

THE ALERT

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Ombudsman Can Help with Complaints about Long-Term Care Facilities and Services

Having problems with a nursing home or home health agency or some other provider of long-term care?

You may be able to get help from a long-term care ombudsman.

An ombudsman is someone who serves as a “go-between.” The Long-Term Care Ombudsman Office is not an enforcement agency and does not “police” nursing homes and home health agencies.

What an ombudsman does is to try to make sure that services are provided. He or she serves as a negotiator between users of long-term care services and the long-term care provider to resolve problems.

The ombudsman deals mainly with quality of care problems. He or she will investigate complaints about service and work to resolve them. Clients include residents of nursing homes and adult care programs.

Ombudsmen also help resolve problems for adult care home residents and seniors at home receiving meals-on-wheels or help from visiting

nurses, home health aides, transportation services, housekeeping chore services and other in-home services.

The types of complaints ombudsmen are trained to resolve involve such things as residents’ rights, safety, cleanliness, transfers or discharges related to finances or behavior, denials of service, falls, accidents or pressure sores.

The Ombudsman Office also provides information that can be helpful in selecting a nursing home, assisted living facility, adult care home or home care service. It can tell prospective clients whether it has received verified complaints about a particular facility and whether they could be resolved.

Some long-term care ombudsmen are attorneys. Some may come from social work, nursing and other backgrounds. All are advocates for long-term care consumers. Their services are free and confidential.

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Ombudsmen deal directly with clients who use the long-term care services. Family or friends also can refer complaints to the ombudsmen. However, it is the interests of the client and not the family or facility staff that are represented by the ombudsman.

The Ombudsman's Office works mainly through persuasion. It cannot force a provider to take certain steps.

When it comes to enforcement, that falls to the State of Ohio's Department of Health. If the Ombudsman's Office fails to get results, it can refer complaints to the State. Clients also can file complaints directly with the state by calling 800-342-0553.

Another service provided by the Ombudsman Office is assisting people with Medicare and Medicaid problems and representing them in appeals of denials related to those public benefits programs.

The ombudsmen do not deal, however, with non-governmental insurance problems. For this, contact the Ohio Senior Health Information Program (OSHIP) which does deal with Medigap supplemental insurance matters and is able to sort through complex medical bills. OSHIP can be reached at 800-686-1578.

The Ombudsman Office is assisted by trained volunteer ombudsmen. Volunteers regularly visit long-term care facilities and monitor conditions and care. To volunteer with the Cleveland Office which serves consumers in Cuyahoga, Geauga, Lake, Lorain and Medina Counties, phone 216-696-2719 or 800-365-3112. For other areas, phone 800-282-1206.

Ombudsmen support and monitor laws and regulations designed to protect long-term care consumers.

Long-term care residents are guaranteed certain rights under the Ohio law. They include rights to:

⇔ **Personal treatment**

- * Safe and clean living environment
- * Freedom from physical, verbal, mental and emotional abuse.
- * Freedom from restraints, except for narrowly defined circumstances

⇔ **Information**

- * Access to medical records
- * Names of caregivers
- * Itemized bill for all charges
- * Advance notice of room or roommate change

⇔ **Choices**

- * Choose your doctor and pharmacist
- * Choose when to wake up and when to go to bed
- * Ability to voice grievances
- * Participate in medical treatment decisions

⇔ **Privacy**

- * Private treatment of personal care needs
- * Private communication with family and friends.

Get Health Care Help

Help is available to pay the monthly Part B premium for Medicare for seniors who meet income and asset limits. This year the cost for Part B is \$54.

Other seniors with lower incomes and fewer assets also may qualify for payment of their hospital deductible and the co-insurance required under Part B, as well as their Part B premium.

Here are the eligibility guidelines to qualify:

	SINGLE PERSON		COUPLE	
Program	Monthly Income	Assets	Monthly Income	Assets
QMB	\$736	\$4000	\$988	\$6000
SLMB	\$879	\$4000	\$1181	\$6000
QI-1	\$987	\$4000	\$1327	\$6000
QI-2	\$1273	\$4000	\$1714	\$6000

The income listed is the total "gross" amount of money an individual or couple can receive each month and qualify for the program.

QMB (Qualified Medicare Beneficiaries) pays the monthly Part B premium, Part A hospital deductible and co-insurance under Part B.

