



What to Do if You Have a Concern about Quality in a Connecticut Nursing Home

Advice and resources for dealing with quality concerns

Nursing homes in Connecticut provide continuous skilled nursing and supportive services to residents. Connecticut has 230 licensed and certified nursing homes, and most provide quality care most of the time. There are times, however, when residents or family members have concerns about the quality of care in a nursing home.

If this happens to you, this tip sheet can help. It gives you:

- Practical advice about what to do and who to talk with, including phone numbers and addresses
- Links to resources that can help

This tip sheet explains steps you can take within the nursing home to deal with your concerns about quality of care. It tells you how to contact places that regulate or oversee nursing homes.

Is it worth it to pursue a concern about quality?

For many of us, it's not easy to act on a concern about the quality of care we or our loved ones receive. The process can be stressful, frustrating and take a long time. In the end, it's possible that others may not agree with the way we see the situation.

Is it worth the time and energy to take action on concerns about the quality of nursing home care? Only you or your loved one can decide. In making the decision, think about the continued harm that might take place if you do nothing—and think about how the actions you take might lead to better care for future residents and their families.

What is quality of care?

Quality health care is doing the right thing, at the right time, in the right way, for the right person—and having the best possible results.

What are some of your quality of care rights in a Connecticut nursing home?

Under the law, you have the right to:

- Be treated with respect and dignity

- Participate in making decisions about your care
- Complain

For more information, see this information about resident rights:

<http://www.ct.gov/lcop/cwp/view.asp?a=2725&q=326388&lscopNav=>

What types of quality concerns might you see in a nursing home?

Health care quality concerns could arise for a variety of reasons in a nursing home. Some might relate to how well the whole staff works together or whether there is enough staff to provide care for residents. Other quality concerns might result from a specific action a staff member takes (or doesn't take), such as giving you a drug that you shouldn't get or giving too many drugs. Some of these actions may not affect your health at all; some may cause inconvenience or pain; others may cause serious harm.

Staff who physically harm, abuse or neglect patients are always cause for major concern. They put you, your loved one and other residents in what is called “immediate jeopardy”—a situation that may lead to serious injury or death.

What steps should you take if you have a concern about quality?

Step 1 — Talk with a nursing home staff member who can fix the problem.

For many quality concerns, it's often best to try to talk with staff at the nursing home first. You can talk with the social worker, a nurse, the administrator (head of the nursing home), or another trusted staff member. You could put your concerns in writing and ask for a written response. You might also bring your concerns to the resident council, particularly if the concern affects others in the nursing home.

Step 2 — Call the Long Term Care Ombudsman Program.

If your concern is not fixed within a reasonable time, or if you are not comfortable talking with someone in the nursing home, you can call the Long Term Care Ombudsman Program. This is a free program of the Connecticut State Department on Aging. Ombudsmen receive and resolve complaints from residents in nursing homes, personal care homes and other long-term care places. The Ombudsman Program received over 2,000 complaints in Connecticut in 2012. About one-half of those complaints were resolved to the satisfaction of the person who complained.

All nursing homes are required to post the phone number for their local ombudsman program. You can also find the phone number and additional information about your local ombudsman by county at this website:

<http://www.ct.gov/lcop/cwp/view.asp?a=2868&q=332760>

Or you can call the Ombudsman statewide toll free number: 866-388-1888

The Ombudsman will meet with you and/or a family member in a private setting so you can talk freely. If you allow it, they'll talk with nursing home staff or review records to see if they can solve the problem. You or your family member will be told what the ombudsman finds out about your concern.

If you're not happy with the result, or if you want to protect others from possible harm, you can file a complaint with the Connecticut Department of Public Health.

Step 3 — File a complaint with the Connecticut Department of Public Health.

Connecticut nursing homes are licensed and certified by the Connecticut Department of Public Health (DPH). This means that the home must follow certain federal and state rules in order to care for residents and receive payment. One function of DPH is to receive and investigate complaints about nursing homes.

DPH received 650 complaints about nursing homes in 2013. They found that 145, or 22%, of the complaints were “substantiated”—that means found to have problems that needed to be fixed.

