



# Long-Term Care and Rehabilitation

RESIDENT HANDBOOK



Ohio Living  
Cape May

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# **Long-Term Nursing Care & Rehabilitation**

## **Resident Handbook**

### **IMPORTANT INFORMATION – REVIEW ASAP**

**THIS HANDBOOK CONTAINS VERY IMPORTANT INFORMATION REGARDING YOU (OR YOUR LOVED ONE'S) STAY IN OUR COMMUNITY. YOU SHOULD READ IT AS SOON AS YOU CAN, AND CERTAINLY WITHIN THE FIRST THIRTY (30) DAYS AFTER ADMISSION. YOU SHOULD RAISE ANY QUESTIONS OR CONCERNS THAT YOU HAVE ABOUT ANY OF THE INFORMATION IN THIS HANDBOOK RIGHT AWAY.**

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# WELCOME

We welcome you and thank you for choosing Ohio Living Cape May. Whether you are a new resident, family member or friend of a new resident, we sincerely hope that your association with Ohio Living Cape May will be a pleasant one.

We have established a number of policies, procedures and to help ensure the safety and security of all residents. This Handbook outlines some of those rules and policies and provides a brief description of the various services that we provide. We urge you to read this Handbook carefully, so that you may become aware of our expectations and of the various services that are available.

We are very proud of our Community, and we believe that it is a great place to receive temporary services, or to live for a longer term basis. We are always striving to meet the needs of our residents, and our staff love to receive feedback about how we are doing. If we are doing something well, then please share that compliment with us so that we can continue to provide that service, and to let our employees know that their hard work is appreciated. In addition, if you have suggestions regarding how we can better serve you, then please share those with us as well. We look forward to your residence with us.

Again, we thank you for choosing Ohio Living Cape May.

**IT IS VERY IMPORTANT THAT YOU REVIEW THIS HANDBOOK CAREFULLY WITHIN THE FIRST THIRTY (30) DAYS OF ADMISSION TO OUR COMMUNITY, AND THAT YOU RAISE ANY QUESTIONS OR CONCERNS THAT YOU MAY HAVE.**



# GENERAL INFORMATION

## (A) Hours of Operation

The following are the hours of operation for the various departments of Ohio Living Cape May:

Activities _____	9 a.m. to 5 p.m. (Mon - Fri)
Business Office _____	8 a.m. to 4:30 p.m.
Beauty & Barber Shop _____	9 a.m. to 3 p.m. (Wed, Thurs, Fri)
Housekeeping _____	6:30 a.m. to 2:30 p.m.
Laundry _____	6:30 a.m. to 2:30 p.m.
Maintenance _____	24 hours a day, 7 days a week
Nursing _____	24 hours a day, 7 days a week
Receptionist _____	8:30 a.m. to 8 p.m.
Security _____	24 hours a day, 7 days a week
Therapy _____	6 a.m. to 4 p.m. (Inpatient Services)

## (B) Visitation

General visiting hours are 24 hours a day, 7 days a week.

Residents have the right to receive visitors of their choice. Ohio Living Cape May affords same sex spouses and domestic partners equal treatment for visitation purposes.

## (C) Your Contact Information

Your address at Ohio Living Cape May is:

Your Name  
Room Number  
175 Cape May Drive  
Wilmington, OH 45177

People may call you at the following telephone number: 937.382.2995.

# **PAYMENT**

The U.S. Department of Health and Human Services has developed a website that contains information regarding paying for long-term care, which you may wish to visit in order to supplement the information contained in this Handbook. The website may be accessed at [www.longtermcare.gov](http://www.longtermcare.gov).

## **(A) Basic Rate**

The Basic Rate may be adjusted by Ohio Living Cape May at any time upon 60-days prior written notice to the Resident, in accordance with applicable law. In addition, if the Resident's payment source changes at any time during the Resident's stay, the fees and charges to be paid by You may be adjusted upon provision of written notice.

The following services and supplies are included in the Basic Rate: routine nursing care; room; meals; activities; medically-related social services; housekeeping & linens; personal laundry; and routine personal hygiene items.

The Basic Rate does not include additional non-routine services and supplies that are provided in accordance with the orders of the Resident's attending physician and/or upon Your request or consent. These Additional Services will be billed separately to You or to a third party payer when applicable. The Additional Services may include, but are not limited to, the following:

- Non-routine nursing care
- Non-routine medical equipment
- Physician services
- Prescription and certain non-prescription medications
- Therapy services
- Personal care/comfort items (including, without limitation, private telephone expenses, beauty/barber services, television, radio and newspapers, novelties and confections)
- Personal clothing
- Personal reading matter
- Gifts purchased on behalf of the Resident
- Flowers and plants
- Social events and entertainment offered outside the scope of the activities program
- Private room, except when therapeutically required (for example, isolation for infection control)
- Semi-private rooms
- Specially prepared or alternative food requested instead of the food generally prepared by the Health Care Center
- Other similar supplies and services.

