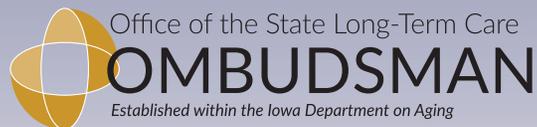


## Residents' rights include, but are not limited to:

- Being treated with respect and dignity
- Being free from abuse and chemical and physical restraints
- Participating in one's own care and treatment
- Being ensured information is being kept confidential
- Managing one's own finances
- Being free to voice grievances, without fear of retaliation
- Being able to associate and communicate privately with any person
- Being able to send and receive personal mail
- Making independent choices
- Being able to apply for state and federal assistance without discrimination
- Being informed of rights, services available and all charges prior to admission
- Being given advance notice of a transfer or discharge

**Your State and Local Long-Term Care  
Ombudsmen can be reached at:**

**866.236.1430**



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510 E. 12th Street, Ste. 2  
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# RESIDENTS' Rights





## Reasons to call your Long-Term Care Ombudsman

- To ask for assistance resolving a concern in a long-term care facility, including elder group homes, nursing or residential care homes and assisted living programs;
- To ask someone to investigate complaints and work to resolve those complaints to the satisfaction of the resident or tenant;
- To obtain information and assistance about a certain topic, such as how to choose a long-term care facility, discharge planning or daily life in the facility;
- To learn more about the rights of people living in a long-term care setting;
- To clarify state or federal regulations and facility policies;
- To seek assistance with the involuntary discharge process;
- To learn about available resources; or
- To request a speaker.

## Ensuring the rights of residents/tenants in Iowa

Iowa's Office of the State Long-Term Care Ombudsman is charged with advocating for the rights and wishes of residents and tenants in long-term care.

Resident rights are guaranteed by the federal Nursing Home Reform Law of 1987, which requires nursing facilities to promote and protect the rights of each resident and places a strong emphasis on individual dignity and self-determination.

Iowa has incorporated these rights into state law for residents and tenants who live in nursing homes, assisted living programs, residential care facilities and elder group homes.

## How can your Long-Term Care Ombudsman help you?

The State Long-Term Care Ombudsman has the legal authority to:

- Help residents, tenants and their families and friends understand and exercise their guaranteed rights;
- Investigate and resolve complaints made by, or on behalf of, residents and tenants;
- Provide information and assistance to tenants, residents and family members; and
- Coordinate the Volunteer Ombudsman Program (VOP). VOP volunteers serve as the eyes and ears of residents by conducting visits to monitor assigned long-term care facilities across Iowa.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## Protect yourself from identity theft

- Destroy old financial statements, documents, credit card offers, unused credit cards and credit card convenience checks.
- Keep personal identification cards (driver's license, Social Security card, Medicaid or Medicare card) in a safe place or with someone you really trust.
- Store financial statements, credit cards, debit cards, checks, etc. in a secure location and only carry them with you when needed.
- Only provide personal or medical information to those asking when you know who they are and why they are asking.
- Beware of "free" offers for products or services that require you to provide a Social Security number, credit card information, insurance plan number, etc.
- Check monthly statements and get an annual credit report at [www.annualcreditreport.com](http://www.annualcreditreport.com) or by calling 877.322.8228.
- Keep a list of all your credit cards with account number, expiration date and telephone number of the customer service department in a secure place.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What should I do if I suspect financial exploitation?

- Contact the Iowa Department of Human Services (800.362.2178) to report financial exploitation of an individual living in the community.
- Contact the Iowa Department of Inspections and Appeals (877.686.0027) when reporting financial exploitation of an individual living in a long-term care facility, assisted living program, etc.
- Contact the Iowa Department on Aging (800.532.3213) for additional information on elder abuse, neglect and financial exploitation.
- Contact the Iowa Office of the Attorney General (888.777.4590) for additional information on crime victims' assistance, consumer protection and the financial crimes task force.



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# FINANCIAL Exploitation





## Financial exploitation and older adults

Financial exploitation is the unauthorized and illegal use of an individual's funds, property or resources and includes identity theft. An increasingly prevalent problem throughout the United States and Iowa, financial exploitation can be committed by a family member, friend, neighbor or a complete stranger.

Everyone is at risk of being financially exploited, but older adults are particularly vulnerable, as they often are targets of scams or depend on someone else to manage their resources.

The best way to protect yourself and those you love against financial exploitation is to be aware and guard against it through preparation.