SLMB (Specified Low-Income Medicare Beneficiaries) pays only the Part B premium.

QI-1 (Qualified Individuals-1) pays only the Part B premium. There is limited funding so persons qualify on a first-come, first-served basis.

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QI-2 (Qualified Individuals-2) reimburses individuals for the home health care portion of Medicare Part B (approximately \$24 per year).

To learn more about the requirements for qualifying for these assistance programs, you can attend one of the programs being offered by the Long-Term Care Ombudsman.

The sessions on "Understanding the Basics of Medicare and Medicaid" will be conducted by Deborah Nebel of the Long-Term Care Ombudsman staff. Sessions are free and open to the public. Topics will include services covered, eligibility requirements and how to use and get maximum coverage.

The locations are accessible with no-cost parking. Because space is limited, seniors and their family members and caregivers are encouraged to pre-register by phoning 1-800-365-3112. Sessions are scheduled as follows:

CUYAHOGA COUNTY

East Side—Cleveland: Wednesday January 30 from 10 to 11:30 a.m. at St. Martin de Porres Family Center, 1264 E. 123rd St.

Western—Fairview Park: Tuesday January 8 from 3 to 4:30 p.m. at Cuyahoga County Public Library, 21255 Lorain Road.

Southern—Parma: Mondays January 28 or February 25 from 6 to 7:30 p.m. at Cuyahoga County Public Library, 7335 Ridge Road

Eastern—Cleveland Heights: Friday January 25 from 10 to 11:30 a.m. at Cleveland Heights Senior Activity Center (Monticello Blvd. and Mayfield Rd.)

LAKE COUNTY

Tuesdays January 22 or February 26 from 9:30 to 11 a.m. at Lake County Council on Aging, 8520 East Avenue, Mentor.

LORAIN COUNTY

Tuesday January 15 from 3 to 4:30 p.m. at Elyria Public Library, West River Branch, 1194 W. River Road N.

If you are unable to attend a session, you can get more information by phoning 216-696-2719 or 800-365-3112.

Apply Now for Tax Reduction for Home

Older homeowners whose combined annual income is \$24,100 or less may qualify for a homestead exemption on their real estate property tax bill.

To qualify you must be at least 65 years of age or totally and permanently disabled, own and occupy your home by January 1 and have a combined income for the applicant and spouse that is \$24,100 or less.

A surviving spouse of a homestead exemption recipient who is aged 59 to 64 may retain the exemption benefit if income guidelines are met.

For homestead applications, Social Security income minus the Medicare premiums must be included. However, persons under 65 do not include their Social Security disability income.

Those who previously qualified for a homestead exemption continue to use the Social Security income figure declared when they first applied. Railroad Retirement income is treated the same as Social Security.

Applications for the homestead exemption will be accepted in the county auditor's office until the first Monday in June. Those qualifying will see the first tax reduction in their December tax bill.

Get Free Advice about Financing and Repairs

If you are planning to get a loan or have your home repaired, the following agencies can provide free help. They offer advice and information to help you make decisions when hiring a contractor and choosing a lender.

Neighborhood Housing Services of Cleveland, 216-361-0516.

Lutheran Housing Corporation, 216-541-7000.

Famicos Foundation, 216-791-6476.

Consumer Protection Association, 216-881-3434.

Consumer Credit Counseling Service, 216-781-8624, Extensions 204 or 206.

Don't sign repair or mortgage papers until you show them to a knowledgeable person.

Estate Tax Rules Now Allow Easier Access to Bank Accounts and Safe Deposit Boxes

When someone in the family died, it used to be more difficult to get access to joint accounts or safety deposit boxes even when the survivor was authorized to have access.

It was necessary to get a tax release to unfreeze a joint account with \$2500 or more. You could remove only certain documents—a will or policies for insurance or burial plots—from a safe deposit box and then only in the presence of a bank employee who had to make a written record of what was removed and what was left in the box. Only if the county auditor's representative was present or after a tax release was issued, could the survivor have free access to a box.

The rules were aimed at insuring that assets which could be taxed were not hidden.

Those requirements often had people rushing to the bank to get access to an account or box before bank employees learned of the death.

Now the regulations have been changed.

A surviving holder of a joint account of \$25,000 or less can withdraw funds without obtaining a tax release first.