## **(B) Late Charges**

Timely payment to Ohio Living Cape May is very important. Please make arrangements to ensure that all payments are paid when they are due, so that you may avoid late charges.

## **(C) Private Pay Payment**

If you will be paying for your care on a private pay basis, you must pay the Basic Rate in full and in advance each month. In addition, you must pay for all charges upon receipt of an invoice, as well as any applicable co-payments incurred during the preceding month that are billed under Part B of the Medicare program.

You must pay the pre-billed Basic Rate as billed on the resident statements no later than the fifteenth day of each month. In addition, you must pay in full all charges for Additional Services incurred in the preceding month for which no advance payment was received by Ohio Living Cape May, as well as any applicable co-payments for therapy and other services incurred during the preceding month that are billed under Part B of the Medicare program, upon receipt of an invoice from Ohio Living Cape May. You must pay for Additional Services the fifteenth day of each month for the previous month as billed on the resident statements. If you are covered by a health insurance plan, health maintenance organization or other third party payer (other than Medicare or Medicaid), you must pay all costs not covered by such third party payer, including, without limitation, applicable co-insurance and deductible amounts, and other amounts not timely paid by the third party payer, except and to the extent prohibited by law.

#### **(D) Health Insurance & Managed Care**

At the time of admission to Ohio Living Cape May all residents must provide information regarding their health insurance coverage, if applicable. You must notify the Business Office of any changes in health insurance coverage so that we can continue to provide services in an efficient manner. You are responsible for maintaining medical and health insurance and for completing claims with respect to medical expenses.

You are responsible to pay for all services and supplies that you receive. If you arrange to have certain of those services and supplies covered by a health insurance plan, health maintenance organization or other third party payer (other than Medicare or Medicaid), you must pay all costs not covered by such third party payer, including, without limitation, applicable co-insurance and deductible amounts, and other amounts not timely paid by the third party payer in accordance with your admission agreement, except and to the extent prohibited by law.

#### **(E) Medicare**

Medicare is a federal health insurance program for people 65 and over and certain disabled people under 65. It does not provide a comprehensive long term care component. Medicare covers only those skilled nursing facility services rendered to help a beneficiary recover from an acute illness or injury. Medicare is administered by the federal government's Centers for Medicare and Medicaid Services (CMS) and is divided into two parts: Hospital Insurance (Part A); and Medical Insurance (Part B).

##### **1) Medicare Part A**

Skilled nursing facility coverage falls under Part A of Medicare and is very limited. If certain conditions are met, Medicare only pays fully for the first twenty (20) days of care in a skilled nursing facility (SNF). For the 21st through the 100th day, the Resident must share, or co-pay, for the cost of care by paying a daily coinsurance rate, which changes yearly.

The following conditions must be met in order for Medicare to pay for SNF care:

- a) You must be admitted to the hospital for at least three (3) consecutive midnights. When determining if this qualification has been met, the day of admission will be counted as a hospitalized day; however, the day of discharge will not be counted. Days spent in "observation" at the hospital do not count toward the three consecutive midnight requirement.
- b) Your admission to the SNF must have occurred within thirty (30) days after your discharge from the hospital.

- c) A physician must have certified that you need SNF services for the same or related illness for which the Resident was hospitalized.
- d) You must require continuous skilled nursing care or skilled rehabilitation services (as defined by the federal government) on a daily basis. That is, the services you require must be so inherently complex that they can only be performed utilizing the skills of professional or technical personnel, or furnished under their direct supervision.

If any of the foregoing conditions are missing, then Medicare Part A will NOT pay for your stay at our Health Care Center.

If you meet the requirements of coverage for Medicare Part A benefits, you may elect to request Medicare payment, or you may refuse to request Medicare payment and pay for your services via some other source.

If you do not meet the requirements of coverage for Medicare Part A benefits either at the time of admission or readmission or at any point thereafter, you will be issued a Medicare Benefit Denial Letter. This letter will explain why Ohio Living Cape May believes that your services will not be covered, and that it will not submit a bill to Medicare, unless specifically requested to do so.

## 2) Medicare Part B

Medicare Part B may help pay for covered services that you receive from your doctor in our Health Care Center, if you choose to participate in the Part B medical insurance program.