## What is identity theft and what are the warning signs?

Identity theft occurs when a person uses someone else's personal information (name, Social Security number, Medicaid or Medicare number, credit card, etc.) without permission. Individuals may be targeted through personal contact, phone calls, mail or email. Warning signs that you or your loved one may be the victim of identity theft include:

- Discovering missing money or resources
- Noticing financial activity that is inconsistent with the individual's financial history
- Having no recollection of making financial transactions or signing paperwork
- Receiving threats of harm, neglect, restriction of visitors or abandonment if agreement to financial demands is not given
- Appearing neglected or not seeming to have money

## Guard yourself against financial exploitation

- Never deal with someone who is unwilling to answer your questions or does not allow you time to confirm answers with other sources.
- When purchasing a financial product or any type of service, ask the person if they are licensed or registered, ask for their number and confirm it with the appropriate entity.
- When making a financial decision, including loaning money, insist on documentation to record the transaction, even if it is between family members.
- If you are feeling pressured, tell the person that you won't make decisions without talking to someone else first – your accountant, lawyer or a family member.
- It is your right to say "no" and you are free to hang up, leave the situation or tell someone to leave. If you are concerned for your safety, do not ever be embarrassed to call the police.
- If you are too embarrassed to mention it, nervous about voicing your concerns or reluctant to ask questions, it's a good sign that you need to give a decision more thought.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What can a financial power of attorney do?

On your behalf, a financial power of attorney may have the authority to:

- Use your assets to pay your everyday expenses
- Buy, sell, maintain, pay taxes on and mortgage real estate and other property
- Transfer property to a trust you've already created
- Collect income
- Handle transactions with banks and other financial institutions
- Manage your retirement accounts
- Invest your money in stocks, bonds and mutual funds
- Buy and sell insurance policies and annuities
- File and pay your taxes
- Operate your small business
- Claim property you inherit or to which you are otherwise entitled
- Hire someone to represent you in court

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

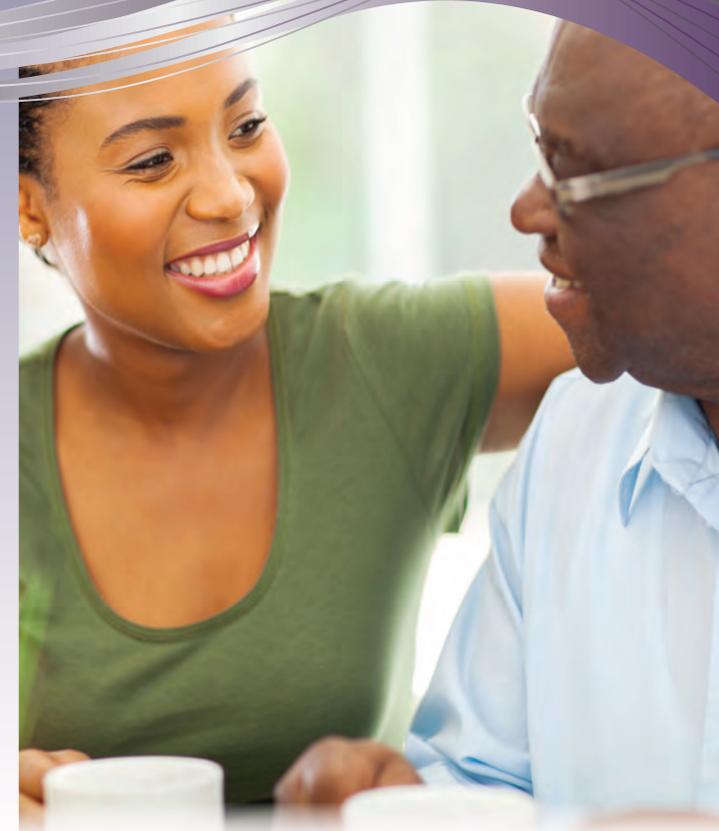


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# FINANCIAL Power of Attorney





## What is a financial power of attorney?

A financial power of attorney (FPOA) is a document authorizing someone else (**an agent**) to manage your finances on your behalf if you (**the principal**) become incapacitated and are unable to make financial management decisions for yourself.

Your FPOA can be a great blessing for your family. If you become unable to decide for yourself and you have not prepared a financial power of attorney, a court proceeding will likely be required before a loved one will be able to assume authority over at least some of your financial affairs.

Your FPOA can be drafted to go into effect as soon as you sign it or it can become effective at a later date or only in the case that a physician certifies that you have become incapacitated.

## Who should I choose to serve as my agent?

The agent is the person who will be managing your finances, so it is important to choose someone who will not abuse or exploit this power, will listen to and follow your wishes and will look out for your best interests. You may also designate a successor agent who can take over if your original agent is unable or unwilling to serve.

There are a variety of financial management actions an agent can be authorized to take on behalf of a principal, but you may pick and choose what authority you wish to grant to your agent. Above all, your agent is required:

- To act in your best interests;
- To act in good faith; and
- To act only within the scope and authority granted in the power of attorney.

## How do I enact or revoke a financial power of attorney?

To create a legally valid FPOA, all you need to do is properly complete and sign a fill-in-the-blanks form in front of a notary public. The person named as your agent and any person named as a successor agent should receive a copy. It is also wise to share a copy with your financial institution(s) and, if your agent will have authority to deal with your real estate, you must file a copy of the document at the office of the county recorder where the property is located.

