

## **NURSING FACILITY ADVOCATE GLOSSARY**

### **Prepared by the Disability Rights Network of Pennsylvania**

**Area Agency on Aging (AAA)** – Local organizations established by the Older Americans Act (OAA) in 1973 to provide supports to Americans over the age of 60 to make it possible for older adults to remain in their homes and communities as long as possible. (From the National Association of Area Agencies on Aging website.) The Pennsylvania Department of Aging runs the Area Agencies on Aging (AAAs).

**Assistive technology device** – Any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities. This includes Durable Medical Equipment (DME).

**Assistive technology service** – Any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. This includes evaluation, customization, adaptation, training, technical assistance, repair, and maintenance.

**Augmentative and Alternative Communication (AAC)** – Methods of communication that enhance (augment) or replace (alternative) conventional forms of expression. (From United States Society for Augmentative and Alternative Communication website.) One example is an augmentative communication device (speech generating device).

**Customized Community Transport (CCT)** – A part of SEPTA (Southeastern Pennsylvania Transportation Authority) that provides paratransit transportation (“ADA transportation”) for those unable to use regular fixed-route bus service. (From the Southeastern Pennsylvania Transportation Authority website.)

**Center for Independent Living (CIL)** – “[A] consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency that is designed and operated within a local community by individuals with disabilities; and provides an array of independent living services. The term ‘consumer control’ means, with respect to a center for independent living, that the center vests power and authority in individuals with disabilities.” (From the federal Rehabilitation Act, 28 U.S.C. § 796a.)

**Certified Registered Nurse Practitioner (CRNP)** – A registered nurse working in a nursing facility who is licensed in Pennsylvania and certified by the State Board of Nursing and the State Board of Medicine as a CRNP, under the Professional Nursing Law (63 P. S. § § 211—225) and the Medical Practice Act of 1985 (63 P. S. § § 422.1—422.45). (From the Pennsylvania Regulations.)

**Charge Nurse** – A person designated by the nursing facility who is experienced in nursing service administration and supervision and in areas such as rehabilitative or geriatric nursing or who acquires the preparation through formal staff development programs and who is licensed by Pennsylvania as one of the following:

- (i) A registered nurse.
- (ii) A registered nurse licensed by another state as a registered nurse and who has applied for endorsement from the State Board of Nursing and has received written notice that the application has been received by the State Board of Nursing. This subparagraph applies for 1 year, or until Pennsylvania licensure is completed, whichever period is shorter.
- (iii) A practical nurse who is a graduate of a Pennsylvania recognized school of practical nursing or who has 2 years of appropriate experience following licensure by waiver as a practical nurse.
- (iv) A practical nurse shall be designated by the facility as a charge nurse only on the night tour of duty in a facility with a census of 59 or less.

(From the Pennsylvania Regulations.)

The Charge Nurse is responsible for management of all nursing services during a particular shift. The person may also be known as the Nurse Supervisor.

**Community Peer Advocate** – An individual with a disability trained to support and advocate for persons living in nursing facilities. The Community Peer Advocate provides peer support, companionship, one-on-one counseling, role-model self-advocacy, assistance in developing informal support networks, instruction on disabilities rights, help accessing transportation, accompaniment in community integration activities, and assistance in decision making. The advocate shares information on independent living to those who wish to transition into the community. (From Liberty Resources, Inc.) This individual works for the Center for Independent Living or other disability organization.

**Community Integration** – The provision of services to an individual with a disability in the most integrated setting appropriate to his/her needs.

**County Assistance Office** – Local state-run offices that determine eligibility for Medicaid (Medical Assistance) and other public benefits.

**Director of Nursing Services** – A registered nurse who is licensed and eligible to practice in Pennsylvania and has 1 year of experience or education in nursing service administration and supervision, as well as additional education or experience in areas such as rehabilitative or geriatric nursing, and participates annually in continuing nursing education. The Director of Nursing Services is responsible for the organization, supervision and administration of the total nursing service program in the nursing facility. (From the Pennsylvania Regulations.)

**Durable Medical Equipment (DME)** – An item or device that can withstand repeated use, is used primarily and customarily to serve a medical purpose, is customarily not useful in the absence of illness or injury, and is appropriate for home use. (From the Pennsylvania Regulations.)

