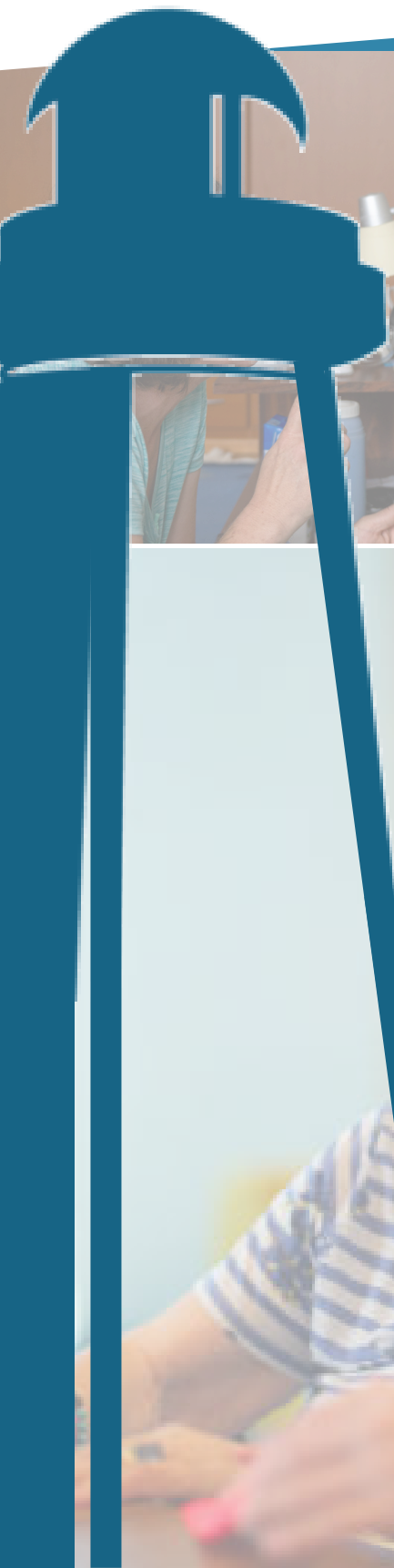


New Jersey Office of the State Long-Term Care Ombudsman
ANNUAL REPORT FEDERAL FISCAL YEAR 2023
GUIDANCE. SUPPORT. ADVOCACY.



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A Message from the State Long-Term Care Ombudsman

Dear New Jersey Residents,

The following pages highlight a year of substantial growth in the breadth and scope of the Office of the Long-Term Care Ombudsman's (LTCO) work to advance the rights, dignity, and well-being of adults in long-term care.

During the 12 months ending Sept. 30, 2023, we saw a sharp rise in the demand for investigation and advocacy services for the fifth year in a row. We opened 8,283 cases and investigated 17,118 complaints of abuse, neglect, exploitation, or other concerns reported by or on behalf of long-term care residents — a 29% increase.



Meanwhile, LTCO staff members — already a frequent, consequential presence in nursing homes and other long-term care settings — became even more so in Federal Fiscal Year 2023.

LTCO added a new program, Community Engagement (see page 21), and extended the COVID-era Social Isolation Project (page 16). These staff members, along with I Choose Home NJ staff (page 18) and volunteers with our Certified Volunteer Advocate Program (page 12), form a holistic, integrated network dedicated to promoting residents' quality of life.

Certainly, the increasing workload and expansion of our footprint in long-term care facilities has posed challenges, but we have been able to meet them thanks to the resources provided by the New Jersey Legislature and Governor Murphy's administration. I want to thank the state departments of Health, Human Services, and Community Affairs, the Attorney General's Office, and the Office of the State Comptroller for their partnership in monitoring the quality of care and services provided by long-term care facilities.

I am excited about the present operations and the future potential of this office. I believe we are well-positioned to fulfill our true mission: Building better lives for people in long-term care.

Sincerely,

Laurie Facciarossa Brewer

New Jersey Long-Term Care Ombudsman

NEW JERSEY OFFICE OF THE STATE LONG-TERM CARE OMBUDSMAN OVERVIEW

The New Jersey Office of the Long-Term Care Ombudsman (LTCO) is an independent entity promoting person-centered treatment and services for individuals receiving long-term care. LTCO representatives work with residents to help them address challenges they face. The LTCO also seeks opportunities to bring about change on the local, state, and federal levels by advocating for policy and legislative initiatives and participating in activities that support the core mission of advancing the rights, dignity, and self-determination of individuals living in long-term care. The LTCO operates five programs:



1. **Investigations and Advocacy:** The LTCO's primary function is to investigate and resolve complaints made by or on behalf of residents in long-term care facilities.
2. **Certified Volunteer Advocate Program:** Highly trained Certified Volunteer Advocates are placed with nursing homes throughout the state to observe the quality of services provided by long-term care communities and advocate for residents' rights.
3. **I Choose Home NJ:** In partnership with the New Jersey Department of Human Services and the federal Centers for Medicare and Medicaid Services, the LTCO promotes *Money Follows the Person*, a program known in New Jersey as *I Choose Home NJ*. The program provides services and supports to empower willing and eligible nursing home residents to transition to the community.
4. **Social Isolation Project:** This program addresses social isolation and loneliness among long-term care residents who had been restricted to their facility, and often to their rooms, for as long as two years. Social workers proactively visit with long-term care residents to assess their quality of care and quality of life.
5. **Community Engagement:** The LTCO's newest program works with residents to help build community, amplify their voices, and advocate for lasting change in nursing homes.

INVESTIGATIONS AND ADVOCACY

Guidance. Support. Advocacy.