Iowa law permits you to revoke a financial power of attorney as long as you are mentally competent. The revocation should be communicated to the agent(s) named in the document and any financial institutions.

Iowa law also permits the court to review the actions of your agent if wrongdoing is suspected. An agent found to have violated their responsibilities may be ordered to pay the amount required to restore your property and may also be ordered to pay the attorney's fees and costs paid on your behalf.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What can a health care power of attorney do?

The attorney-in-fact is permitted to make only health care-related decisions on your behalf. In exercising this authority, the attorney-in-fact must act consistently with your desires (as stated in the HC-POA document).

The attorney-in-fact also must act in accordance with any limitations in the HC-POA document and with any statement you have made regarding your desires.

Some decisions attorneys-in-fact may make on your behalf include:

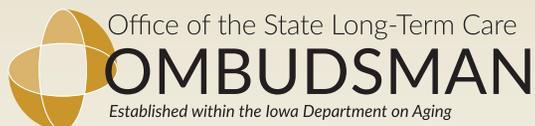
- Whether to consent, refuse or withdraw consent to any care, procedure, treatment or service;
- Whether to permit, refuse or withdraw permission to participate in federally funded research related to any condition or disorder;
- Whether to withhold or withdraw life-prolonging treatment, including artificial nutrition and hydration; or
- Whether to authorize an autopsy or tissue/organ donation upon your death.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

# 866.236.1430

A Health Care Power of Attorney form is available from the Iowa State Bar Association ([www.iowabar.org](http://www.iowabar.org)).

# HEALTH CARE Power of Attorney



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## How do I enact or revoke a health care power of attorney?

To create a legally valid HC-POA, all you need to do is properly complete and sign a fill-in-the-blanks form in front of a notary public or two witnesses. The person named as your attorney-in-fact should receive a copy. It is also wise to give a copy to your health care provider(s) to place in your medical record.

Iowa law permits you to revoke your HC-POA at any time and in any manner. The revocation should be communicated to the attending physician and other health care providers, the attorney-in-fact and any successor attorney-in-fact.

Your HC-POA will terminate upon your death; however, you do have the option to sign a Final Disposition Declaration and designate someone to make final decisions concerning your remains and the ceremonies planned after your death. This document must be either included within your HC-POA or in a document attached to your HC-POA.

## What is a health care power of attorney?

A health care power of attorney (HC-POA) is a document authorizing an attorney-in-fact (**your designated agent**) to make health care decisions on your behalf if you (**the principal**) are unable, in the judgment of your attending physician, to make health care decisions.

Health care is defined as any care, treatment, service or procedure required to maintain, diagnose or treat a physical or mental condition. Through your HC-POA, you may authorize someone else to consent, refuse or withdraw consent to health care on your behalf.

In Iowa, you may also include a Living Will to document whether or not you wish to receive "life-sustaining procedures" if you become permanently comatose or terminally ill. The living will may be combined into the same form as the HC-POA.

## Who should I choose to serve as my attorney-in-fact?

The attorney-in-fact is the person who will be making health care decisions for you, so it is important to choose someone who will not abuse or exploit this power, will listen to and follow your wishes and will look out for your best interests. You may also designate a successor attorney-in-fact who can take over if your original attorney-in-fact is unable or unwilling to serve.

While it is possible to appoint multiple individuals to serve together as attorneys-in-fact, this method should be pursued with caution. If the individuals appointed to serve together do not agree, they may have to go to court in order to settle a disagreement.

Your HC-POA will become effective when your attending physician determines you are unable to make health care decisions on your own.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What is the difference between a living will and a DNR?

A living will and a "Do Not Resuscitate" (DNR) order are not the same thing. You may direct your physician to sign a DNR order if you do not wish to be resuscitated if your heart or breathing stops while you are in the hospital or a long-term care facility.

Resuscitation is a medical intervention that utilizes mechanical or artificial means to sustain, restore or supplant a spontaneous vital function. It may include, but is not limited to, chest compression, defibrillation or emergency drugs intended to sustain life.

If you are an adult with a terminal condition outside the hospital, you may also direct your physician to sign an "Out-of-Hospital Do Not Resuscitate" (OOH DNR) order. An OOH DNR would not apply if you needed emergency medical care due to a sudden accident or injury resulting from a motor vehicle collision, fire, etc. outside the scope of your terminal condition.

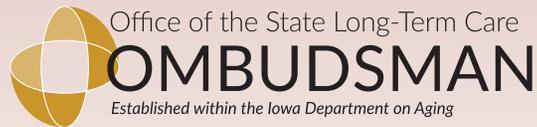
An OOH DNR order can be revoked at any time and in any manner, without regard to your mental or physical condition.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

A Living Will declaration form is available from the Iowa State Bar Association ([www.iowabar.org](http://www.iowabar.org)).

## CONSIDERING A Living Will



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## What is a living will?