**Dual Eligible** – An individual who has both Medicare and Medicaid (Medical Assistance).

**Exceptional Durable Medical Equipment (DME)** – Durable Medical Equipment (DME) that costs \$5000 or more and is either specially adapted DME or is DME that is designated as Exceptional DME by the Department of Public Welfare (currently, air fluidized beds, powered air flotation beds (low air loss therapy), augmentative communication devices, and ventilators (and related supplies)). “Specially adapted DME” is DME that is uniquely constructed or substantially adapted or modified in accordance with the written orders of a physician for the particular use of one resident, making its contemporaneous use by another resident unsuitable. (From the Pennsylvania Regulations and Bulletin.)

**Fair Hearing** – A hearing that a Medicaid (Medical Assistance) recipient (and recipient of other public benefits) is entitled to have after appealing the denial, reduction, or termination of benefits or services. A fair hearing is an administrative hearing before a state-appointed hearing officer who was not involved in the denial, reduction, or termination decision. When an Exceptional Durable Medical Equipment (DME) grant is denied, the resident has the right to appeal and ask for a fair hearing.

**Housing Choice Voucher** – Vouchers, administered locally, that assist low-income families, the elderly, and individuals with disabilities in affording housing in the private market. Housing Choice Vouchers were formally known as Section 8 Vouchers. (From the U.S. Department of Housing and Urban Development website.)

**Independent Living Philosophy** – A core value of the disability rights movement that holds that individuals with disabilities have the right to live with dignity and with appropriate support in their own homes, fully participate in the communities of their choosing, and to control and make decisions about their lives. (From the Pennsylvania Council of Independent Living website.)

**Individual Support Plan/Individual Service Plan (ISP)** – A written plan containing the budget for an individual with a disability who is eligible for a Home and Community Based Waiver. The ISP includes specific services and supports and their frequency and duration. The ISP is developed by the supports coordinator/service coordinator with the individual and others. A nursing facility resident who is on the Nursing Home Transition list and needs Home and Community Based Waiver services will have an ISP.

**Intellectual disability** – The current term for what has been known as mental retardation.

**Medicaid** – The common name for the Medical Assistance program, which is a part federal and part state-funded health insurance program that covers physical health services and behavioral health services. Eligibility is via numerous categories (Temporary Assistance for Needy Families, or TANF – cash assistance; SSI; blind and disabled; elderly; etc.) and is based on income and resources. Medicaid pays for many

services, including care in a nursing facility, which includes Standard and Exceptional Durable Medical Equipment (DME).

**Medicaid Home and Community Based Waivers** – Various programs created by a state under federal authority to use Medicaid funding to provide community-based services that otherwise could not be funded under Medicaid (such as personal assistance, habilitation, respite care, and home and vehicle modifications). Unlike other Medicaid services, Waiver services can be limited to a geographic area, to a certain number of enrollees, or to a specific dollar amount. A nursing facility resident who is on the Nursing Home Transition list can apply for a Waiver while in the nursing facility; the supports coordinator/service coordinator will help with the application.

**Medicare** – A federally-funded health insurance program that covers physical health and behavioral health services, including prescription drugs. The program is administered by the federal government. An individual can get Medicare if he or she reaches age 65 and gets Social Security Retirement or Railroad Retirement, is under age 65 and has gotten Social Security Disability Insurance (SSDI) or Railroad Retirement for 24 months, or has end-stage renal disease and meets certain requirements. There is no waiting period for an individual with amyotrophic lateral sclerosis (ALS). Under certain circumstances, Medicare will cover up to 100 days of care in a nursing facility.

**Mental Health/Mental Retardation Offices** – County offices that determine eligibility for and provide state-funded services for persons with mental health disabilities, autism, and intellectual disabilities. These offices also determine eligibility for Medicaid Home and Community Based Waivers for persons with intellectual disabilities.

**Nurse Aide** – An individual providing nursing or nursing-related services to residents in a nursing facility who:

- (i) Does not have a license to practice professional or practical nursing in Pennsylvania.
  - (ii) Does not volunteer services for no pay.
  - (iii) Has met the requisite training and competency evaluation requirements as defined in 42 CFR 483.75 (relating to administration).
  - (iv) Appears on Pennsylvania's Nurse Aide Registry.
  - (v) Has no substantiated findings of abuse, neglect or misappropriation of resident property recorded in the Nurse Aide Registry.
- (From the Pennsylvania Regulations.)