The Office of the Long-Term Care Ombudsman (LTCO) is authorized by federal and state law to:

- Accept confidential complaints from any source or anonymously by phone, fax, mail, or email;
- Investigate those complaints and resolve or refer them to regulatory or law enforcement entities for further action;
- Conduct public or private hearings;
- Subpoena documents or personal testimony;
- Access residents of long-term care facilities and their records without restriction; and
- Work with nursing home resident councils to empower residents to advocate for themselves.

Once a case is opened and assigned, the Investigator makes an unannounced visit to the facility; meets the resident to obtain consent to proceed; conducts a complete review of the facts; obtains records; and interviews the resident, staff, and other relevant witnesses.

The primary goals of each investigation are to resolve the issues to the satisfaction of the residents and ensure that residents are safe and their rights and dignity are being upheld.

If the Investigator verifies or suspects the resident has been the victim of abuse, neglect or exploitation, the Investigator will refer the findings to a regulatory or law enforcement entity for possible further investigation and action.



INVESTIGATIONS AND ADVOCACY SPOTLIGHT

Case Example: A law enforcement officer filed a complaint with the LTCO in January 2023 after reviewing a long-term care facility's surveillance video and observing staff members sleeping on the overnight shift. The LTCO investigation determined that a certified nursing assistant (CNA) and a certified home health aide (CHHA) had tied a resident to a chair with bedsheets so they could sleep undisturbed. The staff members admitted to doing the same thing previously with other residents.

Outcome: The LTCO Investigator made referrals to the appropriate licensing authorities — the Board of Nursing for the CHHA and the Department of Health for the CNA — as well as the Medicaid Fraud Unit within the state Attorney General's Office. The Attorney General's Office reported that the staff members were criminally charged and will be going to trial.

Case Example: An individual who had been admitted to a long-term care facility in 2022 was observed in declining health during an April 2023 site visit. The resident was showing evidence of skin breakdown. The assigned LTCO Investigator verified that the skin breakdown was a result of neglect by the facility staff. The case was referred to the Department of Health for follow-up action.

Outcome: Months later, the Investigator returned to the facility on an unrelated complaint and saw the resident from the prior investigation. "Resident has done a complete 180," the Investigator wrote in a summary of the visit. "She was sitting up in bed with a phone and tablet. She has gained weight and looks a world improved. ... She states she is getting better and hopes to discharge into the community soon."



ACTIVITIES AND ACCOMPLISHMENTS

In FFY 2023, the LTCO:

FIELDDED 11,381 calls made to the LTCO toll-free intake line (1-877-582-6995). Approximately 3,100 complaints were received by email or fax.

INITIATED 8,283 investigations and closed out 7,354 investigations involving 17,118 separate complaints.

RESOLVED or partially resolved 96 percent of these complaints to the satisfaction of the resident.

CONSULTED with 18,614 individuals seeking information on a wide variety of topics including: residents' rights, LTCO services, care concerns and involuntary discharge.

PROVIDED information to 8,894 facility staff on a range of topics including: emergency transfer requirements, involuntary discharge, mandatory reporting and residents' rights.

ATTENDED 577 resident council meetings.

PROVIDED information and input to state surveyors in 83 facilities.

ENGAGED the community during 83 community education sessions.



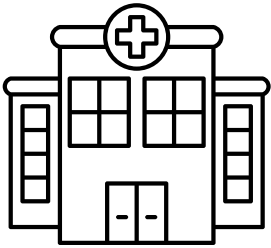
TYPE OF COMPLAINTS

Complaint Type/Category	Nursing Facility	Residential Care Community	Other	Total by Complaint Type
Abuse, Gross Neglect, Exploitation	2,081	362	121	2,564
Access to Information	434	69	13	516
Admission, Transfer, Discharge, Eviction	841	237	34	1,112
Autonomy, Choice, Rights	2,118	250	45	2,413
Financial, Property	389	100	15	504
Care	5,215	586	111	5,912
Activities and Community Integration and Social Services	528	57	11	596
Dietary	804	76	10	890
Environment	1,102	205	29	1,336
Facility Policies, Procedures, and Practices	730	122	10	862
Complaints About an Outside Agency (Non-Facility)	35	7	1	43
System and Other	244	116	10	370

LTCO JURISDICTION/BUDGET

Long-Term Care

Skilled Nursing



378



51,918

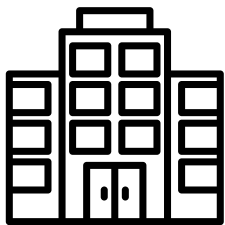
Other



Adult Day Health Care Services
Independent Living of CCRC
Developmental Center
Specialty Hospital
Comprehensive Rehabilitation
Psychiatric Hospital
Adult Family Care Homes
Assisted Living Programs
Social Daycare Facilities

