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DEPARTMENT OF
FINANCE

BUDGET DIVISION

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 14
915 I STREET
SACRAMENTO, CA
95814-2696

916-449-5845

March 14, 1990

Budget and Finance Committee
Sacramento, CA 95815

Honorable Members in Session

RE: Funding for Residential Care Ombudsman Services through the Senior Ombudsman/Advocacy Project for Remainder of Fiscal Year 1989-90

SUMMARY

This report recommends that the funding for the Residential Care Ombudsman Services through the Senior Ombudsman/Advocacy Project for the remainder of Fiscal Year 1989-90 (April through June) be provided. The amount for this funding is \$12,500. The Budget and Finance Committee directed that this report be heard by the City Council on the same day.

BACKGROUND

See attached City Council report.

FINANCIAL

See attached City Council report.

POLICY CONSIDERATIONS

See attached City Council report.

MBE/WBE

There are no MBE/WBE impacts.

RECOMMENDATION

It is recommended that the Budget and Finance Committee approve and forward to Council the attached resolution appropriating \$12,500 for the funding of the Senior Ombudsman/Advocacy Project for the remainder of FY 1989-90.

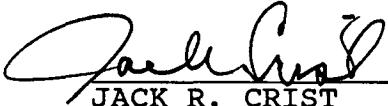
Respectfully submitted,



KEN NISHIMOTO
Budget Manager

Attachment

RECOMMENDATION APPROVED:



JACK R. CRIST
Deputy City Manager

CONTACT PERSON: KEN NISHIMOTO
Budget Manager
449-5845

All Districts
March 20, 2990

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL,

ON DATE OF _____

**RESOLUTION APPROPRIATING \$12,500 TO CONTINUED FUNDING FOR THE
SENIOR OMBUDSMAN/ADVOCACY PROJECT FOR THE REMAINDER
OF FY 1989-90**

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SACRAMENTO AS FOLLOWS:**

That the sum of \$12,500 is here by appropriated for the
funding of the Residential Care Ombudsman Services for the
remainder of Fiscal Year 1989-90 as follows:

Transferring From:

101-710-7012-4999 \$12,500

Transferring To:

101-110-1140-4258 \$12,500

MAYOR

ATTEST:

City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____



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SUMMARY

This report recommends that the funding for the Residential Care Ombudsman Services through the Senior Ombudsman/Advocacy Project for the remainder of Fiscal Year 1989-90 (April through June) be provided. The amount for this funding is \$12,500. This report was heard at the Budget and Finance Committee on March 20, 1989. The Budget and Finance Committee directed that this report be heard by the City Council on the same day.

BACKGROUND

The City approved funding totalling \$50,000 for the Residential Care Ombudsman Services. \$16,000 was approved in Fiscal Year 1988-89 and \$34,000 was approved in Fiscal Year 1989-90. The funding for this program is scheduled to expire on March 30, 1990. The \$12,500 will allow funding a Senior Ombudsman for the remainder of Fiscal Year 1989-90 (April through June).

The purpose for this Sacramento City-funded project is to reduce the incidents of elder and adult-dependent abuse and neglect in licensed and unlicensed residential care facilities in the City of Sacramento. At the same time, the Ombudsman is responsible for increasing the level of care for neglected residents of residential care facilities. See Attachment 1 (Semi-Annual Report of the Senior Ombudsman/Advocacy Project) for a more detailed description of this program.

FINANCIAL

At the Midyear Review \$700,000 was identified as funds that could be used to address a number of the City's unmet needs. Funding this request in the amount of \$12,500 will leave a balance of \$687,500 to address other unmet needs in the City.

POLICY CONSIDERATIONS

The City Council made a policy decision to support the Residential Care Ombudsman program to represent the residents of the City of Sacramento in residential care facilities. This appropriation of funds is a continuation of that policy decision.

MBE/WBE

There are no MBE/WBE impacts.

RECOMMENDATION

It is recommended that the attached resolution appropriating \$12,500 for the funding of the Senior Ombudsman/Advocacy Project for the remainder of FY 1989-90 be approved.

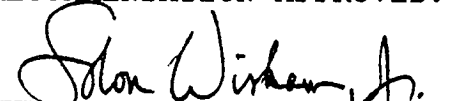
Respectfully submitted,



KEN NISHIMOTO
Budget Manager

Attachment

RECOMMENDATION APPROVED:


WALTER J. SLIPE
City Manager

CONTACT PERSON: KEN NISHIMOTO
Budget Manager
449-5845

All Districts
March 20, 2990

CENTER FOR ADVOCACY/OMBUDSMAN SERVICES

9343 Tech Center Drive, #195

P.O. Box 277878

Sacramento, CA 95827-7878

(916) 366-5554 (24 Hr.)