If you have exhausted your Part A coverage for a spell of illness, Part B may also cover a portion of services received in our Health Care Center, such as physical and occupational therapy. Please note, however, that Medicare imposes financial limitations (“caps”) on how much physical, occupational, and speech therapy a beneficiary can receive in a calendar year. There are certain exceptions to the caps, but to the extent that the exceptions do not apply, you will be responsible for paying for all therapy you receive if you exceed the cap.

Under the Part B program, you must pay an annual premium and a deductible for all Part B services, including physician services, after which Medicare pays 80 percent of the charges for covered services.

- i. Resident’s Share of Costs. A Resident who is a Medicare beneficiary is responsible for payment of all services and supplies provided to the Resident by Ohio Living Cape May. Ohio Living Cape May will bill Medicare on the Resident’s behalf for all Medicare-covered services and supplies provided to the Resident, if allowed. The services and supplies covered by the Medicare program are listed on the Rate Schedule. You shall pay Ohio Living Cape May all required Medicare co-insurance and deductible amounts (including, without limitation, twenty percent (20%) of all amounts billed for therapy services and all other services covered under Part B of the Medicare program) together with fees for all non-covered items and services provided by Ohio Living Cape May.
- ii. Responsibility for Payment if Medicare Coverage Denied or Terminated. You understand that Medicare coverage and eligibility is established by Federal guidelines that may change from time-to-time. You agree to apply promptly for any applicable Medicare benefits. Ohio Living Cape May will assist You in applying for Medicare coverage for the Resident; however, You acknowledge that the Federal government and not Ohio Living Cape May make the determination of Medicare coverage. Ohio Living Cape May makes no guarantee, representation, or warranty that the Resident will be covered by Medicare, or if initially

covered will continue to be covered. You are required to pay Ohio Living Cape May at the private-pay rate for all charges incurred by the Resident in the event that a Resident's application for Medicare coverage is denied or if the Resident's eligibility for Medicare coverage expires.

## **(F) Medicaid**

Medicaid is a joint federal-state program designed to provide health care assistance to low income people. Eligibility for Medicaid is made by the government based on certain criteria, such as a very low number of resources. If approved for Medicaid, the government will pay for certain covered items.

### **1) Medicaid coverage**

#### **a) Medicaid does not pay for all services & supplies that you may want**

A common misconception is that Medicaid pays completely for all services and supplies that a resident receives in a nursing facility. This belief is not true. Medicaid only pays for the following services and supplies:

Routine nursing care	Room	Meals
Activities	Personal laundry	Medically-related social services
Housekeeping & linens	Medical supplies	Routine personal hygiene items
Central supplies	Physical therapy	Occupational therapy
Speech therapy	Nutritional therapy	Oxygen and oxygen supplies
Certain medications	Laboratory services	Radiology services
Physician services		

Thus, if you wish to purchase items or services such as personal care/comfort items (including, without limitation, private telephone expenses, beauty/barber services, television, radio and newspapers, novelties and confections) you will need to purchase these with your own money. Medicaid provides a minimal monthly allowance in order to purchase these types of items.

#### **b) Medicaid does not pay for the full cost of services & supplies that you receive**

Another common misconception is that Medicaid pays 100% of the charges for services and supplies that you receive. This is not true. When determining your eligibility, the government will look at all of your income, assets and resources and come up with an amount that it believes you should be able to contribute to your care on a monthly basis. This "personal liability amount" is then deducted from the payments that Medicaid makes to our Facility for your care.

For example, if your total monthly income consists of a pension of \$300 a month and a social security payment of \$500 a month, then the government may decide that your personal liability amount is \$800. Thus, if the charges for a particular month for your care and services were \$6000, then Medicaid would only pay our Facility \$5200. That is, the \$6000 charge minus your personal liability amount of \$800.

You are responsible for paying our Facility the personal liability amount each month. Since under the Medicaid program all of your income must be used to pay for the services and supplies that you receive at our Facility, we have found that it is administratively easier for you and for us for you to assign that income directly to our

Facility. That is, since you would have to sign over all checks that you receive to our Facility each month anyway, it is easier and more efficient to have those checks come directly to us in the first place. If you do this, then all of your basic care will be paid for and you will not have to worry about making monthly payments for Basic Services.

## 2) Applying for Medicaid

a) Notification for Advance Planning. You must notify Ohio Living Cape May when your resources reach \$15,000. In addition, if you do not have monthly income sufficient to pay for the cost of care and services, then you must apply for Medicaid or promptly make other arrangements to pay for your continued stay at our Facility when your resources reach \$5,000.

b) Improper transfers. When applying for Medicaid, the government may examine all transfers of property and resources that you have made (or that were made on your behalf) and all trusts created for the previous five (5) years, to determine if any improper transfers were made.