Board and Care

Assisted Living Residence,
Residential Dementia Care,
Residential Health Care



543

Boarding Homes,
Freestanding RHCF, Comp.
Personal Care Home



29,912

Federal Fiscal Year 2023
Spending

Federal Funds: \$1,172,071

State Funds: \$3,917,461

Total: \$5,089,532

State Fiscal Year 2023
Appropriation

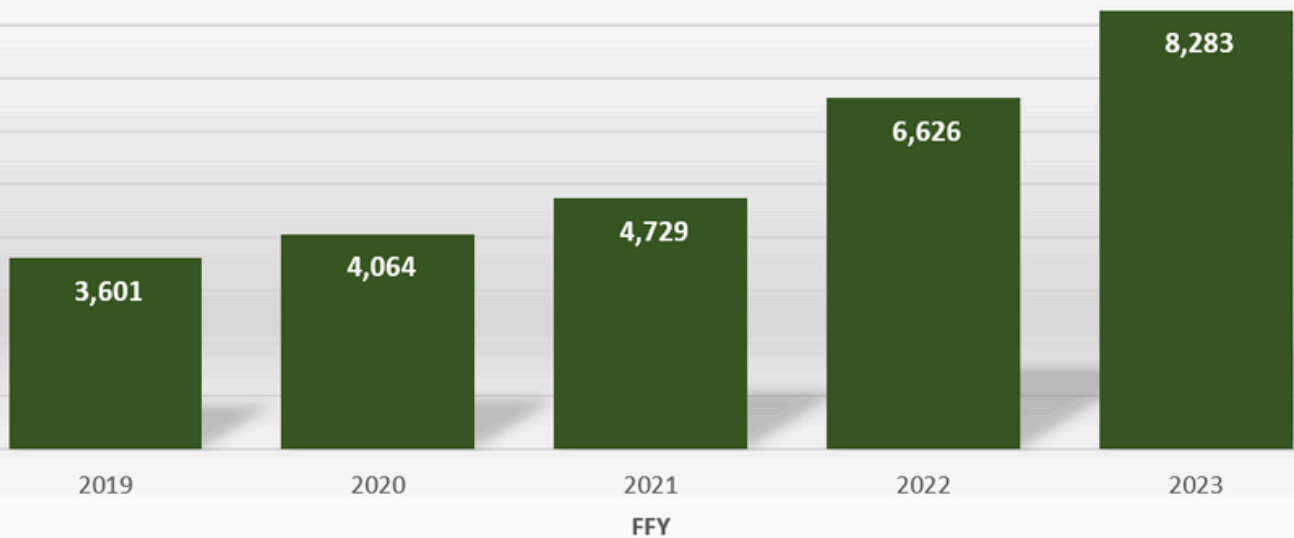
Federal Funds: \$1,528,000

State Funds: \$4,262,000

