



STATE OF WISCONSIN
BOARD ON AGING AND LONG TERM CARE

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<http://longtermcare.wi.gov>

BOARD OF DIRECTORS

Eva Arnold
Barbara M. Bechtel
Michael Brooks
Terry Lynch
Tanya L. Meyer
James Surprise
Dale B. Taylor

EXECUTIVE DIRECTOR

Heather A. Bruemmer

**Summary Description of the
Board on Aging and Long Term Care**

Created by the Wisconsin Legislature in 1981, the Board on Aging and Long Term Care is home to three very important consumer programs: the Long Term Care Ombudsman Program, the Volunteer Ombudsman Program, and the Medigap Helpline. See our agency website at: <http://longtermcare.wi.gov/>

The Board on Aging and Long Term Care is enabled by Wisconsin Statute at § 16.009, *stats*. This section incorporates, by reference, the federal Long Term Care Ombudsman Program statutes found in the Older Americans Act at 42 USC 3058f and 42 USC 3058g. Our agency is given policy direction and oversight by a 7-member citizen board, appointed by the Governor with the advice and consent of the State Senate. Operational control is vested in an Executive Director, currently Heather A. Bruemmer, who is supported by managerial staff including a Counsel to the Board, an Ombudsman Supervisor, a Volunteer Program Supervisor and a Medigap Program Supervisor.

The Long Term Care Ombudsman Program is Wisconsin's version of a federally mandated program that provides trained, professional advocates who represent the interests of and speak for residents of long term care facilities. Ombudsmen respond to complaints lodged by or on behalf of these residents and advocate to protect their rights and welfare when threatened by the actions of care providers, by government action, or by the actions of any other person. Ombudsmen also serve as consultants and educators to providers and citizens on any number of specific issues, including resident rights, facility culture change and Wisconsin's Family Care managed long term care program. See our Ombudsman Program website at:

http://longtermcare.wi.gov/section_detail.asp?linkcatid=1953&linkid=1014&locid=123

The Volunteer Ombudsman Program has been in existence for 19 years. This program recruits, trains and supervises volunteers who make regular visits to nursing homes. Volunteers act as the "eyes and ears" of the professional Ombudsman. Nearly 110 volunteers are currently serving in 26 counties, making weekly visits to converse with and to advocate for residents. Volunteers also relay the residents' concerns to the regional Ombudsman assigned to the particular facility. See our Volunteer Ombudsman Program website at:

<http://longtermcare.wi.gov/category.asp?linkcatid=1959&linkid=1014&locid=123>

The Medigap Helpline is an insurance counseling service that provides information and counseling to callers who have questions relating to Medicare programs, Medicare Supplemental insurance, Medicare Part D prescription drug coverage, Medical Assistance, retiree group health plans, and the Wisconsin Health Insurance Risk Sharing Program (HIRSP). The Medigap staff has been extraordinarily busy dealing with issues created by the recent myriad changes to the Medicare system. It is anticipated that changes resulting from the new Affordable Care Act will bring additional inquiries, primarily relating to changes in the Part-D prescription drug plans and changes in Medicare Advantage private managed care plans. See our Medigap Program website at:

<http://longtermcare.wi.gov/category.asp?linkcatid=1958&linkid=1014&locid=123>

The mission of the Board on Aging and Long Term Care is, and always has been, consumer focused. It is our purpose to advocate for the interests of aging consumers of long term care and Medicare. In this role, agency managers and staff have had the opportunity to work with related state agencies such as the Department of Health Services (DHS), the Department of Administration (DOA), and the Office of the Commissioner of Insurance (OCI), and with legislators, both in Madison and in the halls of Congress on issues of concern to our constituency.

Members of the Board on Aging and Long Term Care

| <u>Name</u> | <u>Home City</u> | <u>Appointed</u> |
|--------------------|------------------|----------------------------|
| Terry Lynch: Chair | Racine | 2006 Re-appt'd 2011 |
| Eva Arnold | Beloit | 2002 Re-appt'd 2007 - 2013 |
| Barbara Bechtel | Milwaukee | 2012 |
| Michael Brooks | Oshkosh | 2013 |
| Tanya Meyer | Gleason | 2002 Re-appt'd 2007 - 2013 |
| James Surprise | Wautoma | 2009 Re-appt'd 2013 |
| Dale Taylor | Eau Claire | 2005 Re-appt'd 2010 |