The government presumes that any transfer of property or resources in the look-back period is improper if the transfer made you Medicaid-eligible, divested you of proceeds that would be available if the property were sold, or if you transferred income producing property or resources. If an improper transfer of your resources was made, then you may not be eligible to receive Medicaid assistance for a designated period of time. Examples of improper transfers could include: the transfer of your house, car and other personal property, the transfer of your bank accounts, stocks or bonds, the transfer of real estate, and the creation of certain trusts.

In the event that your eligibility for Medicaid benefits is denied, interrupted or terminated for any reason, including due to the government's determination that improper transfers of resources were made, then you must make alternative arrangements to ensure that Ohio Living Cape May is paid. If you fail to pay your charges in full in this circumstance, your Admission Agreement may be terminated and you may be discharged from Ohio Living Cape May.

c) Continued Payment to Facility During Application Process. A common misconception is that once application for Medicaid is made, you do not have to continue to pay for the care that we provide. This is not true. The filing of an application for Medicaid does not excuse you from continuing to make payment to us in accordance with the terms of your Admission Agreement. This is why it is important to begin the application process early.

3) Social Security Payments & Medicaid. If you are (or will become) a recipient of Medicaid benefits, then all of your income must be turned over to Ohio Living Cape May to pay for your care. You may be currently receiving Social Security benefits and/or are a recipient of Supplement Security Income (SSI) for which you (or a representative payee on your behalf) receives payments from the Social Security Administration (SSA). If you are receiving such benefits, then since the total amount of Social Security and/or SSI payments must be paid over to Ohio Living Cape May for your care, we ask that you direct these payments to be made directly to Ohio Living Cape May.

Please contact Social Services for an appointment to obtain more specific information regarding Medicaid and its application process.



## **(G) Representative**

During the term of your residency, you may need assistance in arranging for payment for the services provided. Upon admission to our Health Care Center, you identified a person who has legal authority to act on your behalf to satisfy your financial obligations under your admission agreement if you choose not to, or are unable to, meet those obligations. The Representative is not responsible for paying for your care from his/her own resources, but rather is only responsible to pay for your care from your income, resources and assets. You will be primarily responsible for making payments to our Health Care Center until such time as you assign the responsibility for making payment to your Representative or until you can no longer make payments on your own behalf; at such time, the Representative shall become primarily responsible for making such payments.

## **(H) Personal Use Account**

A Personal Use Account for residents can be arranged through the Business Office. A Personal Use Account is an account or petty cash fund that holds the money of a resident and that Ohio Living Cape May manages for the resident. A Personal Use Account is intended for use by the resident for the purchase of items or services of their choice. The Personal Use Account should have a sufficient balance to cover expenses and at no time can the account have a negative balance. A quarterly statement documenting account activity is sent to the resident or designated responsible party. Please contact the Business Office for more information on opening a Personal Use Account.

# **SERVICES**

## **(A) Nursing Services & Private Duty Personnel**

Nurses and State-Tested Nursing Assistants (STNAs) provide care and services at Ohio Living Cape May seven (7) days a week, twenty-four (24) hours a day. These staff are assigned to provide reasonable nursing and personal care as is customary in a nursing home. Thus, while staff are always present in the Health Care Center, they are not always providing care to you.

## **(B) Physician Services**

Ohio Living Cape May does not employ medical doctors for the purpose of providing attending physician services for our residents. Thus, you may choose an attending physician of your choice so long as such physician is licensed in the State of Ohio and meets all of our credentialing requirements.

If you do not designate an attending physician, if such physician is not available, or if such physician is not appropriately licensed or credentialed, we will assign an attending physician to you – until such time as you make a different choice.

Physician visits must be scheduled and must occur at least once every thirty (30) days.

## **(C) Podiatry Services**

For the convenience of our residents, we have identified a podiatrist(s) who is licensed to practice podiatry in the State of Ohio, and who is available to provide services to our residents if their attending physician determines that they have a need for podiatric services. If you need such services, you can elect to receive services from this podiatrist(s) or one of your own choosing. We also have identified an optometrist and audiologist who will provide services in our Health Care Center.

## **(D) Therapy Services**

Ohio Living Cape May offers and provides medically appropriate therapy services for the purpose of maintaining and/or improving residents' functional status. The therapy services are provided by a contracted therapy company and include physical therapy, occupational therapy and speech language pathology.

