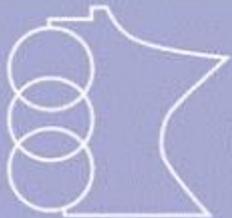


Consumer Rights Subcommittee

Chaired by:
Cheryl Hennen, State Ombudsman
for Long-Term Care



Office of Ombudsman for Long-Term Care

Enhancing quality of life and quality of care



Background on Subcommittee

- Four in-person meetings; Sept. – Nov. 2018
- Participation from a wide variety of stakeholders
- Identified valuable areas for further discussion
- Consumer Rights cross over each sub committee

Areas of Consensus

- Identified three important focus areas:
 - 1) Strengthening rights
 - 2) Enforcement of rights
 - 3) Education about rights

Prohibition against Retaliation

- Consensus –
 - Improve Regulatory Enforcement
 - Retaliation Must Be Addressed/Prohibited
- Additional Points –
 - Clear Definition, Burden-Shifting Framework
 - Private Right of Action

Consistent Enforcement of Rights in Assisted Living

- Consensus –
 - Better Regulatory Enforcement of Home Care Statutes/Bill of Rights
 - Consider Increased Penalties for Violations
- Additional Points –
 - Criminal Penalties, Private Right of Action
 - Rights and Duties Clearly Defined

Resident and Family Councils in Assisted Living

- Consensus –
 - Residents Must Have Freedom to Organize
 - Available Space for Meetings
- Value of Councils –
 - Councils Can Raise Consumer Voice, Reduce Retaliation Fears, Streamline Concerns

Additional Consumer Rights Issues

- What is Working Well
- **Consensus Area** – Additional Funding for OOLTC

OOLTC Authority

- **Older Americans Act (“OAA”)** (42 U.S.C. § 3058g)
- **Minnesota Ombudsman Statute** (Minn. Stat. § 256.9742)
- **Minnesota Board on Aging (“MBA”)** Administers Ombudsman Program through OAA funds
- **Federal Administration Community Living/Administration on Aging** holds OOLTC accountable for ombudsman program compliance

