Ombudsman program and work with stakeholders from Residential Care Facilities for the Elderly (RCFEs), Skilled Nursing Facilities (SNFs), other long-term care facilities, consumer advocates and the Better Business Bureau to develop a facility grading system or seal program. Today's actions would also add to the County's Legislative Program support for legislation that increases transparency, inspections and penalties at RCFEs, SNFs and other long-term care facilities, and support for other reforms that protect the health and safety of the patients residing in these facilities. We urge your support.

Linkage to the County of San Diego Strategic Plan

N/A

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Respectfully submitted,

DIANNE JACOB
Chairwoman, Second District

GREG COX
Supervisor, First District

ATTACHMENT(S)
None.

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: Board of Supervisors, Districts 1 and 2

OTHER CONCURRENCES(S):

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