A living will is a written declaration informing medical personnel whether certain life-sustaining procedures should be withheld or withdrawn if (1) you are in a terminal condition; and (2) you are unable to decide for yourself.

A terminal condition is defined as one that is incurable or irreversible and that, without the administration of life-sustaining procedures, will result in death or a comatose state from which there can be no recovery. The conclusion that a patient is in a terminal condition is made by an attending physician, confirmed by a second physician and noted in the medical record.

You (**the declarant**) may execute a living will declaration as a stand-alone document or you may include a living will within a health care power of attorney document. A living will can be revoked at any time and in any way by communicating the revocation to anyone who was aware that the living will existed.

## What is a life-sustaining procedure?

A life-sustaining procedure is any medical procedure, treatment or intervention that (1) uses mechanical or artificial means to sustain, restore or supplant a spontaneous vital function, and (2) serves only to prolong the dying process.

The following are not considered life-sustaining procedures:

- The provision of nutrition or hydration, unless it must be administered parenterally or through intubation
- Dialysis
- Blood transfusions
- The administration of medication or provision of any medical procedure deemed necessary to provide palliative care or to alleviate pain

## What if I do not have a living will?

Under Iowa's family consent law, treatment decisions (including the withholding or withdrawal of life-sustaining treatment) may be made by the persons listed below if (1) you have not executed a living will; (2) you are in a terminal condition; and (3) you are unable to decide for yourself:

- Attorney-in-fact (under a health care power of attorney)
- Guardian
- Spouse
- Child (if more than one, by a majority of those available)
- Parent(s)
- Adult sibling (if more than one, by a majority of those available)

Having a living will in place can help ensure your wishes are honored and avoid the possibility of having family members disagree about medical treatment decisions on your behalf.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## When is an involuntary discharge legal?

By law, a facility must permit residents to remain in the facility and not discharge them unless:

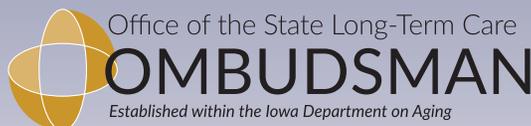
- The resident's health has improved sufficiently so he or she no longer needs the services provided by the facility;
- The safety of individuals in the facility is endangered;
- The health of individuals in the facility is endangered;
- The resident has failed, after reasonable and appropriate notice, to pay for a stay at the facility; or
- The facility ceases to operate.

Residents have the option to appeal an involuntary discharge within seven days after receiving notice through the Iowa Department of Inspections and Appeals.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

# 866.236.1430

# INVOLUNTARY Discharge from a Long-Term Care Facility



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## What is an involuntary discharge from an LTC facility?

An involuntary discharge from a long-term care (LTC) facility occurs when the facility provides a 30-day written notice to a resident informing him/her of the need to move out of the facility.

In rare situations, an emergency discharge notice is permitted if there is medical justification by the attending physician to show the facility is protecting the health, safety or well-being of other residents and staff. The facility will issue a written notice immediately and residents are typically discharged to a hospital in these situations.

The notice must set out the reasons for the transfer or discharge as well as state the effective date, location of transfer or discharge, statement of appeal rights and the contact information (name, address and telephone number) for the Office of the State Long-Term Care Ombudsman.

## Frequently asked questions about involuntary discharges

**Q:** My facility has mentioned the possibility of issuing a 30-day involuntary discharge notice. What can I do?

**A:** If you are concerned about an involuntary discharge, call the Office of the State Long-Term Care Ombudsman at 866.236.1430 and ask to speak with the discharge specialist. He or she can provide you with information about your rights and may be able to help you resolve the issues.

**Q:** I received an involuntary discharge (or emergency discharge) notice and I do not agree with this decision. What should I do?

**A:** You may appeal the decision within seven days after receiving the notice. To request a hearing, contact the Iowa

Department of Inspections and Appeals by calling 515.281.4115 or writing to the administrator at: Division of Health Facilities, Dept. of Inspections and Appeals, Lucas State Office Building, Des Moines, IA 50319.

The Office of the State Long-Term Care Ombudsman can also assist in filing the appeal.

**Q:** How do I prepare for a hearing? Can I get an attorney?

**A:** You have the right to be represented at the hearing by an attorney or any individual of your choice.

For information about your rights or to request assistance, contact the Office of the State Long-Term Care Ombudsman at 866.236.1430 and ask to speak with the discharge specialist.

You may also contact Disability Rights Iowa at 800.779.2502 for additional information about your rights.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## The importance of resident and family councils in nursing homes

Resident and family councils are vital to the operation of a nursing home, providing a voice for residents and their families. Resident and family councils provide an organized method of creating change, providing support and improving the quality of life for nursing home residents.