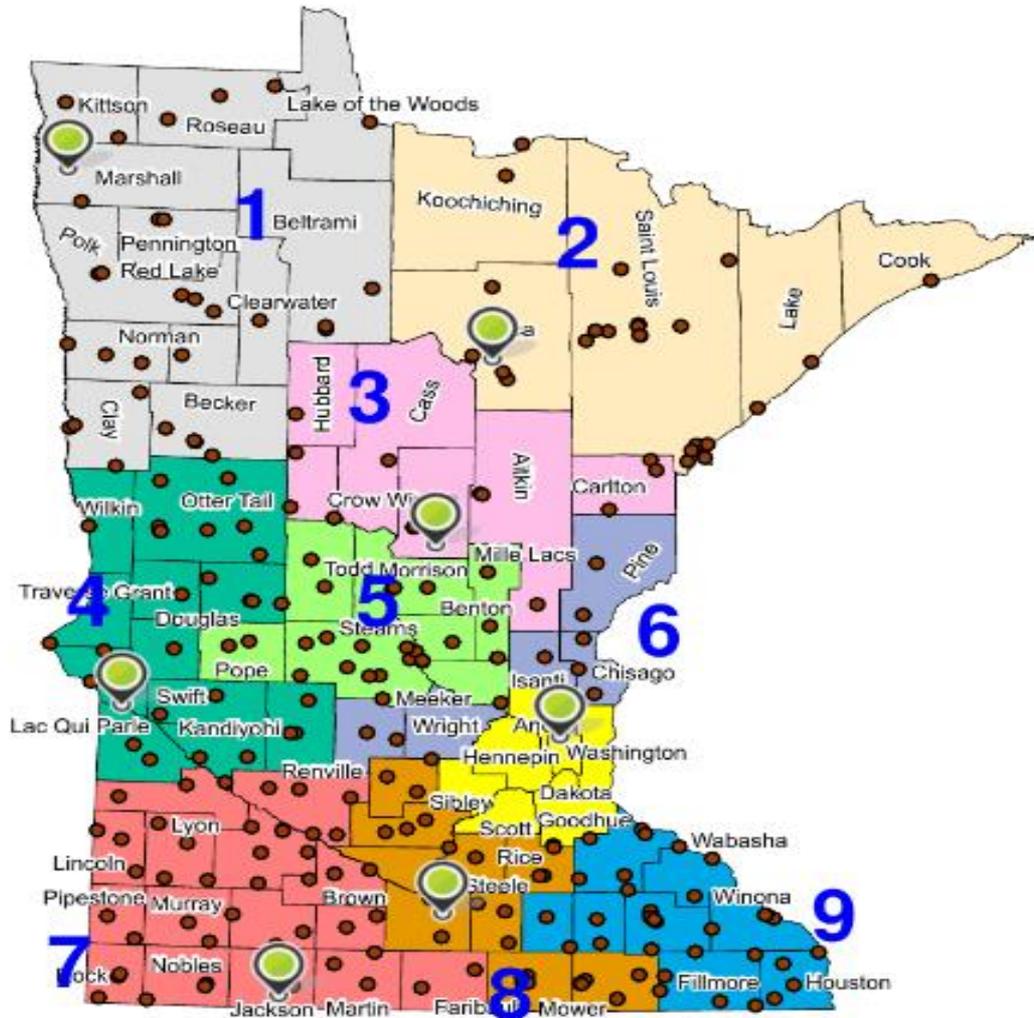
Case Examples

- Sexual Abuse in Northern Minnesota
- Financial Exploitation and Isolation in Southwest Minnesota