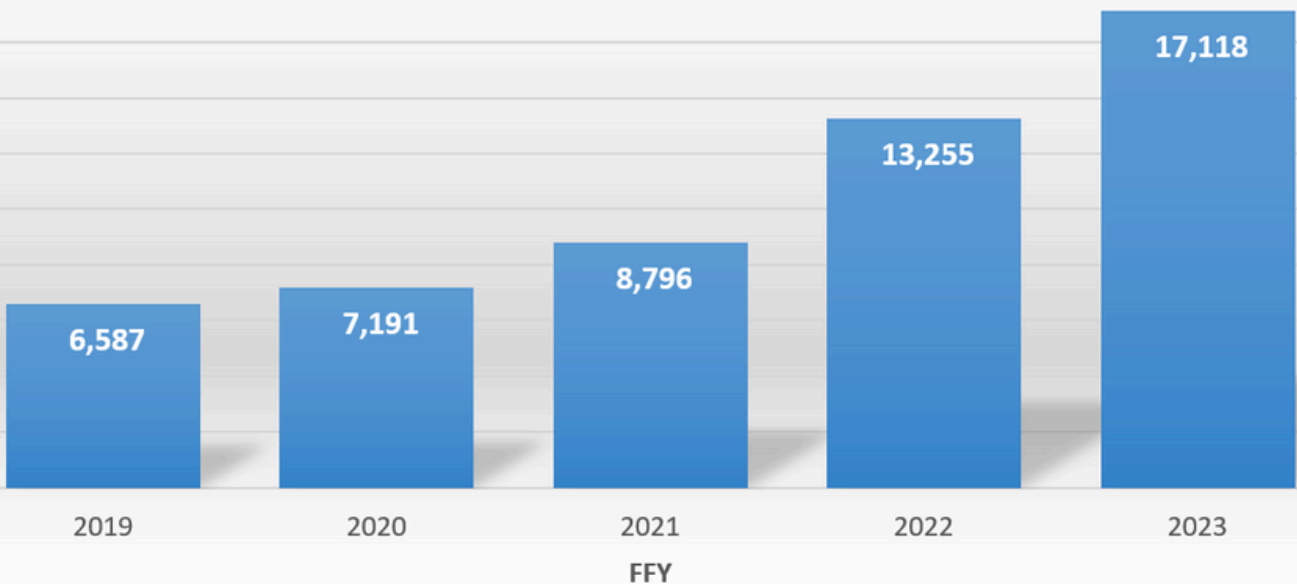
Total: \$5,790,000

CASE TRENDS

CASES OPENED (FEDERAL FISCAL YEAR)
Ombudsmanager-LTCO Case Management System



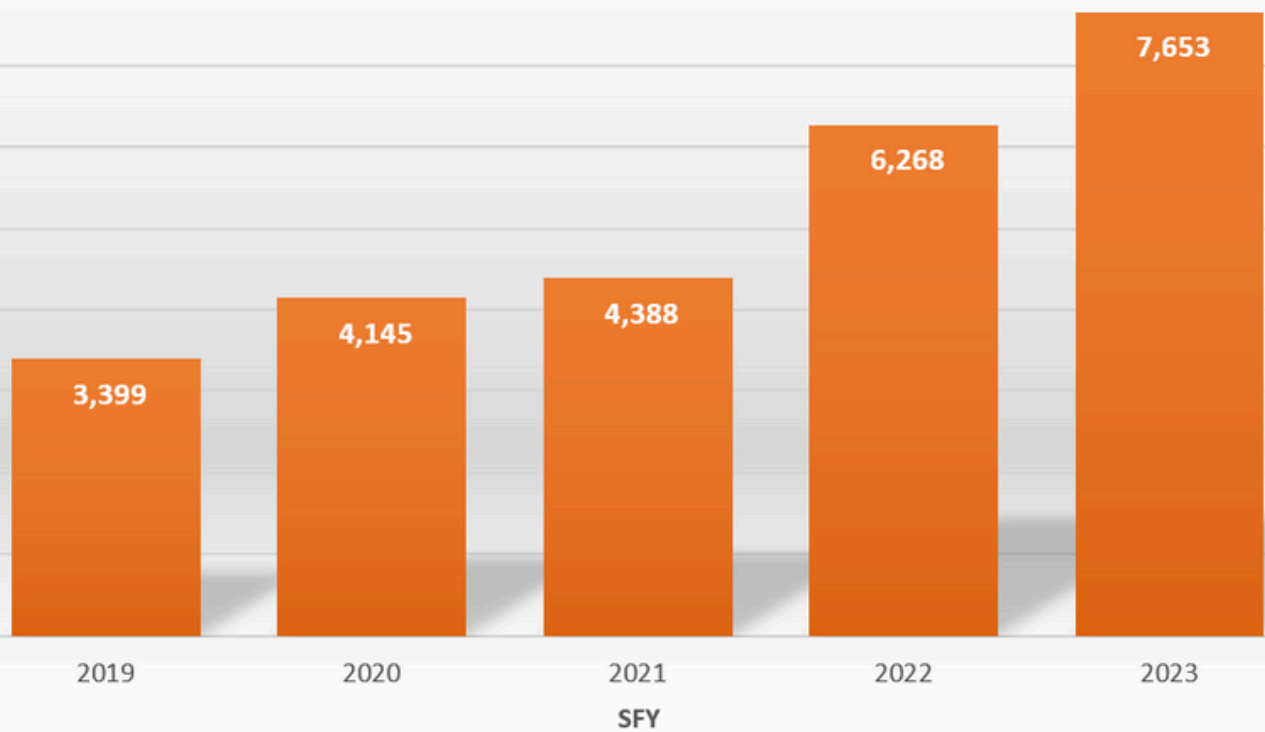
COMPLAINTS INVESTIGATED
(FEDERAL FISCAL YEAR)



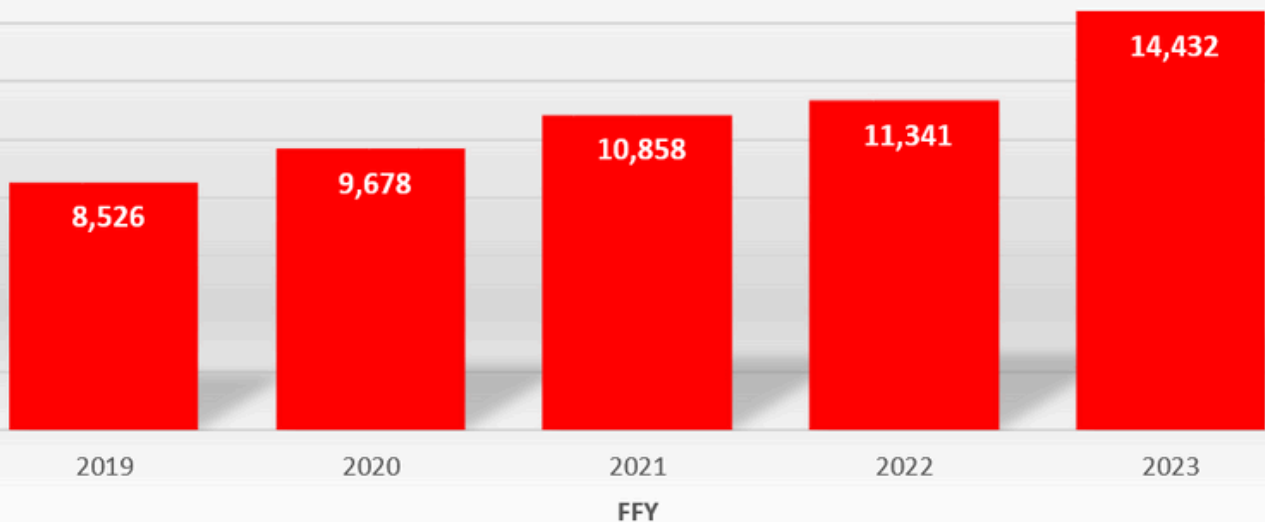
Each case can involve multiple complaints

CASE TRENDS

CASES OPENED (STATE FISCAL YEAR)



CONTACTS FOR ASSISTANCE (FEDERAL FISCAL YEAR)