Because the Office of the State Long-Term Care Ombudsman works to resolve concerns made on or on behalf of residents living in long-term care facilities, it is a valuable resource for resident and family councils when it comes to providing information about:

- Residents' rights
- The role of resident and family councils in promoting residents' rights
- Ways resident and family councils can work with nursing home staff to identify problems and take action on issues impacting residents' quality of life
- How to organize and promote resident and family councils

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

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## RESIDENT & FAMILY Councils in Nursing Homes





## What is a resident council?

A resident council is an independent, organized group of residents who live in a nursing home and meet on a regular basis to promote and enhance the quality of life for all residents.

Resident councils create change, address quality of life and care issues, plan resident activities and discuss matters brought before the council. Specifically, resident councils:

- Permit members to actively participate in making choices regarding activities, meals, daily schedules, personal care and other aspects of resident life;
- Promote the quality of life and quality of care for all residents;
- Provide an opportunity for residents to discuss concerns in a safe setting; and
- Enhance communication and problem-solving between staff and residents.

## What is a family council?

A family council is a group of family members and friends of nursing home residents who work to maintain or improve the quality of life for nursing home residents.

Family councils can structure themselves, determine meeting schedules and assign duties as council members see fit. Family councils:

- Provide information to families of new residents about a variety of topics;
- Offer ongoing support to residents and family members;
- Enhance communication between family members and staff;
- Identify and resolve areas of concern that impact residents; and
- Work with nursing home staff to identify problems and take action on issues that impact residents' quality of life.

## Frequently asked questions

- Q:** Do nursing home staff members participate on resident councils?
- A:** Resident councils should operate independently without staff intervention. Staff members should attend the meetings only at the request of resident council members. However, the facility must designate a staff person to provide assistance and respond to written requests from the council.
- Q:** Can any nursing home have a family council?
- A:** Under federal law, family members of nursing home residents have the right to organize and participate in family councils. Facilities are expected to designate a staff person to assist in responding to requests and concerns; provide a private meeting space for the council; and listen to and act upon the council's grievances and recommendations concerning policies and decisions affecting residents' quality of life.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## Know your rights

Residents of long-term care facilities are entitled to many rights. These include, but are not limited to:

- Being treated with respect and dignity
- Expecting privacy and confidentiality
- Participating in the care planning process and making decisions about treatment
- Making personal choices, including when to go to bed, when to get up and what to eat
- Visiting with others
- Enjoying individual interests
- Expressing concerns without fear of reprisal
- Being fully informed about services and costs
- Being free from chemical and physical restraints, abuse, discrimination and neglect

All services provided by the Office of the State Long-Term Care Ombudsman are confidential and free of charge. Callers may remain anonymous.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

Through advocacy, self-empowerment, and education by the Long-Term Care Ombudsman Program, each resident or tenant in a long-term care facility will be treated with dignity and respect and will have his or her rights honored.

# LONG-TERM CARE Ombudsman



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## Reasons to Call Your Long-Term Care Ombudsman

- To ask for assistance resolving a concern in a long-term care facility, including nursing or elder group homes, assisted living programs or residential care facilities.
- To learn more about the rights of people living in a long-term care setting.
- To clarify state or federal regulations and facility policies.
- To learn more about your rights when you have a power of attorney, guardianship or conservatorship.
- To obtain assistance with the involuntary discharge or transfer process.
- To obtain information and assistance about a specific topic, such as how to choose a long-term care facility, care planning choices or daily life in a facility.
- To learn about other available resources, including community living options.
- To request a speaker.

### What does a Long-Term Care Ombudsman do?

The mission of the Office of the State Long-Term Care Ombudsman is to protect the health, welfare and rights of individuals residing in long-term care by investigating complaints, seeking resolutions to problems and providing advocacy, with the goal of enhancing quality of life and care.

In Iowa, the Office of the State Long-Term Care Ombudsman is charged with advocating for the rights and wishes of residents and tenants who live in nursing homes, assisted living programs, residential care facilities and elder group homes. All services provided are confidential and free of charge.

### How can your Long-Term Care Ombudsman help you?

Long-Term Care Ombudsmen can:

- Act as advocates for individuals residing in nursing or elder group homes, assisted living programs or residential care facilities;
- Investigate complaints made by, or on behalf of, residents and tenants;
- Serve as a resource for answers regarding long-term care rules and rights;
- Provide information, education, awareness, and training about long-term care options and residents' rights; and
- Promote policy changes to improve the quality of life for individuals in long-term care.

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What services does the Elderly Waiver program cover?

Medicaid HCBS Elderly Waiver services may include the following:

- Adult day care
- Assistive devices
- Assisted living (on-call)
- Case management
- Emergency response systems
- Home and vehicle modifications
- Home-delivered meals
- Home health care
- Homemaker services
- Mental health outreach
- Nutritional counseling
- Respite care
- Transportation

Access to these services (and more) is available to those who are not Medicaid-eligible, as well. For more information, call LifeLong Links at 866.468.7887 or visit [www.lifelonglinks.org](http://www.lifelonglinks.org).