## **(E) Services of Other Providers**

You may only receive services from outside providers in Ohio Living Cape May if the outside provider is properly licensed and certified under the law, complies with all applicable government rules and Ohio Living Cape May policies, and enters into an agreement to provide services with Ohio Living Cape May, if applicable. Note that Ohio Living Cape May limits the number of contracts that it enters into with certain types of providers, and, with certain exceptions, your choice of outside providers will likely be limited.

The services that you have purchased pursuant to your Admission Agreement are not one-to-one, seven days per week, twenty-four hours per day services. If you wish to separately engage private duty personnel (i.e., nurses, nurse aides, companions), then you may do so. However, prior to any of these people providing any services in our Health Care Center, you must sign the Health Care Center's policy and agreement with regard to the use of outside personnel. In addition, any private duty personnel must agree to and abide by Ohio Living Cape May's policies and procedures.



Under no circumstances may employees or agents of Ohio Living Cape May, or terminated or former employees act as private duty personnel for a resident – even if such services would be provided when the employee or agent was “off duty”.

You are financially responsible for any charges for private duty personnel.

## **(F) Diagnostic Services**

Diagnostic services include such things as taking x-rays, conducting modified barium swallows, and laboratory tests. Some diagnostic services may be able to be conducted at the Health Care Center. However, a number of services may require transportation to a hospital or outpatient facility. If diagnostic services are required outside of the Health Care Center, we encourage you to have a family member accompany you on the visit.

## **(G) Tuberculosis Testing**

All new residents who have not had previously known significant tuberculin tests and do not have a history of past active disease will have a 2 step tuberculin test performed upon admission unless there is documentation that a test has been performed within year preceding admission then only a 1-step test is required. Those persons with a significant reaction to the tuberculin skin test- will have an admission chest x ray. If a resident is exposed to a known case of tuberculosis, he/she shall have a single tuberculin skin test repeated and, if there is evidence of conversion, shall have a chest x ray performed within thirty (30) days. If the chest x ray does not reveal active tuberculosis, the physician will document that the patient is receiving appropriate preventative treatment or that treatment is contraindicated.

## **(H) Case Management**

If you have any questions or concerns during your stay with us, or think you may require assistance with respect to your physical and/or mental health or overall social functioning, please feel free to contact the Director of Nursing or the Unit Manager.

## **(I) Activities**

Ohio Living Cape May provides a wide array of activities that attempt to aid residents who possess varying functional levels and differing interests. Our Activity Department seeks to ensure that all residents are provided with the opportunity to participate in the Health Care Center’s programs. Throughout each week there are a variety of activities planned for everyone to enjoy. Some scheduled activities include: bingo, movies, spiritual & religious activities, pet visits, parties, socials, crafts & gardening group, activity outings and musical entertainment. Upon admission, residents are evaluated by the Activity Staff to determine their needs, interests and skills. If you have any special programs that you would like to participate in and see included in the activity schedule, please contact the Activity Department. We invite and encourage all family members and friends to attend scheduled activities with their loved ones.

## **(J) Culinary Service**

Ohio Living Cape May utilizes the services of a licensed dietitian and an experienced support staff provide residents with nutritious and appetizing meals. The Dietitian or designee will contact you soon after admission to determine your dietary needs and food preferences. This information will then be

updated as appropriate throughout your residency. You will find that the menu is continually rotated and provides a degree of choice and seasonal selection. If you are not satisfied with the meals, you are encouraged to contact either the Executive Chef or the Dietitian.

Your family and other visitors are welcome to join you for meals at Ohio Living Cape May. If visitors wish to have a meal at the Health Care Center, arrangements and payment may be made with the Receptionist.

### **(K) Pharmacy Services/Medications**

We have contracted with a pharmacy to provide medications to all of our residents. Ohio Living Cape May requires that all medications be packaged in individual doses. All medications as well as any item used for medical treatment must have a physician's order. This includes both prescription and non-prescription items. Medications may not be kept in the resident's room or administered by the resident without the approval of the your physician and your interdisciplinary care team.

### **(L) Service Limitations**

Ohio Living Cape May cannot care for every applicant that wishes to receive services. Ohio Living Cape May has certain service limitations due to its size, location, composition, staffing and equipment. Ohio Living Cape May Health and Rehabilitation Center cannot care for residents with any of the following diagnoses and/or identified problems:

- Ventilator patients
- Persons with major mental illness diagnosis
- Persons who need a secured unit
- Persons who are registered sex offenders
- Persons with drug or alcohol dependence
- Persons receiving chemotherapy or other biological that might require specialized monitoring
- Persons with active TB

Residents and/or Resident Representatives are required to disclose all conditions and diagnoses prior to or upon admission to our facility, and we will discuss these service limitations with you upon admission. If you fail to disclose any of the above conditions at the time of admission or one of the above conditions is identified or develops after admission, may seek to discharge you if we can no longer meet your needs. If you have any additional questions, please contact the Administrator.