CERTIFIED VOLUNTEER ADVOCATE PROGRAM

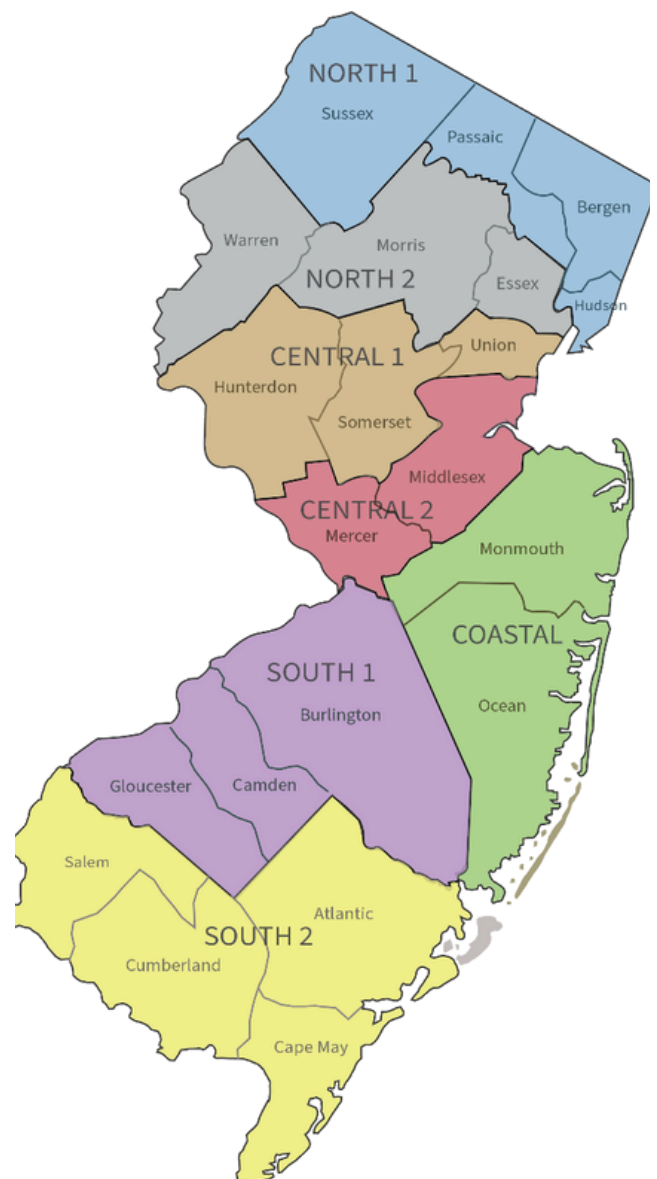
Making a Difference through Advocacy

Certified Volunteer Advocates (CVAs) fill a crucial role, proactively visiting nursing homes to help solve problems for residents and ensure they are treated with dignity and respect. The CVAs are trained on how and when to intervene and advocate for residents facing common concerns — such as staff responsiveness, food, hygiene, lack of activities, and missing personal belongings.

When serious issues such as abuse, neglect or exploitation are identified, the Office of the Long-Term Care Ombudsman (LTCO) assigns a full-time staff member to investigate and resolve them.

During Federal Fiscal Year 2023, the CVA Program reorganized from five regions to seven. Regional Coordinators manage CVAs at the local level under the direction of Jeff Findlay, Supervisor of Field Operations/Certified Volunteer Advocate Program.

North 1— Sussex, Passaic, Bergen, Hudson
North 2— Warren, Morris, Essex
Central 1— Hunterdon, Somerset, Union
Central 2— Mercer, Middlesex
Coastal— Monmouth, Ocean
South 1— Burlington, Camden, Gloucester
South 2— Salem, Cumberland, Atlantic, Cape May



CERTIFIED VOLUNTEER ADVOCATE PROGRAM TRAINING

Certified Volunteer Advocates receive 36 hours of in-depth, virtual training that provides an overview of the program and covers subjects such as:

- Demographics of the Elderly Population.
- Normal and Abnormal Conditions of Aging.
- Medication and the Elderly.
- Communication Skills.
- The Long-Term Care Setting.
- Social, Financial, Legal, and Ethical Issues.
- Residents' Rights.
- Elder Abuse, Neglect, and Exploitation.
- The LTCO Complaint Process.
- Visiting a Long-Term Care Facility.



The training curriculum was recently updated to reflect industry changes, trends, and new federal nursing home regulations. The training sessions are led by the Certified Volunteer Advocate Program Statewide Trainer.

Prospective Advocates must pass a certification exam after completing the training. Once certified, new Certified Volunteer Advocates shadow experienced Advocates until they are ready for placement in a nursing home near where they live. The Regional Coordinators handle the new Advocates' placement and orientation.

Continuing Education

Ongoing training is essential to the success of the program. Certified Volunteer Advocates keep up-to-date on their role in the long-term care setting by attending quarterly regional meetings or annual state conferences. Training curricula and methods are continuously reevaluated and revised as needed.

Experts in geriatrics, disability services, visual impairment, cultural diversity, long-term care assessment and licensing, activities, person-centered care, and residents' rights have presented to Certified Volunteer Advocates and LTCO staff.

CERTIFIED VOLUNTEER ADVOCATES: 139

TOTAL VOLUNTEER HOURS: 15,733

CERTIFIED VOLUNTEER ADVOCATE SPOTLIGHT

Karen Thompson — Fulfillment in Serving Others



For two decades, Karen Thompson has served as a Certified Volunteer Advocate (CVA), promoting quality care and a better quality of life for residents of a 120-bed nursing home in Cape May County.

Originally from Cape May Court House, Karen has lived in Whitesboro, a small community within Middle Township, for 23 years. She is married with five grown sons.

Karen remains active in her church and loves spending time with her children and grandchildren. She is also a longtime volunteer and a member of the Board for Directors for Habitat for Humanity Cape May County, a local chapter of the global organization that is dedicated to helping individuals and families develop strength, stability, and self-reliance through home ownership.

She retired after approximately 20 years in nursing yet maintained an interest in caring for older adults. In her retirement, Karen became a home health aide in addition to volunteering as a CVA.

Karen's nursing background, passion for giving back to the community, and her faith all factored into her decision to become a CVA in 2005. Her strong advocacy is appreciated by residents and grateful family members.

"When I first began going into the facilities, I interacted with every resident I could," Karen said. "I tried to make sure I did not leave anyone out."

Today, Karen continues to visit the nursing home regularly. She also enjoys attending meetings of the Resident Council — a group consisting of and led by residents to represent the interests of all residents in the nursing home. Karen said the primary issues that come up are universal in nursing homes — food, laundry issues, and understaffing — and give her insight on how to best advocate for residents.

Ultimately, Karen said, being a CVA is a rewarding and fulfilling experience because your successes are not only personal, they are achieved in the service of others.

Learn more about the CVA Program at nj.gov/volunteer.

