



**QUARTERLY STATE COUNCIL MEETIN MINUTES
CONFERENCE CALL
6/29/2017**

Ombudsman Program Representatives			
Hanna Fink, State Chair, Broward	Present <input checked="" type="checkbox"/>	Vacant, Palm Beach	Present <input type="checkbox"/>
JoAnna Emerson, North Central	Present <input checked="" type="checkbox"/>	Dr. Valerie Nubi-Collins, Treasure Coast	Present <input checked="" type="checkbox"/>
Mary Darling, Vice-Chair, Withlacoochee	Present <input checked="" type="checkbox"/>	Dr. Mabel Sherman, Panhandle	Present <input checked="" type="checkbox"/>
Tony Taylor, First Coast	Present <input checked="" type="checkbox"/>	Lucila Huerta, North Dade	Present <input checked="" type="checkbox"/>
Dennis Jefferson, First Coast South	Present <input checked="" type="checkbox"/>	Lisa Ramirez, South Dade & Florida Keys	Present <input type="checkbox"/>
Carol Weideman, Mid & South Pinellas	Present <input checked="" type="checkbox"/>	Wanda Harrison, South Central	Present <input checked="" type="checkbox"/>
Jane Spencer, Pasco & North Pinellas	Present <input checked="" type="checkbox"/>	Marilyn Kane, Southwest	Present <input checked="" type="checkbox"/>
Jim Lynch, West Central	Present <input checked="" type="checkbox"/>	Georgina Cooper, At-Large Member	Present <input checked="" type="checkbox"/>
Lauren Eiel, East Central	Present <input checked="" type="checkbox"/>	Jeanne Anastasi, At-Large Member	Present <input checked="" type="checkbox"/>
Philip Weddle, Brevard	Present <input checked="" type="checkbox"/>	Choice Edwards, At-Large Member	Present <input checked="" type="checkbox"/>
Phyllis Tedesco, Northwest	Present <input type="checkbox"/>		

Guests	
Michael Milliken, State Ombudsman Zaynab Salman, Legal Advocate Angela Andrews, Legal Assistant York Shuler, Data Analyst	Mike Phillips, North Region Manager Nancy King, Panhandle District Manager Tracie Rayfield, First Coast District Manager

WELCOME

- Called to order at 1:00 p.m. Quorum Established Yes No
- Open Session Statement Minutes Approved Yes No
(March 2017)

UPDATES/REPORTS

State Council Chair – Hanna Fink

- Calls meeting to order. Roll is taken. Quorum is established.
- Thanks the ombudsmen for their continued work and service on behalf of the residents.

State Ombudsman – Michael Milliken

- Welcome.

- New PR person to begin July 10th
- Rule change – 58L-1.007 & 1.008, Florida Administrative Code
- Old Business
 - Florida Council on Aging – State Ombudsman will attend
 - Appreciation gifts. Suggestions for future items: Raincoats
 - Reviewing the possibility of one educational webinar per month with special speakers. Topics of special interest should be emailed to Angela Andrews.

State Council Chair – Hanna Fink

- Request Workgroup Reports
 - **Training Workgroup – Philip Weddle**
 - Staff have been busy with training: Nursing and sensitivity training.
 - Discussed the possibility of using case scenarios for training non-certified Ombudsmen.
 - Two-day staff training session held in Tampa.
 - **Advocacy Workgroup – Lauren Eiel**
 - Looking to identify focus of the workgroup
 - Smoking in facilities and medical marijuana
 - Medical marijuana legislation outlaws smokable forms of the plant. Prescription must be by a qualified medical physician.
 - Risks of superbugs.
 - Missing medications and controlled substance issues in facilities.
 - **Data Workgroup – York Shuler**
 - Concerns over why volunteers are leaving the program.
 - Concerns on how Ombudsmen can protect themselves from diseases and superbugs while visiting facilities.
 - **Recruitment, Retention & Recognition Workgroup – Jim Lynch**
 - Discussed visiting the 55 and over communities and possibly posting volunteer information.
 - Discussed Ombudsmen preferences: Assessments versus case visits, ombudsman are required to be trained on both.

- Ombudsmen have volunteered to contact fellow ombudsmen either in their council or others to help identify areas of concern and improvement.
- Concerns of residents not being seen by a physician and checking on their medications within 30 days. (Attachment A)
- Question raised about HIPAA in regards to new forms at Citrus County Sheriff's office that residents fill out if they have dementia, Alzheimer's, etc.
- In 2018 legislative session, will advocate for changes to ALF discharges.

NEW BUSINESS

- Next meeting will be the face-to-face. Elections for a new State Council Chair will be held. If you are interested, please submit your letter of interest or intent to Angela Andrews.
- October is Resident Rights Month.
- Thank you all for your commitment.

2:40 p.m. – Meeting adjourned

ATTACHMENT A

59A-4.107 Physician Services.

(1) Each nursing home facility licensee must retain, pursuant to a written agreement, a physician licensed under Chapters 458 or 459, F.S., to serve as Medical Director. In facilities with a licensed capacity of 60 beds or less, pursuant to written agreement, a physician licensed under Chapters 458 or 459, F.S., may serve as medical consultant in lieu of a Medical Director.

(2) Each resident or legal representative, must be allowed to select his or her own private physician.

(3) Verbal orders, including telephone orders, must be immediately recorded, dated, and signed by the person receiving the order. All verbal treatment orders must be countersigned by the physician or other health care professional on the next visit to the facility.

(4) Physician orders may be transmitted by facsimile machine, email or electronic medical record as required Section 501.171, F.S. and 45 Code of Federal Regulation, Section 164, effective October 1, 2014, which is incorporated by reference and is available at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title45-vol1/xml/CFR-2014-title45-vol1-part164.xml> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-06388> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-06389>. It is not necessary for a physician to re-sign a facsimile order when he or she visits a facility.

(5) All physician orders must be followed as prescribed, and if not followed, the reason must be recorded on the resident's medical record during that shift.

(6) Each resident must be seen by a physician or another licensed health professional acting within their scope of practice at least once every 30 days for the first 90 days after admission, and at least once every 60 days thereafter. A physician visit is considered timely if it occurs not later than 10 days after the date the visit was required. If a physician documents that a resident does not need to be seen on this schedule and there is no other requirement for physician's services that must be met due to Title XVIII or XIX of the Social Security Act, the resident's physician may document an alternate visitation schedule.

(7) If the physician chooses to designate another health care professional to fulfill the physician's component of resident care, they may do so after the required visit. All responsibilities of a physician, except for the position of medical director, may be carried out by other health care professionals acting within their scope of practice.

(8) Each nursing home licensee must have a list of physicians designated to provide emergency services to residents when the resident's attending physician, or designated alternate is not available.

Rulemaking Authority 400.23 FS. Law Implemented 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.107, Amended 10-5-92, 4-18-94, 1-10-95, 12-21-15.