

Residential Ombudsman and Public Guardianship Advisory Board (ROPGAB)
April 17, 2020

Office of the Long-Term Care Ombudsman
3855 Wolverine St NE, Ste 6
Salem, OR 97305

Minutes

Members Participating by Zoom

Joe Leykam, Chair
JW Terry, Vice Chair
Jan Friedman
Mark Williams
Helen Kao
Dwight Mowry
Allen Hines
Sherry Stock
Diana Allen
Roberta Janssen
Susan Schreiber

Guests

Representative Alissa Keny-Guyer
Rose Herrera – ODDS

Staff

Fred Steele, Director & State Long-Term Care Ombudsman
Ashley Carson-Cottingham, Deputy Director
Toni Larson, Residential Facilities Ombudsman
Tami Hinshaw, Board and LTCO support

Call to Order: 8:36 a.m.

Call to Order/Welcome/Introductions/Committee Business

Chair Leykam did roll call and introductions. He also thanked the agency staff for their hard work during this difficult time.

Approval of Agenda – Approved with addition of End of Life Care discussion requested by Dr Kao.

Approval of Minutes – Approved unanimously

Correspondence, Announcements, Related Activities

Annual report update – Director Steele shared the Annual Report has been sent to the Governor, Rosa Klein, and all Legislators.

End of Life – Dr Kao asked about what LTCO is hearing and said it needs to be brought up at the State level as decisions are largely left to clinicians to define. Facilities are stringently blocking family, chaplains, and social workers and the definition of End of Life is being interpreted differently. Isolation and depression are a huge factor for people in long-term care. Director Steele discussed the document from APD stating Hospice is defined as End of Life. Most issues are being worked through with facilities and policy analysts. Director Steele suggested connecting with LTCO through the usual channels. Dr Kao will write a letter addressing this issue on the recommendation of Representative Keny-Guyer. Ms. Larson said we need to find a way to get knowledge of the agency programs out so people know where to turn to for help. Chair Leykam suggested discussing our roll, continual adaptation, and updating of policies. He suggested Dr Kao submit a letter for Board approval.

New Business- None

Director's Policy and Legislative Update - Director Steele

LTCO has been in existence for 40 years and still many people don't know about us and how we can help. Contention between LTCO and facilities is something we try hard to avoid. In the past few weeks several administrators have contacted Ombudsmen and Deputies for advice. We are holding with what the Governor mandates and we'll be putting a letter out regarding the Executive Order to encourage residents to contact LTCO if needed.

The office was closed three weeks ago to the public with a sign on the door to call for assistance. We are maintaining social distancing. Director Steele personally sent N95 masks to four of the OPG deputies so they could continue with any absolutely necessary visits. Ombudsmen and Guardians are generally not visiting care facilities at this time, otherwise, agency operations are still fully functioning.

Budget concerns for current biennium – No specific reductions expected until the May revenue forecast. Agency Directors have been advised to halt discretionary spending and hold vacant non-critical positions. The federal CARES Act may be sending LTCO dollars.

The issue of scheduling AFH annual inspections has been put on the back burner during the COVID situation.

Operations Reports from LTCO, RFO and OPG – Director Steele & Ms. Larson

Director Steele reported training is not taking place at this time. The Recruitment team is using this time to modernize the training materials and are hoping to incorporate Zoom for future training sessions. Most volunteers have gotten onboard with having the team meetings by Zoom. Deputy Tanya Patzer presented the idea of using Zoom to onboard new volunteers for the required meeting with facility administration. So far, this is working very well.

Ms. Larson reviewed her program handout and shared her team is spending a lot of time on the phones answering questions about the challenges of this odd time. She stated we need to get advertising out about all the agency programs and connect with people. The RFO program Ambassadors have been suspended from going to homes since March 5. A lot of referrals are coming in. Two of the scheduled outreach events have been suspended in Josephine and Klamath counties. She'll work on rescheduling these. Her team have received several calls about retaliation threatened by facilities if residents chose to leave the residences.

Public Comment – Ms. Herrera is involved in the writing of the exit transmittal and she explained they are pushing back on wanting the threshold to be higher. She shared there is support available to help programs with staffing issues and shared the ODDS COVID website link: <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/ODDS-COVID-19-information.aspx> She is working with the Governor’s Office to get the information out. Also, a link to the transmittal: <https://www.dhs.state.or.us/policy/spd/transmit/transmit.htm>

Federal Conflict Subcommittee - Subcommittee: Ms. Friedman, Dr Mowry, and Ms. Janssen Ms. Janssen reports the revisions recommended by Director Steele have been made in the draft version and it was sent to the Deputy Director, Ms. Larson, and Mr. Rosin for their input. Director Steele will call the subcommittee together for another meeting.

Planning for future meetings in response to COVID19 – Chair Leykam feels operations will be affected for a long time with constant changes. Civil liberties will be challenged. He encouraged members to email issues for discussion to the Board as a whole. The May meeting may be longer as there may be a guest.

Final comments and conclusion

- The Annual Report has been sent
- Dr Kao will draft a letter regarding End of Life for Board approval
- Include links in minutes and email them to the Board

From the chat section of the Zoom recording of the meeting:

From Alissa Keny-Guyer: two-page summary of LC29, the legislative concept that we will consider in a special session. The Governor is looking at it now to see what she may want/be able to do in an executive order. <https://www.oregonlegislature.gov/kotek/Documents/LC%2029%20Two-Page%20FINAL%20040920.pdf>

From Alissa Keny-Guyer: If anyone wants to be on my email list to get my weekly updates, email me at rep.alissakenyguyer@oregonlegislature.gov

From Alissa Keny-Guyer: The full text of LC29 is: https://www.oregonlegislature.gov/kotek/Documents/LC0029_DRAFT_2020_1st_Special_Session%20040820.pdf

From Ashley Carson Cottingham: Here is Gov. Whitmer’s EO: https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-525942--,00.html

The meeting was adjourned at 10:34 a.m.

Meeting documents and handouts are available and may be acquired by contacting Tami Hinshaw at tami.hinshaw@oregon.gov.