SOCIAL ISOLATION PROJECT

Engaging Residents Where They Live

NOTE TO READERS: *In this report, we will use Social Isolation Project (SIP) to name this initiative, which began during the COVID-19 emergency to help connect residents to loved ones and fellow residents when visits and gatherings were restricted. The SIP has since evolved into a permanent department of the LTCO with a new name — the Resident Experience Program — and a renewed commitment to promoting person-centered care and the dignity and well-being of all residents. Learn more at <https://www.nj.gov/ooie/specialproject.shtml>.*

The LTCO Social Isolation Project (SIP) continued its support and advocacy for residents during Federal Fiscal Year 2023 (the 12-month period ending on Sept. 30, 2023) by making regular, unannounced visits to long-term care facilities, including nursing homes, state-run veterans' homes, state psychiatric hospitals, residential health care facilities, and assisted living residences. SIP staff members observe living conditions and staff-resident interactions; communicate with residents about any issues they are experiencing; and, with consent, advocate on the residents' behalf to resolve them. The goal is to visit facilities at least quarterly or, if needed, more frequently to address ongoing concerns. Because of its proactive nature, SIP can identify facilities that are declining in quality and may need intervention from state partners.

Social Isolation Project Spotlights:

Nicole, who is legally blind, is in a better place (literally and figuratively) thanks in large part to the efforts of Adlyn Nelson, a social worker who is an Investigator/Advocate with SIP. Things began a turn for the better when Nicole moved to a new long-term care facility, leaving behind a place where little effort was given to accommodate her needs.

After Nicole's move, Nelson connected her with the social worker at her new nursing home and the Commission for the Blind and Visually Impaired (CBVI), a state agency that provides equipment and instruction to help with orientation, mobility, and activities of daily living (ADL).

Nelson also gifted Nicole with a cuddly mechanical cat to provide some comfort and companionship in her new environment. The electronic pet donation was part of a broader SIP initiative to help alleviate the social isolation, loneliness, and cognitive decline that many residents experienced at the height of the COVID pandemic.

Read Nicole's story in The Beacon, our monthly resident newsletter, at <https://www.nj.gov/ooie/pdf/newsletterNov2022.pdf>



SOCIAL ISOLATION PROJECT

Spotlight Continued

To mark Veterans Day in November 2022, Jennifer McMahon, Chief of Advocacy Services, presented Glenn Osborne with a certificate of appreciation on behalf of the LTCO staff.

Glenn is a veteran, having served eight years in the U.S. Marine Corps and earning promotions up to the rank of Warrant Officer in flight operations and intelligence. He is also a well-known advocate and strong voice for vulnerable people.

When the COVID-19 emergency began, Glenn lived at the New Jersey Veterans Memorial Home at Menlo Park and served as Resident Council President. Like many long-term care facilities, the Veterans Home was hard hit by the pandemic. The National Guard was deployed to the home in spring 2020 to assist during a time characterized by resident deaths and staff shortages. Glenn was a crucial presence, advocating for residents' right to go outdoors and communicating with residents' family members to give them up-to-date reports of how their loved ones were faring.

Glenn has testified before legislative committees about conditions in nursing homes during the pandemic. He also served on the New Jersey Task Force on Long-Term Care Quality and Safety, which released its final report in 2024.



I CHOOSE HOME NJ

A Nursing Home May Not Be the Only Option

Advocacy and Outreach

I Choose Home NJ — a program called Money Follows the Person at the federal level — provides support services that enable residents of nursing homes and developmental centers to move to homes in the community. Reducing the number of people in institutional care saves money that the state must reinvest in more home- and community-based services. The LTCO works closely with the state Department of Human Services and federal Centers for Medicare and Medicaid Services (CMS) to fulfill this critical mission. Since 2008, the I Choose Home NJ team has successfully transitioned nearly 4,200 people into homes in the community for a savings of more than \$41 million.

Outreach and Advocacy Coordinators representing I Choose Home NJ are authorized to freely enter nursing homes, speak confidentially with residents, and review their records (with consent). The goals are to identify residents who want to move out, fiercely advocate for them, and help resolve any barriers or issues. LTCO staff members also educate nursing home staff, community health care providers, caregivers, families, and the general public about the program.

2008 - 2023

Older Adults - 1,535

Intellectual/Developmental Disabilities - 976

Adults w/ Physical Disabilities - 1,665

Total transitions - 4,176

2023

Older Adults - 205

Intellectual/Developmental Disabilities - 18

Adults with Physical Disabilities - 170

Total transitions - 393



Helping to Identify and to Create Affordable and Accessible Housing

I Choose Home NJ continues to increase access to housing vouchers through local housing authorities and the Money Follows the Person Housing Partnership Program (MFPHPP), a collaboration between the state Department of Human Services and the Housing Mortgage Finance Agency that offers developers capital funding to build affordable housing for people waiting to leaving nursing homes. The MFPHPP launched in December 2015 and has provided \$83 million for 92 affordable, accessible apartments. About 40 units are completed, while the remainder are in some phase of construction.

I CHOOSE HOME NJ

Continued

Quality Assurance

In 2023, the Quality Assurance Specialist continued to visit or contact I Choose Home NJ participants within 30 days of transition to the community to assess any issues that might prevent the person from thriving in the community.

For example, do they need more personal care assistant hours? Medical equipment? Access to transportation? If there are potential barriers, the specialist works with managed care liaisons and other community partners in an attempt to resolve the issues.

