

# ADVANCING STATES



Leadership, innovation, collaboration  
for state Aging and Disability agencies

## Responding to the Unexpected: Best Practices during Disasters for Ombudsman Programs

**May 13, 2021**

# ADVANCING STATES



Leadership, innovation,  
collaboration for state  
Aging and Disability agencies.



# ADVANCING STATES



Our mission is to design, improve,  
and sustain state systems  
delivering long-term services and  
supports for older adults, people  
with disabilities, and their  
caregivers.

# Administrative Items

- Attendees have been muted on entry
- The webinar is being recorded
- Presenters today from CA, TX

# Agenda

- Introduction
- Texas
  - Q&A for TX
- California
  - Q&A for CA
- Time permitting, final Q&A and State Experiences

# Long-Term Care Ombudsman Resource Center



# New Aging Resources

## Older Americans Act: The Foundation of the Aging Services Network

Just  
Released!



## Older Americans Act 101

### Older Americans Act 101

This training module provides participants with an overview of key issues relevant to the Older Americans Act (OAA), a seminal piece of legislation that underpins the Aging Services Network and authorizes critical programs that support older adults. This course discusses the historical development, functions, and governance of the Act, its service programs, populations served, and funding. Older Americans Act 101 is aimed toward seasoned, as well as new, professional staff in the field of aging who would like a better understanding of the OAA.

#### Content

- Section 1: Overview of the Aging Services Network and the Older Americans Act
- Section 2: Historical Development of the OAA
- Section 3: Titles of the Act and Service Programs
- Section 4: Administration and Governance
- Section 5: Funding Mechanisms

#### Learning Outcomes

At the end of this course participants will:

- Improve knowledge of key features, terminology, and the OAA;
- Expand understanding of OAA services and program
- Understand the administration and funding mechanism of the OAA.
- Increase ability to converse about basic OAA topics.

Coming  
soon!

# Texas



TEXAS  
Health and Human  
Services

# Responding to Storm Uri

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**February 2021**



# Hello!



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Health and Human  
Services



Patty Ducayet

Texas State Long-Term Care  
Ombudsman

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# Health and Human Services Agency

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- Includes Medicaid, State Survey Agency, State Unit on Aging
- Office of the State LTC Ombudsman is independent
- Regulates long-term care facilities (LTCFs), including 1,210 nursing facilities (NFs) and 2,029 assisted living facilities (ALFs)



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# Winter Storm Uri

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## What It Was and Effects on LTCFs

- Arriving February 14<sup>th</sup>, an intense arctic air mass encompassed the entire state
- Life threatening temperatures
- Massive, prolonged power outages, burst pipes and ice storm damage to some facility structures
- 459 ALFs and 443 NFs reported effects; 56 ALF and 27 NF relocations or evacuations



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# Coordination with State Survey

1. Long-Term Care Regulation (LTCR) shares confidential and sensitive data with us, including daily reports on facilities operating on generators, evacuations, facility damage.
2. Ombudsmen give feedback and intel to survey operations about facilities with urgent problems.
3. Ombudsmen distribute state information to facility contacts. Use social media, text, email, or call.
4. Ombudsmen tap into LTCR training to facilities on emergency preparedness and response.



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# Systems Advocacy

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1. Talk to the press. Have key messages ready.
2. Make recommendations in annual report.
3. Communicate with legislators. Be a resource with facts and advocate by taking positions for/against proposed bills. Example, bills filed to require NFs and ALFs to maintain safe temperatures through alternative power source.



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# Long-term Care Regulation (LTCR)

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**Winter Storm URI Emergency  
Response**

# Introduction



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Michelle Dionne-Vahalik,  
DNP, RN

Associate Commissioner for  
Long Term Care Regulation

# Initial Efforts



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- Call-downs to direct reports (LTCR staff)
- Facility Status checks
- Created an Emergency Events Template
- Reported facility statuses and evacuations to CMS
- Halted routine meetings for energy/power conservation
- Life Safety Code assistance for facilities



# Ongoing Efforts



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- Coordination with TDEM, DSHS, other state and local agencies.
- Coordination with Managed Care Organizations, provider associations and LTC Ombudsman.
- Assisted with facilitating DSHS survey for LTC facilities
- Coordinated contact for facilities with local fire, energy and police if necessary.