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

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# MEDICAID HCBS Elderly Waiver Program



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## What is the Medicaid Elderly Waiver program?

The Medicaid Home and Community Based Services (HCBS) Elderly Waiver program provides assistance to qualified individuals who are 65 or older and prefer to stay in their own home or another community setting when needing long-term health care services.

Elderly waiver services are based on an individual's needs and are coordinated by a case manager. A service plan may include assistance with cleaning, shopping, medication management, transportation, meals or other tasks. Funding to pay for home modifications (such as adding an accessible wheelchair ramp), a home-delivered meal service or a personal emergency response system might also be available.

## What are the benefits of the Elderly Waiver program?

The Elderly Waiver program provides services and support to older lowans who are medically qualified for the level of care provided at a nursing facility but do not wish to live in a nursing home. The program allows older lowans to age in environments that are familiar and comfortable, while saving money from expensive nursing home costs.

The program also provides individuals with a degree of freedom in terms of what type of care they require and from whom they receive that care, meaning they can hire friends, neighbors and even some family members to provide care, if they so choose. They can also choose to receive attendant care from an assisted living provider.

## Who is eligible for the Elderly Waiver program?

In order to meet eligibility requirements for the Elderly Waiver program, an individual must be:

- An Iowa resident and United States citizen (or a person with legal entry);
- 65 years of age or older;
- In need of a nursing facility or skilled level of care, as determined by an assessment; and
- Eligible for Medicaid.

Medicaid provides medically necessary health care coverage for low-income individuals. Single applicants must have income less than 300% of the federal poverty level (in 2014, this was less than \$2,163/month). There is also a countable asset limit of \$2,000, excluding an applicant's home, car and certain other items. A married applicant whose spouse is not applying has increased flexibility, as he or she can allocate some of their income and assets to the non-applicant spouse.

For more information about Medicaid, call LifeLong Links at 866.468.7887 or visit [www.lifelonglinks.org](http://www.lifelonglinks.org).

**Your State and Local Long-Term Care Ombudsmen can be reached at:**

**866.236.1430**

## What does a volunteer long-term care ombudsman do?

The Volunteer Ombudsman Program places volunteers in long-term care facilities across Iowa to assist the state's team of Local Long-Term Care Ombudsmen carry out the duties of the Older Americans Act of 1965.

Once trained and certified, volunteer ombudsmen:

- Spend a minimum of three hours per month in unannounced, varied visits to residents at a long-term care facility;
- Observe, listen to, interact with and empower;
- Identify concerns and monitor progress toward resolution;
- Observe general conditions of a long-term care facility;
- Provide follow-up visits on cases investigated by Local Long-Term Care Ombudsmen;
- Attend Resident and Family Council meetings at the request of council members; and
- Provide general information to residents and families.

**For additional information, contact the VOP Coordinator at:**

**866.236.1430**  
**volunteervop@iowa.gov**

Through advocacy, self-empowerment, and education by the Volunteer Long-Term Care Ombudsman Program, each resident in a long-term care facility will be treated with dignity and respect and will have his or her rights and wishes honored.

# Volunteer OMBUDSMAN PROGRAM



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## What is a long-term care ombudsman?

The Office of the State Long-Term Care Ombudsman (OSLTCO) works to protect the health, safety, welfare and rights of individuals residing in long-term care by investigating complaints, seeking resolutions to problems and providing advocacy, with the goal of enhancing quality of life and care.

In Iowa, the OSLTCO employs the State Long-Term Care Ombudsman and a team of Local Long-Term Care Ombudsmen to advocate on behalf of more than 54,000 residents and tenants who live in nursing homes, assisted living programs, residential care facilities and elder group homes. As a result, the OSLTCO depends on dedicated volunteers to assist in their local communities.

## How can I advocate on behalf of long-term care residents?

The OSLTCO coordinates the Volunteer Ombudsman Program (VOP) to train and certify individuals who are interested in listening, empowering and serving as a voice for long-term care residents.

The goal of the VOP is to place a volunteer in each of the state's long-term care facilities in order to ensure residents' rights are being promoted and protected across Iowa.

Unlike facility volunteers, VOP volunteers do not assist residents with daily activities. Rather, they are responsible for making several unannounced visits to a specific facility each month to talk to residents and family members and identify concerns.

## What are the requirements for VOP volunteers?

To become a certified VOP volunteer, you must:

- Be 18 years of age or older;
- Complete an application that includes a conflict of interest form;
- Complete a pre-screening phone interview;
- Attend a classroom training as well as pre- and post-training assignments;
- Pass criminal history and abuse registry checks conducted by the State;
- Complete a post-training consultation; and
- Complete a facility orientation with the Local Long-Term Care Ombudsman.

To maintain VOP certification, you must:

- Complete continuing education hours (10 hours in year one, six hours every year thereafter);
- Abide by program policies and procedures;
- Consistently complete facility visits and monthly reports; and
- Apply for recertification.