Staff of the Board on Aging and Long Term Care include:

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|---|---------------------------------|
| Executive Director | Heather A. Bruemmer |
| Counsel to the Board | William P. Donaldson |
| Ombudsman Supervisor 15 regional Ombudsmen 1 Ombudsman Relocation Specialist 1 Ombudsman Intake Specialist | Kim Marheine |
| Volunteer Ombudsman Supervisor 5 Volunteer Ombudsman Coordinators | Kellie Miller |
| Medigap Supervisor 1 Lead Medigap Counselor 4 Medigap Counselors 2 Medicare Part D counselors 1 Medigap Intake Specialist | Vicki Buchholz Connie Gengle |
| Central Office Manager 1 Information Specialist (0.5 FTE) 1 Office Clerical Assistant (0.5 FTE) | David Cauffman |
| Total – 37 FTE | |

Long Term Care Ombudsman Program Statistics

Current & Comparative Facility & Family Care Statistics

2010 – 2012

| | | |
|----------------------|------------------|-------------------|
| <u>CBRF's</u> | 1,513 facilities | 26,352 beds |
| <u>RCAC's</u> | 306 facilities | 13,956 apartments |
| <u>AFH's</u> | 1,516 facilities | 6,068 beds |

| | | |
|-------------------------------------|------------------|-------------|
| <u>Total Assisted Living</u> | 3,387 facilities | 46,376 beds |
|-------------------------------------|------------------|-------------|

| | | |
|---|----------------|-------------|
| <u>Total SNF's (Nursing Homes)</u> | 397 facilities | 35,013 beds |
|---|----------------|-------------|

Family Care (frail elderly) 19,719 members*

** Source: Department of Health Services Enrollment Data*

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|---|-----------|
| Total Potential Ombudsman Program Clients | 101,108 |
| Field Ombudsman Positions | 15 |
| Ombudsman to Consumer Ratio | 1:6,740 * |

** The National Institutes of Medicine recommend that the Ombudsman to Consumer ratio should be no more than 1:2,000*

Comparative Ombudsman Workload Data*

2011

| | |
|--|----------------------|
| Total Agency Program Activities (Consults, Information & Referral) | <u>39,531</u> |
| Total Ombudsman Program Activities | <u>31,166</u> |
| Total Cases | <u>1080</u> |

2012

| | |
|--|----------------------|
| Total Agency Program Activities (Consults, Information & Referral) | <u>45,347</u> |
| Total Ombudsman Program Activities | <u>28,694</u> |
| Total Cases | <u>1199</u> |

**Source: Data derived from Ombudsmanager data collection system*

Ombudsman Program Most Frequent Complaints

Most frequent complaint data is derived from the agency's database system (Ombudsmanager), and are listed in order of most frequent. Complaints are directed to the program from consumers, families, providers, legislators, friends and acquaintances and others.

Top five complaints to the Ombudsman Program for 2010 – 2012

- Discharge planning process, involuntary discharge process
- Failure to respect resident/tenant choice in care and treatment
- Family conflict interferes with well-being, care and treatment
- Dignity, staff attitudes
- Failure to follow the care plan/individualized service plan

Citations for Regulatory Violations Presenting Immediate Jeopardy to Skilled Nursing Facility Residents*

The single most urgent and serious case presented to any Ombudsman is one where a facility is cited for a violation of the rules which places a resident or residents in "immediate jeopardy." This type of referral to an Ombudsman will take precedence over any and all other issues that the Ombudsman may be dealing with. Citations issued to nursing homes from the Division of Quality Assurance at the Immediate Jeopardy level continue to be areas of concern for the Ombudsman Program, and result in heightened vigilance for the protection of resident rights.

Rule defines an immediate jeopardy citation as one that is issued when there is "a situation in which the provider's noncompliance with one or more requirements of participation has caused, or is likely to cause, serious injury, harm, impairment, or death to a resident." The term "requirements of participation" refers to the section of the Centers for Medicare and Medicaid Services regulations which establishes standards for care provided to skilled nursing facility residents.

| | |
|----------|---------------------------------|
| CY 2012: | 61 Immediate Jeopardy citations |
| CY 2011: | 63 Immediate Jeopardy citations |
| CY 2010: | 79 Immediate Jeopardy citations |
| CY 2009: | 89 Immediate Jeopardy citations |
| CY 2008: | 76 Immediate Jeopardy citations |

* Source: DHS; Bureau of Nursing Home Resident Care

Volunteer Ombudsman Program

The Volunteer Ombudsman Program augments the services provided by the Long Term Care Ombudsman Program to residents living in nursing homes. Volunteer Ombudsmen are resident-focused advocates who are screened, trained and matched to an assigned nursing home in their community. Volunteer Ombudsmen are recruited, trained and supervised by regional Volunteer Coordinators. Five regional Volunteer Coordinators are responsible for Volunteer Ombudsmen assigned to skilled nursing homes in 26 counties of the state.