# Policy and Guidance



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- [Alert about LTC provider resources](#)
- [Alert and Provider Letter \(PL\) about waivers issued related to severe weather event](#)
- [Alert about CMS support related to severe weather event](#)
- [February 24 NF Q&A webinar discussed generators, fuel concerns in cold weather, and emergency preparedness](#)

# Best Practices



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- Know state and federal rules for disaster mgmt.
- Know if your state requires generators for NFs and ALFs. If yes, know the specifics around the generator requirements

# Best Practices



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- Know if your regulatory area has a communication plan during a disaster.
- Know how to communicate and obtain information from your regulatory partners during a disaster

# Best Practices



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- Know what data is collected by Regulatory
- How it can be obtained/shared with the ombudsman area

# Tracking and Reporting

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## Example Reports

- 180 intermediate care facilities have reported weather-related emergencies  
Of those, 112 have relocated or evacuated residents
- 566 nursing facilities have reported weather-related emergencies  
Of those, 23 have relocated or evacuated residents
- 410 assisted living facilities have reported weather-related emergencies  
Of those, 41 have relocated or evacuated residents



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# After Action

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- Emergency Preparedness Webinars
  - How to conduct a risk assessment to help facilities or agencies prepare for disaster.
  - Considerations during the different phases of emergency preparedness.
  - The eight core functions of emergency management required of LTC providers.
- Continued follow-up and reporting with facilities



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# **HHSC Emergency Management and Winter Storm Response**

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**MC Lambeth, Director of Continuity & Emergency Management  
Emergency & Risk Management**



# Emergency & Risk Management (ERM)



# Continuity & Emergency Management (CEM)



- Development of policies, processes, and procedures for response to and short term recovery from significant events that affect the routine functions of the organization.
- Coordination of HHSC's strategic Emergency Management and Continuity of Operations (COOP) plans.
- Coordinating training/exercises.
- Coordinating Emergency Operation Center.

**"Practice doesn't make you perfect, it makes you ready."**

# State Operations Center



- During an emergency, CEM works out of the State Operations Center (SOC) which is run by the Texas Division of Emergency Management (TDEM).
- TDEM is the lead agency during a disaster.
- The Department of State Health Services (DSHS) is the lead agency during a pandemic.
- DSHS runs the State Medical Operations Center (SMOC).

# How We Interact with Regulatory Services



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- Requests from Long Term Care Facilities come through Regions to Regulatory Services to the HHSC SOC Liaison.
- The HHSC SOC Liaison will input the request into TDEM's system. This type of request is called a STAR: State of Texas Assistance Request.



# Winter Storm Uri



- Knowledge from Regulatory
- Shelter-in-place or evacuate?
- Consideration for vulnerable populations
- Coordination with locals
- Daily Situation Reports (SitReps)

# STEAR & 2-1-1



- The State of Texas Emergency Assistance Registry run by TDEM.
- We recommend that everyone with specific needs register with STEAR *before* a disaster.
- [www.tdem.texas.gov/stear](http://www.tdem.texas.gov/stear)
- 2-1-1 is run by HHSC.
- During a disaster, it is a good way to find resources, whether online or by phone.
- [www.211texas.org](http://www.211texas.org)



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# Thank you


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# Questions for TX?



# California



# Ombudsman and Emergencies in San Luis Obispo County, California

Karen Jones, LTC Ombudsman Services of San Luis Obispo County



# WHY are Ombudsman Involved?

Ombudsman have federal and state mandates to:

- Advocate for residents of long term care facilities
- **Identify, investigate and resolve complaints made by or on behalf of facility residents that relate to actions, inactions or decision of** providers of long term care services, **public agencies, or health** and social services **agencies that may adversely affect the health, safety, welfare or rights of residents....**



# WHY are Ombudsman Involved?

- ▶ Very few people understand the complex nature of long term care facilities – Ombudsman have extensive training and experience dealing with care facilities.
- ▶ It is easy to mis-understand what is reasonable to expect from facility staff and what is impossible.

