

# Kansas Department on Aging Fact Sheet

## Long Term Care Basics

### **Do you need more care than can be provided at home?**

A nursing home is a residence that provides a room, meals, medical services, recreation activities and supervision of residents. There are other types of facilities that provide lesser levels of care.

If you are having trouble determining if nursing home care is needed, consider the following questions:

- 1) Are there community based services available in your area?
- 2) Can family, friends or other concerned individuals help?
- 3) Are there adjustments that could be made to the home that could ease the care giving burden?
- 4) Would it be easier to manage in a different type of residence such as an assisted living facility, board and care home or subsidized senior housing?

Contact your Area Agency on Aging for information on resources available to help you make this decision.

A Client Assessment, Referral and Evaluation (CARE) assessment will evaluate whether a nursing home is the appropriate place of residence. The assessment will also inform you about the availability of community services that could provide assistance. To request a CARE assessment, contact your Area Agency on Aging. If the person to be assessed is in the hospital, hospital personnel may be able to perform the assessment.

### **How do you select a nursing home?**

Consider the location first. Travel distance for family members, friends and neighbors is important. The quality of care provided at the nursing home should also be considered and investigated. Visit several nursing homes. Make a scheduled visit and talk with the administrator and staff. Gather financial information, availability and ask a lot of questions. You can also get a guided tour. After you have narrowed your search, make an unannounced visit. Use your eyes, ears and nose as a guide. Is the facility clean and well kept? Do the residents seem alert and involved? Do residents respond positively to staff members? Do meals appear to be tasteful and attractive? Is there a variety of activities available?

### **Some questions to consider:**

- Have you checked the most recent state survey or the new 5 Star rating?
- Does the facility currently have vacancies?
- If there are no vacancies, is there a waiting list for admission?
- What is the average time before an applicant is admitted after being put on the waiting list?
- Does the facility accept Medicaid?
- What training programs are offered to the staff?
- Are there extra charges for medical supplies that may not be covered?
- Are there extra services available upon request and what are the additional costs involved? Some examples could include hair cuts, cable television or telephones.

- If the nursing home is in a continuum of care community, do residents living in other parts of the community take precedence over applicants from outside in gaining admission to the nursing home?

The Kansas Department on Aging licenses Medicare and Medicaid facilities in Kansas. Inspections are made to ensure that state and federal rules and regulations for long term care facilities are followed. This inspection is called a "survey." Each facility should have available a copy of the latest survey report. It will show any problems identified at the last inspection. If problems were identified, there should also be a plan of correction showing how the facility addressed those issues. Look for ongoing or reoccurring issues. Surveys can be found at the facility in a common area. If you do not find it, ask facility staff if you can see it. Copies can be obtained from the Kansas Department on Aging, but there will be a copy charge. Some of the documents can be lengthy. Information is also available on the [www.medicare.gov](http://www.medicare.gov) web site in the nursing home compare pages.

### **How do you pay for the nursing home?**

Once you have selected a nursing facility, financial arrangements must be completed prior to admission. Make sure you understand what services the basic monthly fee covers and what services must be paid for separately. All financial arrangements should be in place prior to admittance.

Medicare may pay for skilled nursing or rehabilitation services under certain limited conditions. A doctor must certify the need, the patient must have been in a hospital for at least three days and the patient must be placed in a Medicare certified skilled care facility. If these criteria are met, Medicare will pay the first 20 days in full; days 21-100 require a co-payment by the resident.

For a long-term stay, a resident may be able to privately pay for care, either through a long term care insurance policy or directly from current income or assets. Long term care insurance is provided by private insurance carriers and is not a government program. This would not be an option at the point of nursing home placement.

**Long Term Care Insurance** - Does the resident have a policy that will help pay for a nursing home or other care facility? Check the policy to see what the exact coverage is and what activates the policy.

**Personal Resources** - How much income and/or personal resources such as savings and checking accounts, certificates of deposit or any other investments will be available to pay for the nursing home?

Medicaid is the federal and state program that can pay for nursing home care when a person is determined financially and functionally eligible. The CARE assessment completed by the Area Agency on Aging is used to determine functional eligibility. The Kansas Department of Social and Rehabilitation Services (SRS) determines Medicaid financial eligibility, exempt resources and allowable expenses. Typically a person must be low income and have very few assets or resources to be eligible for Medicaid. Assets and/or resources can not be gifted or given away within five years prior to going into a nursing home. Penalties may apply if this has occurred.

Once on Medicaid, the resident's monthly income (from Social Security, pensions, etc.) is applied to the nursing home cost, and Medicaid pays the difference owed to the facility. Nursing home residents are allowed to keep \$62 per month of their monthly income for personal expenses.

If there is a spouse remaining at home, a Division of Assets may safeguard some of the assets for the spouse still at home. Call the Kansas Department on Aging at 800-432-3535 for the brochure, Questions and Answers on Spousal Impoverishment. It is also available on line at [www.agingkansas.org/Publications/Publication\\_Index.htm](http://www.agingkansas.org/Publications/Publication_Index.htm).

## **How do you ensure good care once admitted to a nursing home?**

In nursing homes, the care each resident receives is directed by a “care plan.” The care plan is based on an assessment of the individual needs and problem areas. The plan sets care and management goals and identifies how nursing, dietary, social service and other staff will handle each of the areas.