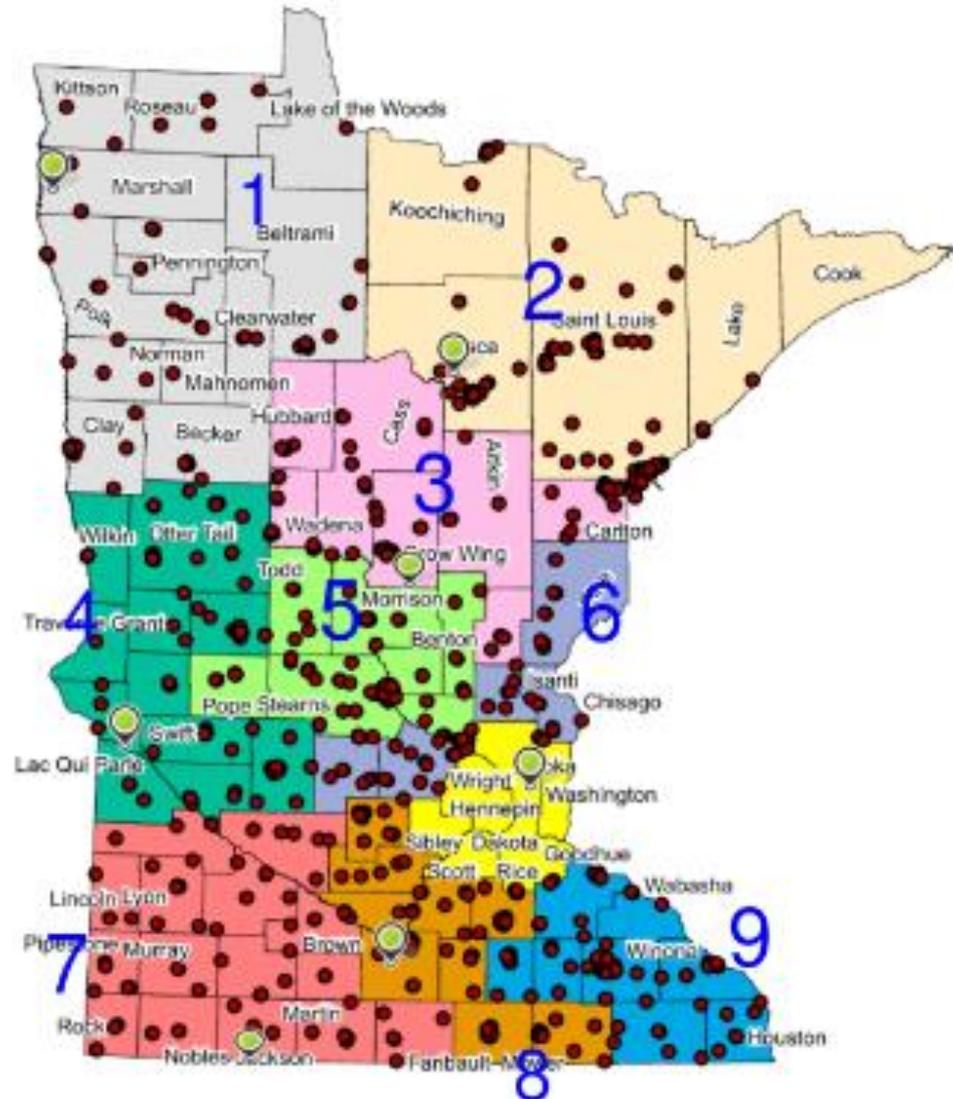
Minnesota Ranks Worst

- Minnesota is ranked 52/52 in Ombudsman Staffing
 - 1 regional staff/9,000 beds
 - Some regional assignments larger than 9 states

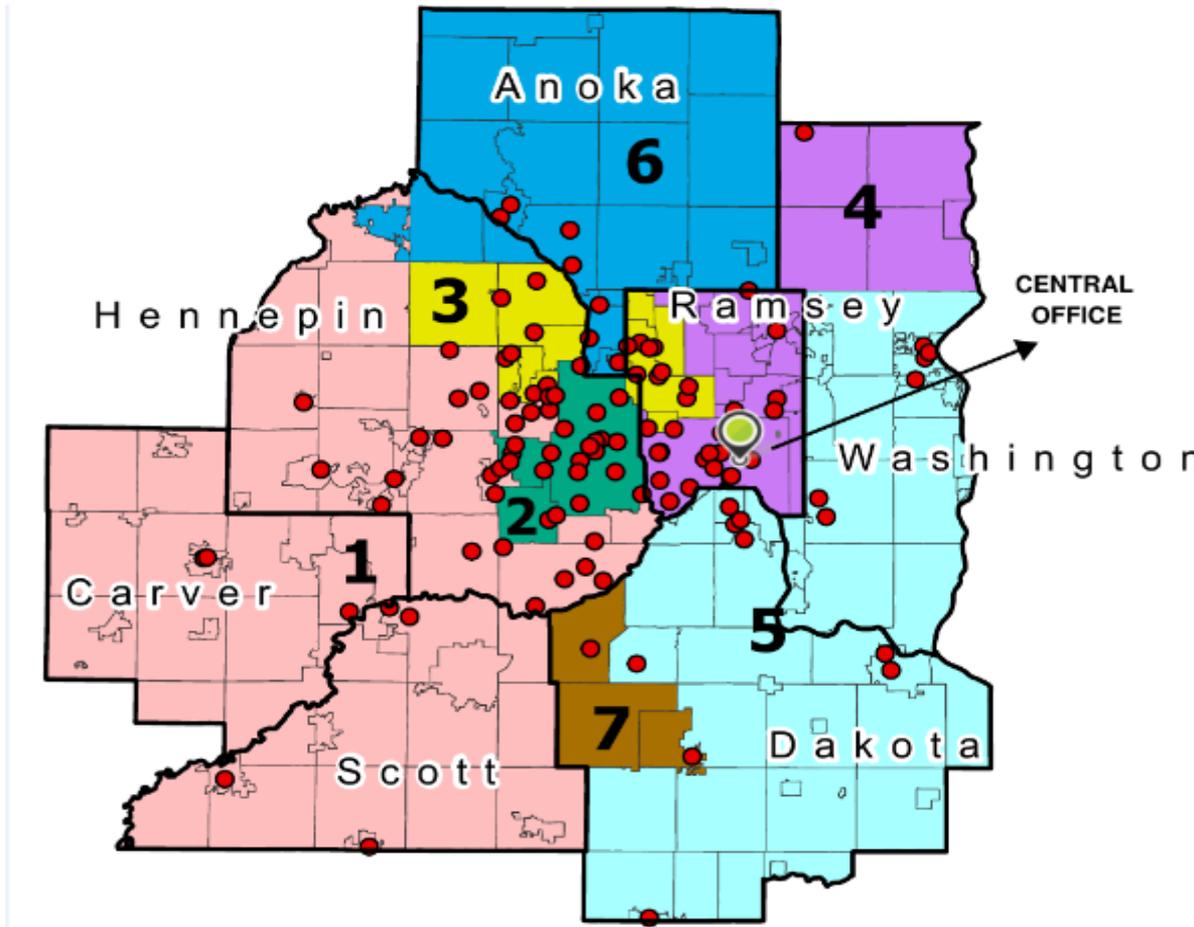
Nursing Homes by Region – Greater Minnesota