### **(M) Barber & Beautician Services**

A contracted licensed beautician who sets her own rates and provides a variety of services, such as permanents, styling and basic hair trimmings, is available by appointment at Ohio Living Cape May. Barber/Beautician services are available on an individual basis or on a continuing appointment basis. Charges can either be paid directly to the barber or beautician, or they may be billed to the resident on the resident statements. Beautician hours are Thursday and Friday from 9 a.m. to 3 p.m. or by appointment.

### **(N) Housekeeping Services**

Resident rooms, bathrooms and halls are cleaned on a daily basis by our housekeeping staff. Additionally, a more thorough cleaning is conducted weekly. Residents are urged to contact Environmental Services should they have any concerns about the cleanliness of the Health Care Center.

## **(O) Laundry Services**

Ohio Living Cape May provides basic laundry services for all of its residents. Refer to Section (L) under Rights and Responsibilities. If family is going to provide laundry, the Nursing Unit Managers needs to be notified.

When choosing clothing to bring to the Health Care Center, please remember our laundry cannot accommodate woollens, privately owned bedspreads, clothes that require dry cleaning or afghans. These items may be brought to the Health Care Center; however, the resident, family or responsible party must arrange for an alternative laundry method. All items to be washed by the Laundry Department must be wash and wear.

## **(P) Room Furnishings**

Each resident room contains a bed, as well as dresser, night stand, over-the-bed table, recliner/lift chair and closet. In order to personalize your room, you are encouraged to bring pictures, mementos, and your favorite furnishings as long as the size of the items will not crowd, obstruct or present a hazard. Room furnishings should be discussed with your Case Manager prior to bringing them to your room in order to verify that the furnishings meet with Ohio Living Cape May's standards. All items must also be in good condition, and any needed repairs must be made at your expense.

Ohio Living Cape May does not accept responsibility or liability for any damage or destruction or theft of any personal items brought into the Health Care Center. You assume full and complete liability and responsibility for all personal possessions.

The placement of personal furnishings in your room is a privilege, and we may require that any personal furnishings be removed from the Health Care Center if they interfere with the safe operation of the Health Care Center, or if they in any way endanger your health and welfare or that of our other residents or staff.

## **(Q) Mail**

- Forwarding mail. If your abilities change after admission and a family member or other responsible party needs to assume responsibility for your mail, please notify the business office so that Ohio Living Cape May can assist in properly forwarding your mail.
- Reading and sending mail. If you would like assistance with reading mail or sending correspondence, arrangements can be made with the Receptionist. Stamps may be purchased from the Receptionist.

## **(R) Telephone**

- Telephone service in your room. For your convenience, each room has a personal telephone. Your Case Manager will give you your individual phone number upon arrival to the Health Care Center.
- Telephone Service Assistance. You may qualify for Telephone Service Assistance if you are a Medicaid recipient or if you are Medicaid eligible.

If you have any questions regarding phone service, please contact the phone company directly.

### **(S) Television/Basic Cable Service**

Televisions are provided in each resident room in the Health Care Center. Televisions generally may be used at any hour that you wish, but the volume should be kept at a reasonable level to assure other residents, including your roommate, are not disturbed. If another resident reports being disturbed, Ohio Living Cape May reserves the right to restrict television use.

### **(T) Newspapers**

Daily delivery of The Wilmington News Journal is available at Ohio Living Cape May. If you are interested in receiving a daily paper, please see your Case Manager for further information. The Wilmington News Journal delivery charges may apply, and, if applicable, you are responsible for the payment of these charges. Arrangements may be made for the delivery of other newspapers; however, these publications may not arrive on their issue date.

### **(U) Birthday Celebrations**

Consult activities calendars located throughout the Health Care Center for exact dates and times of birthday celebrations. Special arrangements for family birthday celebrations may be coordinated with the Activities Assistant. If you do not wish to have your birthday recognized, please tell your Case Manager.

### **(V) Religious Services**

Multiple spiritual life programs are held throughout the month. Please consult an Activities Calendar, located throughout the Health Care Center, for the exact dates and times of these programs.

### **(W) Flower & Gift Deliveries**

Please direct flower and gift deliveries to the receptionist to ensure appropriate and prompt delivery coordination. If a delivery is made prior to 7 p.m., items will be delivered to residents on the same day.

