


GRADD board answers conflict of interest survey

Federal mandate prompts action

 By Jacob Dick Messenger-Inquirer

 02.15.18

For the first time, members of the Green River Area Development District board of directors will be required to answer surveys about possible conflicts of interest regarding long-term care facilities thanks to a federal mandate.

At GRADD's Wednesday board meeting, members were presented with surveys asking questions related to potential influence over the Long-Term Care Ombudsman Program managed by GRADD.

"Answering yes to any of these questions doesn't mean you can't act in your position," GRADD Executive Director Jiten Shah said. "We just have to make sure any conflicts of interest are documented for the state office."

A long-term care ombudsman regularly visits long-term care facilities, monitors conditions and acts as an advocate and mediator for residents and their families. The LTCOP is a provision of the Older Americans Act administered by the federal Administration on Aging and each state operates their own program.

There are already considerations to make sure ombudsmen act independently, but the "Older Americans Act Reauthorization Act of 2016" added to the federal register in April of that year an amendment applying conflict of interest guidelines to groups affiliated with the program.

The deadline for agencies to comply and return surveys to the state is March 23.

Jennifer Williams, associate director of GRADD's Aging and Social Services Department, said the Green River area's ombudsman is facilitated through GRADD, but some districts contract their ombudsman out through different organizations.

Sherry Culp, Kentucky's long-term care ombudsman, said the federal Administration on Community Living, which controls ombudsman programs, asked each state program to create a survey tool to test conflicts for each board or organization member that might have influence over the program.

"One of the things they were looking at was conflict of interest in placement of the program and people who volunteer in the program," Culp said. "These were types of questions (the administration) wanted on conflict of interest to make sure programs are working without outside influence."

Culp said the state office has decided a reasonable remedy for board or organization members with conflicts would be recusing themselves from certain decisions rather than stepping down from their positions entirely.

The survey asks questions such as if individuals or their immediate family members have ownership or investment interests in long-term care facilities, have direct involvement in the licensing or certification of

long-term care facilities and if they serve residents of a facility in which an immediate family member resides.

It also asks questions about organizational conflicts, such as if a private or public company an individual or their family belongs to has investment interest in long-term care facilities, or has the ability to determine eligibility for Medicaid and other public benefits for long-term care residents.

Kentucky has 80 trained volunteer ombudsman throughout the state, according to the Kentucky Cabinet for Health and Family Services.

Jacob Dick, 270-228-2837, jdick@messenger-inquirer.com, Twitter: [@jdickjournalism](https://twitter.com/jdickjournalism)