Submitting the complaint: You can file a complaint with the DPH Facility Licensing and Investigations Section by sending written documents to:

Facility Licensing and Investigations Section
Connecticut Department of Public Health
410 Capitol Ave., MS# 12 HSR
P.O. Box 340308
Hartford, CT 06134-0308

Or Fax to: 860-509-7538

Or E-mail to: oplc.dph@ct.gov

Phone: 860-509-7400

Be as specific as possible about your concern if you are writing your complaint. For example, talk about what happened, when it happened, and where it happened and include dates and specific names. Make sure you keep a copy of what you send. Once DPH receives your complaint, they will send you a letter saying that they have received it if you gave them your contact information.

The investigation: What happens next depends on how urgent your concerns are. Trained staff review the complaint and decide how it should be handled (a process called “triage”). Some complaints involve serious harm or the possibility of serious harm, such as death or a very bad injury. If this happens it is called “immediate jeopardy.” In this case, DPH staff should be at the nursing home investigating within 2 days of getting the complaint.

Concerns that are “high priority” trigger investigations within 10 days. Medium and lower-level complaints may take anywhere from 45-90 days. Some are reviewed the next time the DPH staff visit the nursing home for a regular inspection. Connecticut nursing homes are inspected every year.

Complaint investigations that involve a visit to the nursing home are unannounced—the nursing home leaders and staff are not told in advance that a DPH investigator is coming.

Depending on the type of complaint, the DPH investigator will probably talk to you and other residents and family members, look at your medical records, talk to and observe staff members and inspect the facility. After the investigation is done, you will get a letter telling you what DPH found. The letter will include contact information if you have any questions or concerns.

What are the outcomes? If the investigation finds that there was a quality violation, DPH issues a report outlining the problems (called a Statement of Deficiencies or Violations). The nursing home will then respond with a plan saying how they will correct those problems. If needed, DPH may go back to the nursing home to make sure the corrections are made.

The nursing home may have to pay a penalty for the worst violations. Information on nursing home inspections is available on the federal government's Nursing Home Compare website noted below.

How long will it take? It generally takes at least 3 months to complete an investigation of a nursing home complaint. That time-frame can vary, though, depending on the case.

Can you remain anonymous when you file a complaint?

You have the right to remain anonymous when you file a complaint—that is, to not give your name or contact information. Note that if your complaint is filed this way, you won't automatically receive information about what happened.

Your complaint will be treated confidentially. The Connecticut Department of Public Health won't tell the nursing home that you are the one who filed the complaint.

You can talk with the Long Term Care Ombudsman about the pros and cons of remaining anonymous in your case.

What if the nursing home retaliates against you or a loved one for filing a complaint?

Being concerned about staff punishing you or a loved one is understandable given your dependence on them for care. However, it is absolutely against the law to retaliate against a resident of a nursing home for filing a complaint. If you feel you or a loved one are being retaliated against, you should contact the Ombudsman Program or the Connecticut Department of Public Health (DPH) with your concern.

Find the phone number of your local Ombudsman by county at this website:

<http://www.ct.gov/lcop/cwp/view.asp?a=2868&q=332760>

DPH Phone: 860-509-7400

Where else can you go with a concern about quality?

Center for Medicare Advocacy: This Connecticut-based national advocacy group works on issues related to Medicare coverage and quality for older people and those with disabilities. They may be able to help with nursing home quality concerns.

<http://www.medicareadvocacy.org/>

Connecticut Department of Public Health/Nursing Home Administrator Licensure: The head of a nursing home, known as the administrator, is licensed by the Connecticut Department of Public Health which sets standards for administrators and takes complaints.

If you feel that a nursing home administrator is not fulfilling his or her duties, use this complaint form to express your concern and send it to the address below.

http://www.ct.gov/dph/lib/dph/practitioner_licensing_and_investigations/plis/inv/petition_form.pdf

Send to:

State of Connecticut
Department of Public Health
Practitioner Investigations Unit
410 Capitol Ave., MS#12HSR
P.O. Box 340308
Hartford, CT 06134-0308

Medicare: If your nursing home care is paid for by Medicare (the federal health insurance program for people over age 65 or people under 65 who are disabled), you have an additional place to go with a quality of care concern. Medicare pays a Quality Improvement Organization (QIO) to take complaints from Medicare patients. In Connecticut, that organization is called Livanta.