### **(X) Restrooms**

Visitors are asked not to use resident restrooms. Public restrooms are located in the lobby of the Health Care Center. Please see the Receptionist or Nursing Unit Manager for directions to these public restrooms.

# RIGHTS & RESPONSIBILITIES

## (A) Code of Conduct

All residents, family members and visitors should act and behave in a manner that is both respectful of and courteous towards the other residents living in the home as well as towards the staff members who provide care and services to such residents on a daily basis. Specifically, you, your family members and your visitors are required to abide by the following:

1. Follow the rules and regulations of Ohio Living Cape May.
2. To the best of your knowledge, provide accurate and complete information about present and past illnesses and hospitalizations, medications, and other matters pertaining to your health.
3. Report unexpected changes in your condition to the Nurse.
4. Follow the treatment plan recommended by the physician primarily responsible for your care, and follow Ohio Living Cape May's procedures affecting resident care and conduct. This includes following instructions of nurses and other health care professionals as they enforce the applicable Ohio Living Cape May's policies. Residents are responsible for injury to themselves if they refuse treatment, or do not follow the physician's instructions.
5. Make Ohio Living Cape May aware of any changes in the Representative's address or telephone number, or your financial status. These changes should be reported immediately to your Case Manager.
6. Promptly report any unclean or unsafe conditions to the Nurse, Director of Nursing or the Executive Director/Administrator.
7. Fulfill the financial obligations of your care promptly as agreed to in your Admission Agreement.
8. Use Ohio Living Cape May's services such as food, linens and supplies appropriately and economically in order to assure their availability to all residents.
9. Keep, or allow the staff to keep, the living area of your room and belongings neat and orderly.
10. Treat any furniture or equipment owned by Ohio Living Cape May in a safe manner.
11. Cooperate and comply with Ohio Living Cape May's smoking policy.
12. Comply with Ohio Living Cape May's alcohol usage policy.
13. Do not use, sell or have any involvement with illegal substances.
14. Comply with all safety practices of Ohio Living Cape May and not do anything to jeopardize the safety of other residents, staff or visitors.
15. Follow instructions and safety practices according to the Ohio Living Cape May's policy for self-administration of drugs, if you are assessed as being capable of exercising this right.
16. Respect the individual religious practices and opinions of other residents.
17. Be responsible for any damage to Ohio Living Cape May caused by you or your guests.
18. Behave in a courteous and respectful way toward other residents, visitors, volunteers and staff.
19. Be tolerant of other residents' handicaps and disabilities.
20. Respect the feelings and opinions of others.
21. Respect the privacy and personal belongings of other residents.
22. Avoid disturbing other residents with excessive noise, especially at night.
23. Respect the rights of your roommates by not interfering with their living space.
24. Cooperate with the staff in the care they provide for you.
25. Dress in a dignified, tasteful manner that is not offensive to others.
26. Keep track of your personal belongings brought to the Health Care Center. Ohio Living Cape May is not responsible for the loss of any personal property owned by you (including, but not limited to, hearing aides, eye glasses and dentures), relatives, visitors or friends, unless delivered to the custody of Ohio Living Cape May for safekeeping and acknowledged by a receipt.



Ohio Living Cape May reserves the right to restrict the activity of visitors and guests of residents for the sake of safety and operations. Ohio Living Cape May may choose to restrict entry to the property and to restrict the locations on campus where they can go.

## **(B) CONCERNS & GRIEVANCES**

1. Sharing concerns with us. If you or another interested party has a concern regarding the Health Care Center's delivery of services, the behavior of other residents or staff members, or any other concern, we encourage you to share your thoughts with us. You are encouraged to discuss your issue with the Director of the involved department. It is our policy that concerns raised with us will be reviewed, and that we will report back to the person registering the concern within a reasonable time period.
2. Filing of written grievance form. If after raising a concern with Ohio Living Cape May it is not resolved to your satisfaction, a formal grievance may be submitted in writing to your Case Manager and signed by the resident or the person filing the grievance on behalf of the resident. It is our policy to assist residents/representatives in filing a grievance. If you desire assistance in reducing a complaint to a written grievance, please see your Case Manager. If you feel that our staff has not assisted in this matter, or feel that you are being discriminated against for taking such steps, we encourage you to report such incidents to the Executive Director/Administrator at once. Any resident, his or her representatives, family members, or advocates may file a grievance without fear of threat or reprisal in any form.
3. Referral of grievance to committee. Upon receipt of a written grievance, we will refer the problem to a grievance committee. The committee is comprised of residents, resident representatives, staff or outside representatives in a ratio of not more than one (1) staff member to every two (2) residents or representatives.
4. Follow up by the grievance committee. When the grievance committee determines a violation of your resident rights has occurred, it will notify the Executive Director/Administrator. Within ten (10) working days of the date the grievance is filed, the person filing the report will be informed orally of the results of the investigation. If that person disagrees with the findings, recommendations, or actions taken, then he/she may meet with the Executive Director/Administrator.
5. Reports to independent entities. You or an interested party may also file a complaint at any time with entities outside of Ohio Living Cape May, such as the Ohio Department of Health, the state quality and improvement organization, the state long-term care ombudsman program, or the state protection and advocacy system. For example, you could file a complaint with the Ohio Department of Health concerning any suspected violation of state or federal nursing facility regulations, including but not limited to resident abuse, neglect, exploitation, misappropriation of resident property in the facility, non-compliance with advance directives requirements and requests for information regarding returning to the community. The contact information for these independent entities can be found in the section of this handbook titled Government & Advocate Contact Information. Also, you may make a complaint by calling the Ohio Living Corporate Hotline at (877) 780-9366.