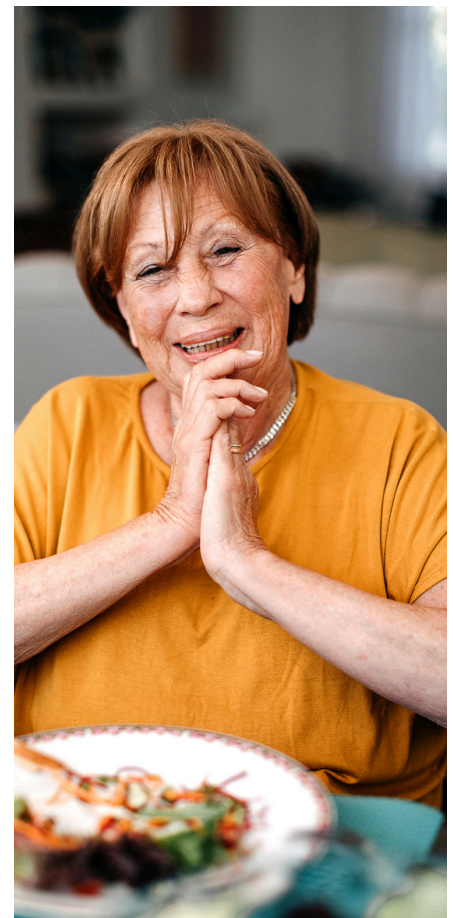
Data collected during this outreach measures the successes and challenges of I Choose Home NJ and also identifies any broader issues in the managed long-term services and supports system. The most common challenges reported were outstanding needs for medical equipment vital to day-to-day well-being, delays with home accessibility modifications, and limited knowledge of non-medical transportation benefits vital to exploring and integrating in one's community. This data is shared biannually with managed care and state partners to keep them informed about participant experiences and potential areas for improvement.

I Choose Home/Long Term Care Stakeholder Group

During Federal Fiscal Year 2023, the I Choose Home NJ/LTCO Stakeholder Group met regularly to offer space for a dialogue centered on the perspectives and experiences of individuals and their caregivers trying to improve New Jersey's long-term care system.

The group brings together nursing home residents, I Choose Home participants (former residents living in the community), caregivers, advocates, policymakers, providers, researchers, and family members. Stakeholders have proposed improvements to I Choose Home NJ services as well as policy and legislation to address challenges in the long-term care system as a whole.

The group's recommendations on long-term care reform priorities were also shared with the New Jersey Task Force on Long-Term Care Quality and Safety, which published its final report to Gov. Phil Murphy and the Legislature in 2024.



A Nursing Home May Not Be the Only Option

Helen, ICH-NJ Spotlight



Helen's home — a private space in her son's house — is a magnet for visitors, especially her family of three grown children, 13 (mostly grown) grandchildren, and two great-grandchildren — not to mention the family dog Oreo and the neighborhood birds and rabbits.

Neighbors and their dogs will stop by, along with members of her congregation. She is in a much happier place than the two years she lived in a nursing home.

Helen credits her faith, friends, and family for helping her through her nursing home stay to reach her goal of community living. "My faith got me through a very hard part of my life," she says.

Life in long-term care was not all bad. Helen fondly remembers many nursing home staff members for their kindness and helping her when she needed it most. She became close friends with her former roommate as well.

"My roommate was my heart. We did a lot together. I [still] talk to her every day."

Helen was 80 years old when she left the nursing home behind in March 2023 and moved into her current home.

"I have my own things now," Helen says. "I have my own kitchen. The [home health] aide that comes to my apartment is very nice." Helen recently obtained a motorized wheelchair, and she plans to make good use of it exploring her community. She looks forward to attending religious services in person and going back to her former nursing home to visit her friends and the staff.

Her advice to anyone thinking about taking the leap to community living?

"Do it now," she responds. "Do it right away. There's nothing like being home. There's nothing like your family."

Learn more about I Choose Home NJ at <https://www.nj.gov/ooie/ichoose/>.

COMMUNITY ENGAGEMENT PROGRAM

Doing With Residents, Not For Them

LTCO Program Strives to Engage Residents, Build Community

Residents are the experts when it comes to what goes on in their nursing homes, and they know what they need to make their lives better. Providing support while giving them space to lead is essential to that happening.

That is where Community Engagement, the LTCO's newest department, enters the picture. Launched in 2023, Community Engagement helps make the New Jersey Office of the LTCO unique by centering long-term care advocacy that is rooted in the perspectives [and experiences] of residents.