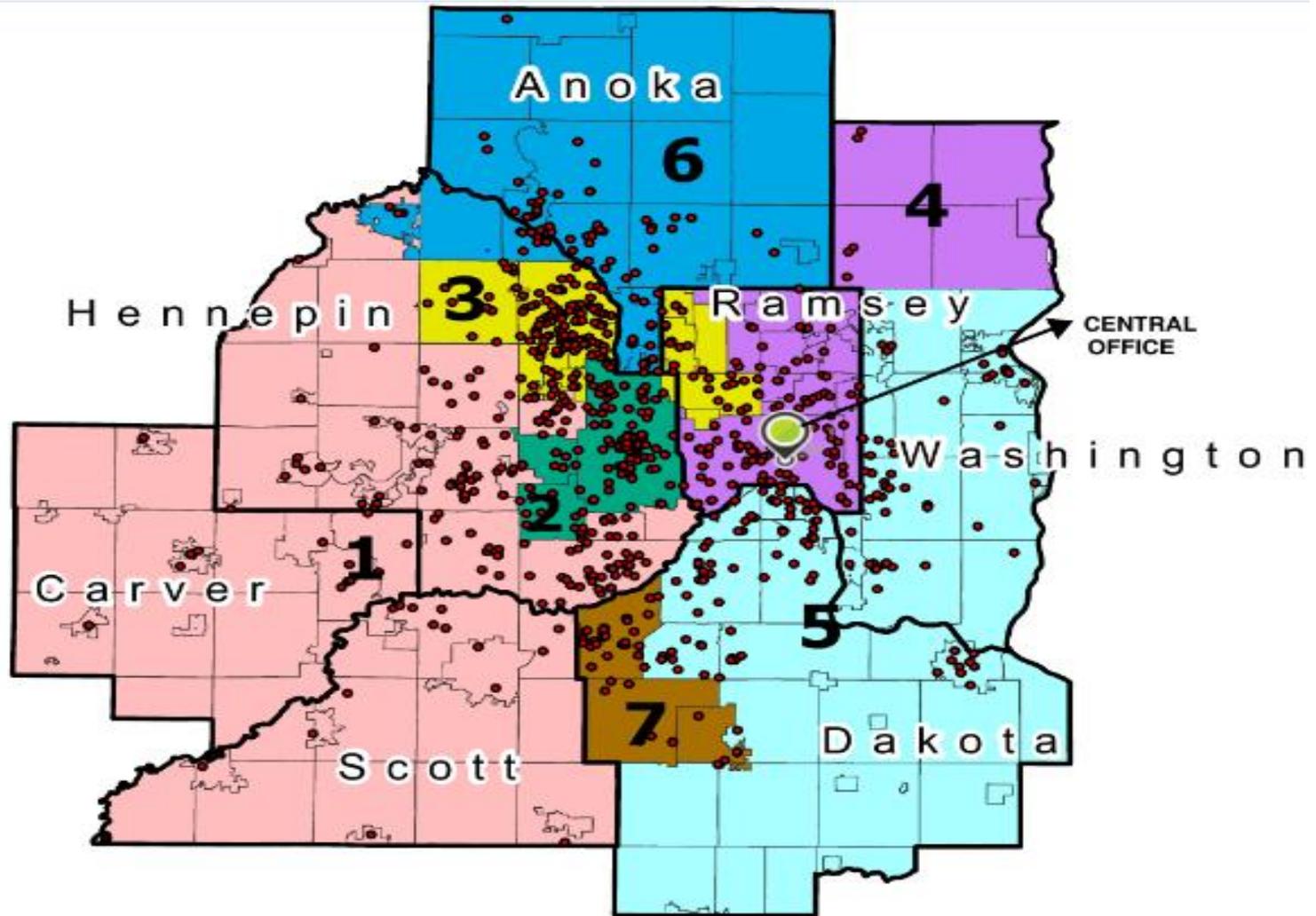
Assisted Living/HWS by Region – Greater Minnesota