(916) 366-3756 FAX

1-800-876-6627

January 25, 1990

SENIOR OMBUDSMAN/ADVOCACY PROJECT
SACRAMENTO CITY RESIDENTIAL CARE OMBUDSMANSEMI-ANNUAL REPORT
FISCAL YEAR 1989 - 1990Introduction

More than 2,000 elderly and adult-dependent people (mentally and developmentally disabled) reside in 282 licensed and unlicensed residential care facilities in the City of Sacramento.

The Long-Term Care Ombudsman operates under the authority of Federal and State Law to investigate complaints of abuse and neglect on behalf of these residents and advocate for these residents.

Until the City of Sacramento allocated \$16,000 for FY 1988/89 and \$34,000 for FY 1989-90, no funds were specifically earmarked for representing residents of these facilities within the City of Sacramento. These funds will expire on March 30, 1990.

In January 1989 the Sacramento County Board of Supervisors authorized \$50,000 on an annualized basis which provided first-time professional ombudsman/advocacy services for the 6,000 residents in 500 facilities in the City and County of Sacramento.

The commitment made by the City Council and the Board of Supervisors provided funds to support the Senior Ombudsman Advocacy Project in its vital mission of investigating complaints and solving problems for these frail, dependent, and frequently victimized residents of residential care facilities.

Purpose

The purpose for the Sacramento City-funded project is to reduce the incidents of elder and adult-dependent abuse and neglect in licensed and unlicensed residential care facilities in the City of Sacramento. At the same time, the Ombudsman is responsible for increasing the level of care for neglected residents of residential care facilities.

Senior Ombudsman/Advocacy Project
Long-Term Care Ombudsman

Sacramento County Office of Patients' Rights
Medically Indigent Advocacy
Mental Health Advocacy

Senior Community Ombudsman Project

Accomplishments

Staff

- * The Senior Ombudsman/Advocacy Project has one full-time Residential Care Ombudsman, Sandy Shellooe, serving the City of Sacramento.

Recent Accomplishments

- * Presented testimony to Congress about failures of Federal policy in regard to residential care facilities.
- * Organized and facilitated a special report aired on NBC National News regarding problems in residential care facilities.
- * Organized and facilitated a special report aired on ABC National News, "Prime-Time Live."
- * Arranged and participated in local television talk show with Council Member Lynn Robie about problems in residential care facilities.
- * Participated on the Larry King Live Talk Show discussing problems in residential care facilities.
- * Testified before the California Assembly Committee on Aging and Long-Term Care at a special Hearing dealing with problems in residential care facilities.
- * Attended numerous neighborhood meetings to mediate neighborhood disputes.
- * Developed excellent working relations with Sacramento City Police, including the Narcotics Division, while investigating and solving problems in the City.
- * Disseminated the report about failures of the residential care system in connection with our Dorothea Puente Investigation entitled "Sins of Omission."
- * Coordinated and organized visits for City Council Members to residential care facilities.
- * We have become the contact agency for Council Members and City staff to call upon to respond to constituent complaints about residential care facilities.

Fund Raising

- * Secured funding from the Sierra Foundation for a one-time grant to develop a handbook to explain how to make good placements into residential care facilities and to develop a Residential Care Operators' Peer Review Committee to improve placements into residential care facilities.
- * Lobbied Legislators for increased funding for the Long-Term Care Ombudsman Programs which was subsequently vetoed by the Governor.
- * Participated in the City Council staff meetings to establish on-going funding for the Sacramento City Residential Care Ombudsman.
- * We are the agency that intervenes and acts as a catalyst to pressure State and Federal Agencies to be more vigilant and vigorous in protecting the rights of residents in residential care facilities.
- * Long-Term Care Ombudsman activities were included into the Alcohol Tax Initiative which, if successful, will provide additional revenues to support the Long-Term Care Ombudsman.

Problem Solving

The most important part of this Program is to respond to complaints on behalf of the residents of residential care facilities in the City of Sacramento. In the first six months of Fiscal Year 1989-90, the Sacramento City Residential Care Ombudsman carried out the following:

- * We made 159 visits to licensed and unlicensed residential facilities in the City of Sacramento.
- * We checked on the welfare of 362 residents to determine how they are being treated. Most of these visits were in response to complaints sent to the Ombudsman's office.
- * We investigated a total of 266 complaints on behalf of residents in residential care facilities in the City of Sacramento.