It is difficult to place a monetary value on Volunteer time, however, the assumed national statistical hourly wage for a Volunteer in 2011 is \$21.79, and for 2012 is \$22.14. The hourly rate in the State of Wisconsin is \$18.50. Using the number of volunteer hours donated as cited below, the estimated value of these advocates to the state of Wisconsin in 2012 would be approximately \$94,276.

The Volunteer Ombudsmen in this program are invaluable advocates providing facility residents with increased access to our services through unannounced yet routine visits in local skilled nursing homes. We are meeting our challenge to help residents to feel heard, to feel safe and to feel worthy.

Volunteer Ombudsman Program Statistics

| <u>Volunteer Ombudsmen Workload Data:</u> | <u>2011</u> | <u>2012</u> |
|--|--------------------|--------------------|
| Number of Volunteer Ombudsmen (VO) | 118 | 107 |
| Number of Long Term Care Facilities with VO | 106 | 93 |
| Number of facility visits made | 2,503 | 2,546 |
| Number of hours donated (avg. 2.5 per week) | 4,599 | 5,096 |
| <u>Volunteer Coordinator Workload Data:</u> | <u>2011</u> | <u>2012</u> |
| Working w/ Volunteer Ombudsmen Activities | 3,315 | 4,507 |
| Community Education Activities | 68 | 212 |
| Information and Consultation Activities | 3,068 | 2,873 |

Medigap Program Statistics

Medigap Call Data

2012 Medicare beneficiaries in Wisconsin :: 948,489

| | | |
|--|---------|---------------------------|
| Medicare Advantage Plan enrollees in Wis | 301,548 | (32.11%) |
| Medicare beneficiaries enrolled into a Part D program | 555,059 | (58.52%) |
| Medicare stand-alone Prescription Drug plan enrollees | 342,932 | (36.16%) |
| Medicare Advantage w/ Part D enrollees | 212,127 | (22.36%) |
| Special Needs Plans: Chronic/Dual Eligible/Institutional | 13,771 | (1.45%) |
| <i>(source: Kaiser Foundation)</i> | | <i>(percent of total)</i> |

Medigap Policies in effect in Wisconsin (per OCI) 240,138
(including Medicare Supplements, Medicare Select, and Medicare Cost policies)

Wisconsin Seniors enrolled in SeniorCare 85,877
60.9% use SeniorCare alone, 39.1% have other coverage with SeniorCare

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|--|--------------|-----------------------------|
| Calls received by Medigap Helpline as of Dec 31, 2012: | | |
| January | 674 | |
| February | 634 | |
| March | 646 | |
| April | 610 | |
| May | 646 | |
| June | 628 | |
| July | 657 | |
| August | 701 | |
| September | 745 | <u>Part D Drug Helpline</u> |
| October | 1,686 | 318 |
| November | 1,313 | 298 |
| December | 725 | 162 |
| 2012 Totals | 9,665 | 778 |

Prior Year Medigap Program Workload Profiles

| | <u>Counseling</u> Requests | <u>Referrals</u> | <u>Publication</u> requests | <u>Other</u> | <u>Total incoming</u> calls | <u>Outreach</u> events |
|-------------|-------------------------------|------------------|--------------------------------|--------------|--------------------------------|---------------------------|
| 2010 | 5,108 | 1,774 | 1,410 | 65 | 8,381 | 52 |
| 2011 | 5,593 | 1,709 | 923 | 34 | 8,233 | 39 |
| 2012 | 7,153 | 1,674 | 789 | 2 | 9,665 | 49 |

Data extracted from Medigap data collection program

Total hits on the Board on Aging and Long Term Care Website

By Calendar Year

| | |
|-------------|---------------------------|
| 2011 | 82,198 |
| 2012 | 105,695 |
| 2013 | 97,200 (through 10/15/13) |