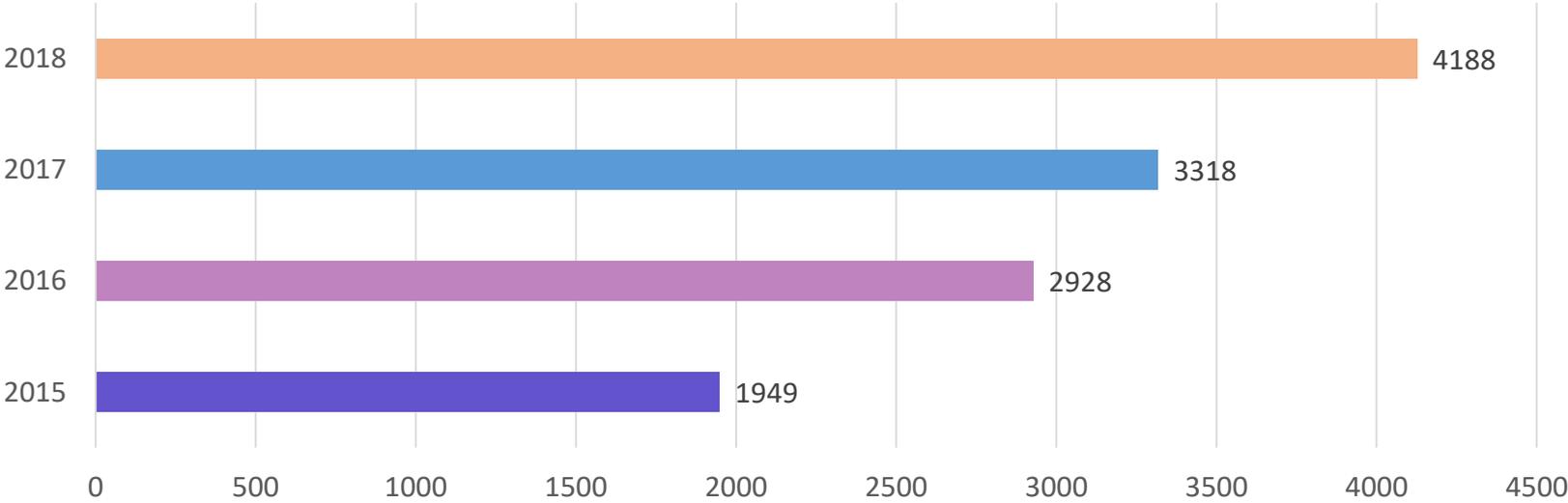
Nursing Homes By Region - Metro



Assisted Living/HWS by Region - Metro



Complaints to OOLTC Are Increasing



For More Information

Please Contact:

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