It is important to know the staff and how the facility operates. Build a respectful relationship with staff so that when problems arise you will be familiar with those who provide the care and those who are in charge. When a problem arises, ask for a meeting with the Social Worker and Director of Nursing. Present your concerns and discuss the care issues. If the concerns involve serious care issues, neglect or abuse and are not resolved, call the Kansas Department on Aging complaint line at 800-842-0078.

If you need an advocate on a nursing home issue, the Kansas Long Term Care Ombudsman Program may also be able to provide assistance. They work on behalf of people who reside in nursing homes and can often mediate solutions that are acceptable to both parties. Their toll-free telephone number is 877-662-8362.

## **Is legal advice necessary?**

Whether going into a nursing home or not, a Durable Power of Attorney for Health Care (DPOA) is important for everyone. This allows a trusted family member or friend to make medical or health care decisions when a person can no longer do so. In some cases it may be necessary for the family to seek guardianship through the court system if a DPOA has not been prepared beforehand. Making this choice ahead of time assures that you will decide who is to have the power of attorney, not a court of law.

Other documents to consider are a Living Will, Do Not Resuscitate (DNR) order and financial power of attorney. Samples of these documents are available in the Resource Guide for Seniors from the Kansas Department on Aging. When going through the Division of Assets process, you may wish to consult an attorney. If over age 60, the Kansas Elder Law Hotline at 888-353-5337 or your local Senior Citizens Law Project may be able to provide assistance with legal issues.

## **What rights does a person have in a nursing home?**

Residents in nursing homes continue to have important legal rights. Nursing homes are required to provide care that promotes the highest quality of life, to treat residents with respect and dignity, maintain their right to privacy and freedom of choice, and to be free from physical and mental abuse. As a new resident you should receive a copy of these rights. If you think your rights are being violated, contact KDOA at 800-842-0078.

A nursing home can discharge a resident under certain conditions. The nursing home can require the resident to leave if the nursing home is unable to meet the resident’s needs, if other individuals’ health and safety is endangered by the resident or if the resident fails to pay for services. However, 30 days notice is required and a family member or legal representative must be notified unless an emergency situation exists. Do not ignore a 30 day notice. Immediately begin the process of finding another nursing home or resolving the issue.

**In conclusion** - Making the move to a nursing home is a difficult decision for both the new resident and the family. Thorough investigation of the available choices is important. Maintaining the highest quality of life possible should be everyone’s goal. Family and friends need to continue to be involved in the life of the new resident, both for companionship and to oversee care issues. Relationships with nursing home staff is one of the most important aspects of quality care.

## Contact Numbers and web sites:

Area Agencies on Aging		<a href="http://www.agingkansas.org/aaa/AAA_index.htm">www.agingkansas.org/aaa/AAA_index.htm</a>
Attorney General's Office	800-432-2310	<a href="http://www.ksag.org">www.ksag.org</a>
Kansas Advocates for Better Care	877-776-1541	<a href="http://www.kabc.org">www.kabc.org</a>
Kansas Department on Aging Complaint Hotline	800-842-0078	
Kansas Department on Aging	800-432-3535	<a href="http://www.agingkansas.org">www.agingkansas.org</a>
Kansas Dept. of Social and Rehabilitation Services	877-369-4777	<a href="http://www.srskansas.org">www.srskansas.org</a>
Kansas Dept. of Social and Rehabilitation Services Adult Protective Services	800-922-5330	
Kansas Elder Law Hotline	888-353-5337	
Kansas Insurance Department	800-432-2484	<a href="http://www.ksinsurance.org">www.ksinsurance.org</a>
Kansas Long Term Care Ombudsman	877-662-8362	<a href="http://www.kansasombudsman.ks.gov">www.kansasombudsman.ks.gov</a>
Medicare-Nursing Home Compare	1-800-Medicare	<a href="http://www.medicare.gov/NHcompare">www.medicare.gov/NHcompare</a>

## Brochures:

Division of Assets; Resource Guide for Seniors; Caregivers Guide; Explore Your Options;  
How to Select a Special Care Unit; Mental Health Guide  
[www.agingkansas.org/Publications/Publication\\_Index.htm](http://www.agingkansas.org/Publications/Publication_Index.htm) or 1-800-432-3535

Family Guide to Long-Term Care Placement: Optimizing Relationships,  
[www.k-state.edu/peak/PDFfiles/familyresource.pdf](http://www.k-state.edu/peak/PDFfiles/familyresource.pdf)

Guide to Choosing a Nursing Home; Medicare Coverage of Skilled Nursing Facility Care;  
Medicare and You  
[www.medicare.gov](http://www.medicare.gov) or 1-800-633-4227

Long-Term Care Insurance, Medicare Supplemental Insurance Shopper's Guide  
[www.ksinsurance.org](http://www.ksinsurance.org) or 1-800-432-2484

*The Kansas Department on Aging (KDOA) does not discriminate on the basis of race, color, national origin, sex, age or disability. If you believe you have been discriminated against by either KDOA or a KDOA funded program, please contact KDOA to receive additional information on filing a complaint: 1-800-432-3535 (voice); 1-800-766-3777(TTY).*