Joint owners of a safe deposit box can now have easy access to the box and banks are no longer required to freeze the box pending a written inventory by one of its employees or a government employee.

Of course, you still are required to report any

valuable assets found in the box that would be subject to the estate tax.

There is a change, too, in the amount of assets that will be taxed by the State of Ohio.

For anyone dying after January 1, 2002, there is an estate tax exemption for inheritors other than a spouse of any estate valued at \$200,000 or less. That means for any estate of \$200,000 or less no taxes will be due. The limit goes to \$338,000 for estates of persons who die in 2003.

The rules for a surviving spouse are different. If the estate goes to a spouse, the marital deduction is continued. That means that no taxes are payable on estates of \$400,000 or less when the estate is left to the surviving spouse.

No tax release is necessary to release property going to a surviving spouse regardless of the dollar amount involved.

In determining the value of an estate for tax purposes, proceeds of life insurance policies are not included when payable to a beneficiary other than the estate.

While the federal estate tax affects only very few people, the amount of estates that are taxable for federal tax purposes also is reduced for this year.

No federal estate tax is due on estates totaling \$700,000 or less.

Call the Senior Helpline for Legal Assistance

If you are at least 60 years old and need help with a legal problem, phone the Senior Helpline at 216-861-5479 between the hours of 1 and 4:30 p.m. on Tuesdays, Wednesdays and Thursdays.

We may be able to help with problems related to evictions and other housing issues, consumer matters, Social Security and SSI eligibility and termination, food stamps, Medicare, Medicaid, welfare and health insurance.

We also may be able to help you if your Social Security, Veteran's or Railroad Retirement check has been reduced because you owe money to the government. You may be able to get relief if you can prove that you don't owe the money; or that the reduction in benefits is causing you or will cause you a significant hardship; or that you are not able to pay the whole amount, but are able to pay a part; or that you can pay the debt but can only do so in smaller installments; or if you have wiped out your debt in bankruptcy.

SENIOR CITIZEN CENTERS AND LEGAL AID OFFICES

CUYAHOGA COUNTY

For information or to make an appointment in Cuyahoga County
 phone the Senior Helpline
 at 216-861-5479
 on Tuesday, Wednesday or Thursday between 1 p.m. and 4:30 p.m.

EAST SIDE

WEST SIDE

Buckeye Senior Center
 11802 Buckeye Road
 216-491-8450

Maple Heights Senior Center
 15901 Libby Road
 216-587-5481

Lakewood Office on Aging
 16024 Madison Avenue
 216-521-1515

Emeritus House Senior Center
 (at Indian Hills)
 1554 East 193 Street
 216-289-8586

Martin DePorres Center
 1264 East 123 Street
 216-268-3909

Metro Health Hospital
 2500 Metro Health Drive
 216-778-5551

Fairhill Institute
 12200 Fairhill Road
 216-421-1350

Murtis H. Taylor Center
 13422 Kinsman Avenue
 216-283-4400

Parma Senior Resource Center
 7001 West Ridgewood
 440-885-8155

Goodrich-Gannett Center
 1368 East 55 Street
 216-432-1717

Stella Walsh Recreational Center
 7345 Broadway Avenue
 216-441-0111

West Side Legal Aid Office
 3408 Lorain Avenue
 216-961-6630

DOWNTOWN

Helen S. Brown Senior Center
 16100 Euclid Avenue
 216-761-8410

Woodland Branch
 Cleveland Public Library
 5806 Woodland Avenue
 216-623-7109

Downtown Legal Aid Office
 1223 West Sixth Street
 216-687-1900
 Extension 5336
 TTY: 216-696-3081

Hough Opportunity Center
 8555 Hough Avenue
 216-421-5400

For information or to make appointments outside Cuyahoga County
 phone the offices listed below

LAKE COUNTY

Lake-Geauga Legal Aid, 8 North State Street, Painesville
 440-352-6200 or TOLL FREE 1-888-808-2800

LORAIN COUNTY

Lorain County Legal Aid, 538 West Broad Street, Elyria
 440-323-8240 or TOLL FREE 1-800-444-7348

ASHTABULA COUNTY

Ashtabula County Legal Aid, 121 East Walnut, Jefferson
 440-576-8120

**The Legal Aid Society
of Cleveland
1223 West Sixth Street
Cleveland, Ohio 44113**