8
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Complaints of Abuse and Neglect

Of the 266 complaints we investigated, 155 complaints alleged abuse and/or neglect. The following chart describes the number of abuse and/or neglect allegations broken down by the number that were confirmed and who either abused or neglected the residents. Not surprisingly, the overwhelming majority of confirmed complaints were perpetrated by the residential care operators.

ABUSE AND NEGLECT COMPLAINTS

Total Abuse/Neglect Complaints	155
Confirmed Abuse/Neglect Complaint	104
Confirmed Abuse/Neglect by Operator	66
Confirmed Abuse/Neglect by Others	38

Of the 266 complaints investigated during this six-month period, absent the additional funding by the City, more than 50% would have had only a phone report and a referral.

By virtue of the City funds, we were able to personally contact the alleged victim of the complaint, assess their situation, intervene with other agencies to carry out their mandated functions, and follow through to secure a resolution satisfactory to our client. At the same time our vigilance is a measure of protection for the remaining residents.

The fact is, without the City of Sacramento funding there is no Ombudsman to follow-up and know what happened to these frail and dependent people who are victims of abuse and neglect.

Types of Facilities Visited During our Investigations

During the first six months of Fiscal Year 1989-90, the Residential Care Ombudsman has visited/investigated 87 Residential Care Facilities for Adults, 56 Residential Care Facilities for the Elderly, and 16 Unlicensed facilities. 26 other types of facilities were involved in our investigations which included visits to Skilled Nursing Facilities, acute hospitals, and private homes.

Efforts to Obtain Federal and State On-Going Funding

- * As previously noted, we have been very active in Congress and California Legislature to raise the issue of inadequate funding for the Long-Term Care Ombudsman by both Federal and State Funding sources.
- * The State Legislature augmented the Ombudsman Statewide Budget which would have increased our local contribution by about \$15,000. These funds were vetoed by the Governor.
- * We have proposed a Statewide reorganization of the Long-Term Care Ombudsman, Mental Health Patients' Rights Advocate, and Developmental Disabilities Client Rights Advocate, along with Federal Protection and Advocacy Programs for mentally and developmentally disabled people. This reorganization would increase the amount of funding available at the local level and expand direct Ombudsman/Advocacy services to elderly and adult-dependent people living in residential care facilities.

Local Government Clout

In connection with this project, we are drafting a concept paper for reorganizing the Case Management System which currently serves elderly and adult-dependent people by County-operated programs; i.e., Adult Protective Services, Mental Health Case Management, and the Conservator's Office, along with the Regional Centers for Developmental Disabilities Case Management Services.

This reorganization focuses upon local control for the placement of elderly and adult-dependent people in residential care facilities. This discussion also includes the option of local government assuming responsibility and the funding for providing the Community Care Licensing function.

Sacramento Residential Care Peer Review Committee

The Senior Ombudsman/Advocacy Project has organized and staffed the development of a Peer Review Committee to improve the quality of services in residential care facilities in Sacramento. The Peer Review Committee is composed of operators and/or administrators of residential care facilities.

The Peer Review Committee has adopted quality-of-care standards which far exceed the minimum standards established by State Law. More importantly, the standards require residential care operators to participate in community and neighborhood activities to better integrate their facility and residents in the mainstream of the neighborhood. These operators will have an organized process for resolving neighborhood disputes.

Memo of Understanding for Placement Agencies

The Peer Review Committee has also adopted a Memorandum of Understanding to ensure placement agencies utilize these acknowledged excellent programs for priority placements. These placements will reward good residential care facilities meeting high standards.

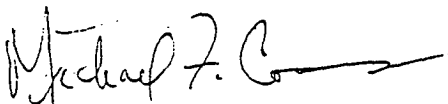
Summary

The City's funding has been a catalyst to ensure more efforts by the Ombudsman, as well as other agencies with a responsibility to protect and safeguard the residents of these residential care facilities.


In combination with our State, Federal, and County funding, the Ombudsman is able to expand its outreach in response to complaints and follow-through to ensure that agencies do not drop the ball and/or the resident does not fall through the crack.

We have attached our SOAP Foundation Newsletter which summarizes a few of the Residential Care Ombudsman cases.

Submitted by



Michael F. Coonan
Project Director



Sandy Shellooe
Residential Care Ombudsman