

PROGRAM REPORT 2008

2008 marks the 25th anniversary of CANHR's work. Originally founded as Bay Area Advocates for Nursing Home Reform (hence the long used "banner" in our logo), we quickly realized that long term care is not just about nursing homes, and the problems faced by consumers went far beyond the Bay Area. In 1990, "BANHR" was changed to "CANHR" (California Advocates) and we expanded our reach to all of California through our web site, our 800# hotline and our outreach. We also greatly expanded our work to incorporate residential care, continuing care, long term care funding issues, elder abuse and a host of other issues impacting long term care consumers and their families in California.

It has been a remarkable 25 years with CANHR, and we can look back on many accomplishments in the policy, legislative and litigation arenas. Most importantly, we can be proud of the thousands of consumers we have been able to assist on a day to day basis - whether with pre-placement counseling; helping to steer them through the Medi-Cal maze; or assisting with Medi-Cal recovery claims, resident rights, transfer appeals or other concerns. It is you, the consumers, who inform our work. And it is the consumers whom we were unable to assist who keep us working for better care, stronger laws and greater enforcement. Our work will go on, and with your help in 2009, we can continue to make a difference.

Following are some of the highlights of CANHR's work in 2008:

Consumer Information and Assistance

During 2008, CANHR's web site, www.canhr.org, was redesigned and reorganized to provide easier access to information, including our nursing home guide and residential care guide. The number of visitors in 2008 increased to nearly 15,000 per month. Whether seeking information about Medi-Cal, resident rights, residential care or nursing home placements, consumers, legal services staff, social workers and other professionals have found CANHR's web site to be a valuable resource. CANHR staff also responded to over 1,000 consumer calls a month from the consumer hotline, in addition to responding to the web feedback system, providing counseling, information and assistance with complaints.

2008 Advocacy Campaign: Legislation

Although California's budget crisis resulted in many important bills being vetoed by the Governor, your letters, calls and support assisted in the successful passage of a major elder financial abuse protection bill. SB 1140 (Steinberg) will help ensure that victims of elder financial abuse can seek civil recourse and make certain that abusers are held accountable for their actions. This new law will take effect January 1, 2009. Several other bills that will strengthen the rights of RCFE residents and hold predatory sales agents accountable were also signed into law. CANHR is grateful to the many supporters who joined our 2008 Advocacy Campaign for Quality Care.

Public Policy Efforts

Medi-Cal: During 2008, CANHR staff worked closely with the Department's Medi-Cal Eligibility Branch to avoid penalizing nursing home beneficiaries with the implementation of the Deficit Reduction Act of 2005 - changes that will impact long term care beneficiaries disproportionately. The Department's proposed language was signed into law (SB 483 - Kuehl), but will not be implemented until final regulations are filed with the Secretary of State. Over 2009, CANHR will closely monitor the proposed regulations to ensure the rights of long term care consumers are protected.

Three retired sisters erroneously paid over \$74,000 in an estate recovery claim after the State insisted the claim was due. Forced to take out an equity loan to repay the State for their mother's care, the sisters called CANHR, and we were able to convince the State to repay the funds to the sisters, with interest.

Legislative Hearings: CANHR' staff presented testimony at a number of legislative and committee hearings on issues such as enforcement and elder abuse. CANHR's senior staff attorney, Prescott Cole, testified before the U.S. Senate Committee on Aging on the issue of elder financial abuse related to annuity sales and reverse mortgages. Mike Connors, CANHR's Long Term Care Advocate, was selected as a member of the Department of Health Care Services' Skilled Nursing Facility Quality Workgroup, which will be meeting over the next few months to discuss how the nursing home reimbursement system can be utilized to improve quality of care.

State Regulatory Agencies: CANHR staff continues to coordinate advocacy coalition meetings with representatives of the Departments of Social Services (DSS) to discuss issues pertaining to residential care and with Department of Public Health staff to discuss policy and enforcement issues relating to nursing homes.

"Thank you CANHR and your wonderful staff for helping us get our father the services he needed to stay at home. We don't know what we would have done without your help!"

Outreach and Education

CANHR staff made over 225 presentations throughout California in 2008 to consumers, community groups, social workers, health care providers, government agency staff and other advocates and policy makers, including senior resource fairs, elder abuse symposiums and conferences. CANHR staff also worked with individual family members to assist in filing complaints and following up on the complaints.

Legal Services Delivery

As a qualified Legal Services Support Center, CANHR provides California's legal services program staff with training, advocacy support and technical assistance.

In 2008, CANHR staff presented 22 trainings to legal services staff throughout California on a variety of legal issues, such as resident rights, Medi-Cal, elder abuse, special needs trusts and other long term care issues, and assisted hundreds of individual legal services staff with technical assistance and consultations.

Lawyer Referral Service

CANHR's Lawyer Referral Service is the only statewide, State Bar certified LRS in California that specializes in long term care issues. The LRS currently has 129 participating attorneys on nine specialized panels, all of whom agree to accept at least two pro bono and two reduced fee cases per year. In 2008, the LRS referred approximately 700 clients to panel attorneys in California and assisted many other consumers with various legal and consumer problems.

Awards/Recognitions

On March 27, 2008, **Prescott Cole**, CANHR's Senior Staff Attorney, was the recipient of the prestigious Sentinel Award at the annual conference hosted by the Elder Financial Protection Network in San Francisco. The award was presented to Mr. Cole for his advocacy to protect elders from financial abuse. **Michael Connors**, a Long Term Care Advocate with CANHR's Pasadena office, received the Above & Beyond Award from Advocacy Inc. in Santa Cruz at their annual award celebration on November 16, 2008. Mr. Connors was honored for his ardent and effective advocacy and support for long term care consumers and the ombudsman programs.

Memorials

2008 was marked by the deaths of **Mary Ballantyne** and **Sheila McGorty**. Mary, a passionate and committed advocate, former ombudsman, CANHR Board member and long time CANHR colleague, helped organize and sustain our Santa Clara County Family Support Group for over 20 years. Sheila was the Coordinator of the Marin County Ombudsman Program for the past 22 years. She was a friend, a colleague, and an enormously effective advocate for residents of nursing homes and residential care facilities in Marin County. They will be missed.

Foundation and Organizational Support

We thank the following organizations/foundations for their support in 2008:

The Amgen Foundation

California Elder Law Center, Inc.

The California Healthcare Foundation

The State Bar of California

GE Foundation

Southern California Council of Elder Law Attorneys

NAELA, Southern California Chapter

Join CANHR in 2009 for our *Advocacy Campaign for Quality Care* and help us strengthen the rights for California's long term care consumers.

A Special Thank You

CANHR's work in 2008 was made possible by the support of thousands of individual members and donors too numerous to mention and by the volunteer time and expertise of CANHR's LRS Advisory Committee and our Board of Directors. We owe a special thanks to these unique individuals.

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CANHR could not do its work without the contributions of the private bar, legal services staff and other long term care advocates who have donated time and expertise to our trainings and materials throughout 2008. We thank you.