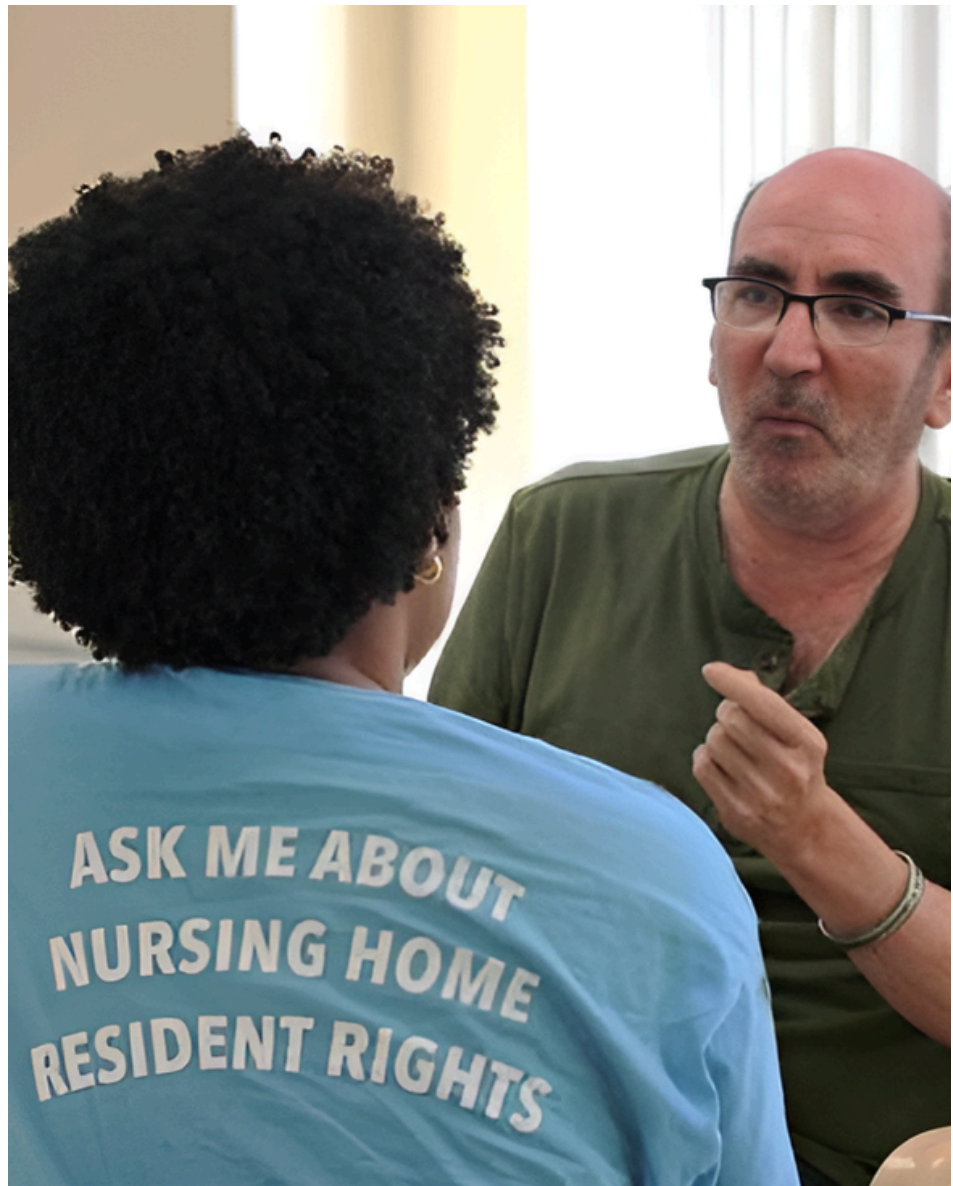
We do *with* residents, not *for* them.

Community Engagement expands the traditional role of the LTCO by working with residents across New Jersey to build community, amplify residents' voices, and advocate for lasting change in long-term care facilities.

Again, the residents know what they need.

Community Engagement's role is to support the residents and help make it happen. Family members are often essential partners, and Community Engagement will also build a program to work with families in support of the residents' efforts.

Ray DiFrancesco, pictured right, is a charter member of NJ Nursing Home Residents United, a statewide group of residents that works closely with Community Engagement.



COMMUNITY ENGAGEMENT PROGRAM

Continued

In its first year, Community Engagement focused on building relationships with residents and co-creating with residents a framework for the program. The goals of the program are to:

- Build community among residents of different facilities by hosting regular virtual meetings to discuss common problems and potential solutions.
- Support residents' efforts to lobby for legislation and policies that would improve their lives or protect their rights.
- Help residents strengthen their resident councils, which can play a crucial role in improving care and the quality of life in a nursing home.
- Facilitate conversations with policymakers and others who want to hear input directly from residents.
- Amplify voices of residents by producing videos and participating in conferences as panelists.

Learn more at <https://www.nj.gov/ooie/community-engagement.shtml>.



LTCO POLICY AND LEGISLATIVE ACTIVITIES

Helping More People Stay in Their Own Homes and Communities

Throughout 2023, the LTCO supported pending legislation to allow presumptive eligibility for home- and community-based services under Medicaid. The legislation — Bill A4049/S3495 — enabled the state to fund home- and community-based services for people who appear to be Medicaid-eligible without having to wait through the lengthy approval process. The change would allow early intervention to support people in their own homes and avert the need for nursing home care. The legislation had the highly sought-after dual benefit of providing better outcomes for New Jersey residents while ultimately costing less for the state.

The Assembly approved the bill by a 78-0 vote on June 30, 2023. By the end of Federal Fiscal Year 2023, however, the Senate had not acted on the bill. In January 2024, just before the end of the legislative session, a substitute bill passed the Senate and Assembly before being signed into law by Gov. Phil Murphy.

Perils of Understaffing: LTCO Amplifies the Voices of Residents, Families

In June 2023, the LTCO worked with the state Department of Health, which inspects nursing homes, and FACE-NJ, a grassroots family organization that advocates for long-term care reforms, to host a discussion on staffing shortages and how they affect residents' well-being.

The meeting was held virtually to enable residents and their loved ones from across New Jersey and beyond to attend and offer their perspectives.

In September 2023, the federal government published a proposal requiring 3.48 hours of nursing care per resident per day, including at least 0.55 hours of care by a registered nurse and 2.45 hours by nursing assistants. The LTCO's new Community Engagement Program worked with residents and their allies to submit comments on the proposed rules.



LTCO POLICY AND LEGISLATIVE ACTIVITIES

Continued

Financial Transparency for Nursing Home Operators, Related Companies

The LTCO supported legislation (Bill S2769/A4484) that would have required nursing homes to submit certified consolidated financial statements for themselves and any related entities involved in their operations. The bill advanced through committees in both chambers of the Legislature but ultimately failed to pass.

Consolidated financial statements are needed to properly evaluate how much nursing homes actually spend on care and services for residents and how much money is diverted into profits for principals of the related companies. This topic remains a legislative priority for the LTCO.



New Jersey Office of the Long-Term Care Ombudsman

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In an emergency, please call 911. The LTCO is not a first responder.

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