**OMBUDSMAN KNOWLEDGE SAVES LIVES!**

**(And we are pretty awesome too!)**



# It Started with an Emergency Drill

- ▶ SLO County has the only functional nuclear power plant in California
- ▶ Nuclear power plants must conduct NRC evaluated drills every other year
- ▶ **Prior to our involvement.... SLO County got very POOR ratings for their facility response**
- ▶ **AFTER we became involved, SLO County got very HIGH ratings**



# True Story aka WHY WE DO IT

During our first nuclear power plant drill, the scenario was to (pretend) evacuate a 99-bed SNF.

County emergency planners “found” a place for the residents in Escondido, near the CA/Mexico border!

## **If it was real:**

Travel Time = 5 – 10 hour bus ride

Mortality and Health Decline Rates = 20% of the residents

Number of Facilities Closer than Escondido = 1,000+

# The SLO County Plan for Facilities

- ▶ LTCO is the liaison between the County Health Agency (CHADOC) and/or Office of Emergency Services (OES) during an emergency. We have a written agreement with the County.






# Our Emergency Role in SLO County

- Receive, update and share information
- Provide input to the County
- Monitor the situation and ensure residents have the resources they need
- In the event of an evacuation, Ombudsman visit the receiving facility and provide Ombudsman services as needed





# Our Role in Emergency Preparation Services

- ▶ Create and maintain a Standard Communication Plan for Long Term Care Facilities
- ▶ Manage and participate in drills (tabletop and live)
- ▶ Host emergency planning trainings for facilities
- ▶ Maintain oxygen information for residential facilities
  - ▶ # of residents at each facility (no identifying information)
- ▶ During COVID: Participate in daily calls with County Health Agency, collect facility data as requested
  - ▶ # of vaccinated staff/residents



## Most Importantly

- ▶ WE **NEVER EVER EVER EVER** EVEN THINK ABOUT ORDERING EVACUATIONS OR REQUIRE FACILITIES TO TAKE SHELTERING-IN-PLACE ACTIONS.
- ▶ We provide evacuation order or sheltering order information to facilities as **determined by and on behalf of the County Office of Emergency Services or the Health Agency.**

It is **never** an Ombudsman decision.



# Recommendations for Ombudsman

- Have a personal/family emergency plan
- Have an Ombudsman program emergency plan to:
  - Shelter, Evacuate or Protective Shelter
- Require NIMS and ICS training (incident command) for all Ombudsman
- Host drills regularly to practice your plans (tabletop and live events)
- Create and practice a back up communication plan:
  - Cell phones • Fax lines • Land lines (not VOIP) • Email
  - Satellite phones • GETS Priority Cards • Ham Radio



# Ombudsman Program Emergency Plan Recommendations

- ▶ Grab and Go List
  - ▶ Prioritized by importance and time available
- ▶ Alternative program office locations
- ▶ Meeting times/communications times (in the event that communication is limited)
- ▶ Know your Ombudsman staff and volunteers...who can help and who cannot
- ▶ **Have an office policy for all staff and volunteers – NO emergency response unless requested by the program manager or designee**



# Other Recommendations: Create a Mutual Aid Plan

- ▶ Ombudsman OUTSIDE the emergency area can help residents:
  - ▶ Find available facility beds
  - ▶ Find transportation (buses, vans, wheelchair accessible vehicles, etc.)
  - ▶ Find moving companies or vehicles to move resident belongings
  
- ▶ Ombudsman OUTSIDE the emergency area can help the Ombudsman program:
  - ▶ Take and make calls for the involved Ombudsman program
  - ▶ Provide office space for evacuated Ombudsman program staff

**This allows the Ombudsman program involved with the situation to concentrate on the emergency.**



# Other Recommendations: Relationships Matter in Emergencies

- ▶ Meet your emergency service providers BEFORE the emergency
  - ▶ City
  - ▶ County
  - ▶ Regional
  - ▶ State
  - ▶ National (if possible)
  - ▶ Fire Department Captains
  - ▶ Ambulance Service providers

NOTE: These people change agencies and positions frequently. Check your contacts regularly.



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# Questions for CA?



# Q&A or Other State Experiences



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