**For additional information, contact the VOP Coordinator at:**

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**volunteervop@iowa.gov**



# LONG-TERM CARE Choices

## Choosing a long-term care option

Consumers today have many choices when it comes to considering long-term care – whether they wish to remain in their home or community or move into an assisted living program or nursing home.

Choosing a long-term care option that best fits your individual situation can depend on the level of care you need, your location preferences, your lifestyle needs and your ability to pay.

The best time to begin exploring your options is long before the need arises. That way, you can communicate your preferences to your loved ones and create a plan that meets your needs as well as your wishes.

## Home and community- based services

Home and community-based services provide opportunities for individuals to receive services and supports in their own home or community. Services may include assistance with cleaning, shopping, medication management, personal care, transportation, meals or other tasks.

For low-income older Iowans, many of these services are available through the Medicaid Home and Community Based Services (HCBS) Elderly Waiver program. Home and community-based services are also available to those who are not Medicaid-eligible.

To learn more about services and supports in your community, call LifeLong Links at 866.468.7887 or visit [www.lifelonglinks.org](http://www.lifelonglinks.org).



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## Assisted living programs

Assisted living programs (ALPs), which stress independence, autonomy, quality of life and the freedom to make decisions, are a popular choice among aging adults.

In Iowa, ALPs are required to be certified by the state; however, rules are much less restrictive than those for nursing homes. Tenants typically are required to sign contracts, called occupancy agreements, and are responsible for monthly charges that are calculated based on the level of care they receive.

ALP tenants generally receive at least one meal per day, minimal personal care assistance and access to recreational activities in an apartment-like setting with common areas for meals and activities. ALPs are usually staffed by universal

workers who have been trained by the nurse in charge to work in more than one department. Some ALPs also provide dementia-specific care for tenants who have Alzheimer's Disease or a related dementia.

Almost all ALPs in Iowa only accept private pay; however, there are a few that accept assistance through the Medicaid HCBS Elderly Waiver program. Some long-term care insurance policies also have provisions for assisted living.

When considering an ALP, visit the facility during different times of the day and observe the interactions between the staff and tenants. You may also wish to talk to the tenants to see what their level of satisfaction is with the overall assisted living experience.

## Nursing homes

Nursing homes are generally the most institution-like settings; however, there is a nationwide movement referred to as "person-directed care" that encourages nursing home residents to exercise their preferences in their daily routines and care. The provision of individualized care through a person-directed care plan leads to increased resident satisfaction.

In Iowa, nursing homes are required to be certified with the state and are regulated by the Iowa Department of Inspections and Appeals. Nursing care is required to be provided by a licensed and certified nursing staff and costs typically include meals, therapy, recreational activities, social services, housekeeping, laundry and maintenance services.

Nursing homes accept many different forms of payment for care, including:

- Private pay
- Long-term care insurance
- Medicaid
- Veterans benefits
- Medicare

When considering a nursing home, visit several facilities and ask questions related to how residents' rights are promoted and protected; how many staff members work each shift and the ratio of staff to residents; and whether the nursing home has a special unit for residents with Alzheimer's, dementia or other specialized memory care needs.

## The Iowa Veterans Home

The Iowa Veterans Home in Marshalltown provides long-term care to Iowa's veterans and their spouses in a unique environment dedicated to those who have served.

Those eligible include honorably discharged veterans, their spouses and/or widowed spouses who demonstrate either medical or financial need and meet Iowa residency and admission requirements.

In addition to skilled, 24/7 medical and nursing care, the Iowa Veterans Home provides rehabilitative care, physical and occupational therapy, audiology and speech therapy and mental health services.

Residents enjoy many on- and off-site recreational opportunities, as well as a number of activities and special events. For more information, call the Iowa Veterans Home at 800.645.4591 or visit <http://ivh.iowa.gov>.

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## Payment option: Veterans benefits

In Iowa, veterans have some unique long-term care options. The Department of Veterans Affairs (VA) often contracts with community nursing homes to provide care to veterans. Additionally, the Iowa Veteran's Home in Marshalltown is a state-operated facility that serves veterans and their spouses.

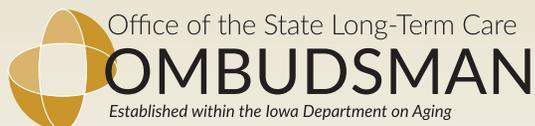
Veterans benefits may help pay for long-term care expenses at these facilities. In order to determine if you qualify for the VA to pay for your nursing home stay, talk with your VA social worker about the eligibility requirements. You may also call the Veterans Crisis Line for more information at 1.800.273.8255 (press 1).

Both veterans and their spouses also may qualify for the Aid and Attendance program through the VA. If the veteran or spouse is in regular need of another person's aid or attendance, he or she may be entitled to additional disability compensation or pension payments. To check on eligibility for this program, or to apply, find your county VA office online at <https://va.iowa.gov> or call 800.838.4692.