You can call Livanta at the following number: 866-815-5440. Explain to the person who answers the phone what your concerns are. Depending on the type of problem you are having, they may be able to get help right away. For example, with your permission, they may be able to call the nursing home to see if they can help solve your problem. In other cases, they may ask you to send your complaint in writing using a complaint form.

If you send Livanta a complaint, you will be notified if the care you or your loved one received met the expected standard. Their process is generally focused on improving the performance of nursing homes, not on punishing them.

For more information about the Livanta complaint system and to access an online complaint form:
<http://bfccqioareal.com/>

Office of the Attorney General: You can also call the Healthcare Fraud and Abuse section of the Connecticut Attorney General's Office if you have a concern about certain activities in a nursing home. Examples include providing unnecessary services, billing for medical services that you didn't get, billing for more expensive services or billing more than once for the same medical service.

Connecticut Office of the Attorney General Fraud Tips Line: 1-860-808-5354

For more information: <http://www.ct.gov/ag/cwp/view.asp?a=2205&Q=518420>

Joint Commission: The Joint Commission is a nonprofit organization that evaluates and accredits (judges the quality of organizations against a set of rules or standards) health care organizations across the country. Not all nursing homes are accredited by the Joint Commission. Those that are must follow the Joint Commission's complaint process. To find out if the Joint Commission has accredited your nursing home, search for it in the Quality Check database:

<http://www.qualitycheck.org/consumer/searchQCR.aspx>

Information about the complaint process at the Joint Commission:

http://www.jointcommission.org/report_a_complaint.aspx

What should you do if you're not getting any response?

Connecticut Legislators: If you are not hearing back from the nursing home or you have other concerns about the way you're being treated, you can call your Connecticut General Assembly representative and senator. They have staff who assist people living in their districts who aren't getting the help they need.

http://www.cslib.org/pathfinders/electionmaps/index.htm#Senate_Districts

Where can you find information about Connecticut nursing homes?

There are several online resources you can check for information about the quality of care provided in Connecticut nursing homes:

Nursing Home Compare:

A federal website that includes information on problems found during regular surveys and complaint investigations. Also includes performance information on the quality of nursing home care.

<http://www.medicare.gov/NursingHomeCompare/search.aspx>

Connecticut Nurse Aide Registry Search:

A database where you can search by name for nurse aides to see if they are in good standing or not.

<https://registry.prometric.com/registry/publicCT>

My Place CT:

A state website that provides a variety of information about your long term care needs and how to find and pay for programs and services.

<http://www.myplacect.org/>

Other useful information

If you are concerned about the quality of care in a Connecticut hospital or managed care plan (HMO), or with care provided by doctors, registered nurses, or pharmacists—here's where to go for more information:

IPI Doctor Tip Sheet:

What to Do if You Have a Concern About Quality from a Connecticut Doctor

<http://www.informedpatientinstitute.org/PHYQuality-CT.php>

IPI Hospital Tip Sheet:

What to Do if You Have a Concern About Quality in a Connecticut Hospital

<http://www.informedpatientinstitute.org/HOSQuality-CT.php>

Managed Care/HMO:

Connecticut Insurance Department

<http://www.ct.gov/cid/cwp/view.asp?q=390244>

For additional information about your rights in a Connecticut HMO, contact the Connecticut Office of the Healthcare Advocate:

<http://www.ct.gov/oha/site/default.asp>

Pharmacists/Pharmacies:

The Commission of Pharmacy

Department of Consumer Protection

<http://www.ct.gov/dcp/cwp/view.asp?a=1629&q=438372>

If you or someone in your family has experienced a serious drug reaction, you can report it to the Federal Food and Drug Administration (FDA). To find out more:

<http://www.fda.gov/Safety/MedWatch/HowToReport/ucm053074.htm>

Registered Nurses:

Connecticut Board of Examiners for Nursing

<http://www.ct.gov/dph/cwp/view.asp?a=3143&q=388910>

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