**Nursing Facility Administrator** – An individual who is charged with the general administration of a nursing facility, whether or not the individual has an ownership interest in the facility and whether or not the individual's functions and duties are shared with one or more other individuals. The Administrator must be currently licensed and registered by the Department of State under the Nursing Home Administrators License Act (63 P. S. § 1101—1114.2). (From the Pennsylvania Regulations.)

**Nursing Home Transition Coordinator** – An individual who utilizes all available facility, community, local, and state resources to assist an individual in completing the tasks necessary to relocate from the nursing facility to the community. This includes locating an apartment or making a home accessible, getting utilities turned on, soliciting a physician and pharmacy, registering for transportation, buying needed household items, etc. The Nursing Home Transition Coordinator also assists with identifying, applying for, and receiving assistive technology or assistive equipment necessary to support independent living in the community. (From the Pennsylvania Department for the Aging website.) This individual works for the Center for Independent Living, other disability organization, or the Area Agency on Aging.

**Ombudsman** – An advocate who responds on behalf of the local Area Agency on Aging to complaints from individuals receiving long term living services, which may include a nursing facility or other certified/licensed facility, a community setting, or a private home. There is also a State Long-Term Care Ombudsman. (From Pennsylvania Department of Aging website.)

**OBRA (Omnibus Budget and Reconciliation Act) Specialized Services for Persons with Other Related Conditions** – Services provided to a nursing facility resident who has Other Related Conditions. These services are in addition to the comprehensive care and services that the nursing facility must provide to all residents under federal and state law. Specialized Services are provided under a Specialized Service Plan. These services include service coordination and advocacy, peer counseling and support groups, training, community integration, equipment and assessments, and transportation. The local Center for Independent Living has advocates to ensure that Specialized Services are provided.

**Peer Counseling for Evaluation of Durable Medical Equipment (DME)** – A program funded by the state and housed by a Center for Independent Living or other disability organization that helps identify and advocate for nursing facility residents in need of Exceptional Durable Medical Equipment.

**Peer Counselor for Durable Medical Equipment (DME)** – An individual who understands Durable Medical Equipment (DME) as well as the rights of and resources available to help nursing facility residents access DME. The Peer Counselor advocates for nursing facility residents in need of Exceptional DME. This individual works for the Center for Independent Living or other disability organization.

**Pennsylvania Department of Aging** – A department of the state that oversees services and benefits to older Pennsylvanians, primarily through the Area Agencies on Aging. It also administers the Pennsylvania Department of Aging Waiver for persons age 60 and older. (From the Pennsylvania Department of Aging website.)

**Pennsylvania Department of Health** – Among other responsibilities, this department of the state licenses and oversees nursing facilities and runs a complaint hotline about

nursing facilities (1-800-254-5164). (From the Pennsylvania Department of Health website.)

**Pennsylvania Department of Public Welfare** – A department of the state that runs the County Assistance Offices and the Medicaid (Medical Assistance) program, including the Exceptional Durable Medical Equipment (DME) program for nursing facilities. This Department also administers several Medicaid Home and Community Based Waivers.

**Plan of Care** – A comprehensive, written plan that must be developed and updated by the nursing facility for each individual in a nursing facility, with participation by the individual. The plan sets out the medical care and services to be provided to the individual.

**Social Security Disability Insurance (SSDI)** – A federally-funded program that pays monetary benefits to an individual with a disability and certain family members if the individual worked long enough and paid Social Security taxes. An adult child may also qualify for benefits on the parent's earnings record if he or she has a disability that started before age 22. (From the Social Security Administration website.)

**Social Worker** – An individual working in a nursing facility who has the following qualifications:

- (i) A Bachelor's Degree in social work or a Bachelor's Degree in a human services field including sociology, special education, rehabilitation counseling and psychology.
- (ii) One year of supervised social work experience in a health care setting working directly with individuals. (From the Pennsylvania Regulations.)

The nursing facility must provide "medically-related social services to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident." (From the federal Medicaid law, 42 U.S.C. § 1396r(b)(4)(a)(ii)).

**Standard Durable Medical Equipment (DME)** – Any item of Durable Medical Equipment (DME), other than Exceptional DME, that is used to furnish care and services to a nursing facility's residents. (From the Pennsylvania Regulations.)

**Supplemental Security Income (SSI)** – A federally-funded program that pays monetary benefits to adults and children with disabilities who have limited income and resources. SSI benefits also are payable to people 65 and older without disabilities who meet the financial limits. (From the Social Security Administration website.) Working and paying Social Security taxes are not required for eligibility.

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