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# LONG-TERM CARE Payment Options



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## Payment option: Long-term care insurance

Long-term-care insurance may be purchased to help pay for the cost of care and there are a variety of policies that offer many different coverage options. Since you cannot predict what your future long-term care needs will be, you may want to buy a policy with flexible options.

Depending on the policy options you select, long-term care insurance may help you pay for long-term care provided at home or in a facility. It might also pay expenses for adult day care, care coordination and other services. For assistance in evaluating policies, contact the Senior Health Insurance Information Program (SHIIP) at 800.351.4664.

If you already have a long-term care insurance policy, review your policy to determine how to submit claims. If you run into problems receiving benefits as outlined in your policy, the Iowa Insurance Division may be a helpful resource in providing information, investigating complaints and ensuring benefits are received under the terms of the policy. Contact the Iowa Insurance Division at <http://www.iid.state.ia.us> or call 877.955.1212.

## Payment options in long-term care

As the population ages, many of us will be faced with the prospect of moving either ourselves or a loved one into a long-term care setting (nursing home, assisted living facility or elder group home).

Whether the decision comes up suddenly following a hospitalization or gradually as care needs evolve, the question of how to pay for long-term care is certain to arise.

Some people mistakenly believe that Medicare will pay for their long-term care stay, but while Medicare will pay for hospital costs and skilled nursing facility stays, it does not pay for long-term care. Rather, possible payment options for long-term care include private pay, Medicaid or long-term care insurance or veterans benefits.

## Payment option: Medicaid

Medicaid, also called Title XIX, is a state and federal aid program that pays for a portion of long-term care costs. In order to qualify for Medicaid, you must meet income and resource guidelines. Generally, most people must spend some of their resources before qualifying for Medicaid; however, a spouse at home does not have to spend all their resources in order to pay for their spouse's nursing home care.

If your spouse moves into a nursing home, contact the Iowa Department of Human Services (DHS) and complete a resource assessment form, even if you do not qualify for Medicaid at the time. You can find your local DHS office at <http://dhs.iowa.gov> or by calling 800.362.2178.

To discuss general eligibility, contact the Legal Hotline for Older Iowans at 800.992.8161.

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**866.236.1430**

## You have options

If you choose to move back to the community after residing in a nursing facility, the facility may offer to assist you by making referrals and arranging for home health care or other services to ensure you have a safe discharge into the community.

You may also contact LifeLong Links™, Iowa's Aging and Disability Resource Center, to receive more information about home and community-based services available to you.

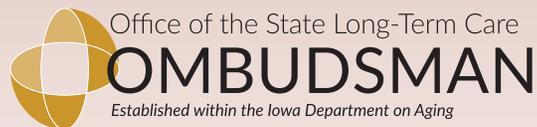
Through LifeLong Links, you may request information about support services related to a specific topic (e.g., housing, health care, assistive equipment, transportation, etc.) or complete an assessment to allow an information and referral specialist to more closely evaluate your situation and provide appropriate guidance.

To access LifeLong Links at any time, visit [www.lifelonglinks.org](http://www.lifelonglinks.org), call 866.468.7887 or stop by a LifeLong Links Local Coordination Center (at your local Area Agency on Aging and other locations throughout Iowa).

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# RETURNING TO THE Community



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## Your right to information

While residing in a nursing facility, you always have the right to get information about returning to the community.

Each quarter, the nursing facility is required to ask every resident who is deemed capable of returning home whether he or she would like to have more information about returning to the community. This question is asked as part of the federally mandated Minimum Data Set (MDS) assessment. (If it is determined that a resident cannot return home, this question does not have to be asked each quarter.)

If you answer "yes" when you are asked if you would like to return to the community, it does not mean you have to leave the nursing facility or that you cannot later change your mind. It simply means that you have expressed an interest in receiving more information about available community supports and services.

## What to expect if you express interest in returning to the community

- The nursing facility staff will contact the Iowa Medicaid Enterprise (IME) to initiate a referral.
- The nursing facility staff will call LifeLong Links and tell them you have expressed an interest in returning home.
- LifeLong Links will have a staff member call or visit you to gain a better understanding about the types of home and community-based services and supports you will need. This may include home health and personal care services, transportation, housing or a variety of other programs.
- If the services and supports you need are available, it becomes your decision if and when you want to start the action plan and leave the nursing facility.
- If you change your mind at any time during the process, you are not obligated to leave.

## What types of supports and services are available?

Depending on where you live, the following types of home and community-based services may be available:

- Housing
- Health Care & Medical Services
- Housekeeping Services
- Transportation Services
- Home Modification Services
- Mental Health Services
- Caregiver Assistance
- Food/Nutrition Programs
- Financial Assistance
- Legal Services & Advocacy
- Adaptive Equipment & Technology
- Education Services
- Recreational Programs
- Employment Services
- Veterans Programs

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