Regardless of whether you make such a complaint to an independent entity, we ask that you immediately notify us as soon as you suspect that any abuse, neglect or misappropriation of resident property has occurred so that we may immediately respond. You do not have to cite a specific violation of the code or any rules when making a complaint either to the State or to Ohio Living Cape May.

## (C) Bed Holds & Leaves of Absence

- Bed holds. If you are absent from our Health Care Center on an overnight stay, e.g., at the hospital or a visit with family, that absence is considered a voluntary discharge from our Health Care Center – unless you elect to have a bed held in your absence. Electing a “bed hold” means that you have chosen to pay Ohio Living Cape May even though you are not currently in the Health Care Center for a particular day. You were asked for your preference at admission regarding whether you would like for us to hold your bed for you when you are absent from our Health Care Center. If you chose for us to hold a bed for you and wish to change your mind, then you need to notify someone in Admissions in writing of this change. Otherwise, a bed will be held and you will be charged for that day, subject to the exception noted below in subsection 3.  
Payment for bed hold
  - Medicaid recipients. If you are a Medicaid recipient, Medicaid will pay us to hold your bed for up to thirty (30) days in a calendar year (January - December). If you are absent from the Health Care Center more than thirty (30) days during a calendar year, we can no longer hold the bed and you may be discharged from our Health Care Center, unless arrangements are made to pay us on a private pay basis for additional leave days until another thirty (30) paid leave days become available under Medicaid law. Where your paid leave days for a calendar year have been exhausted, however, you will be entitled to readmission to our Health Care Center if desired upon the first availability of a bed in a semi-private room or ward if you: (a) still require the services provided by our Health Care Center; and (b) are still eligible for Medicaid nursing facility services.
  - All other residents. If you are not a Medicaid recipient, then you will be charged at the routine per diem charge for holding a bed while they are absent from the Health Care Center. That means that you will be charged as if you had been in the Health Care Center on the day you were absent.
- Scheduled leaves of absence. In the event of a scheduled leave of absence whereby you intend to leave Ohio Living Cape May to go to the hospital, to visit with friends or family, or for any other reason, the Nursing Unit Manager needs to be notified at least one day prior to any such leave of absence. If you are planning to be out of Ohio Living Cape May more than one day, the Nursing Unit Manager must be notified three (3) days prior to the leave. This time period will allow Ohio Living Cape May to determine whether the leave is medically advisable, and will permit nursing staff to prepare any medications or supplies that you may require while outside of the Health Care Center.
- Temporary leaves of absence. If you do not require supervision, you are free to come and go from the Health Care Center as you choose. We require, though, that you abide by all Health Care Center rules regarding notification, including signing out. If you leave the Health Care Center and forget to sign out, you should call Ohio Living Cape May to let us know where you are. In the event that you leave the Health Care Center for a temporary absence, but fail to return by midnight without notifying us of your change in plans, then Ohio Living Cape May will not treat your absence as a bed hold.

## **(D) Alcohol**

Ohio Living Cape May permits some of its residents to have access to alcoholic beverages. However, the use, amount, and kinds of alcoholic beverages must be approved by the resident's attending physician as evidenced by a written order. If approved, alcoholic beverages must be kept at the Nurse's Station, with access to the beverages restricted to such residents and in such amounts as set forth in the physician's orders. Ohio Living Cape May may set timeframes for when residents may access alcohol in the Health Care Center. In addition, Ohio Living Cape May reserves the right to deny any resident access to alcoholic beverages at any time if it determines that the resident's access to or consumption of such beverages is not in the best interests of the resident and/or the Health Care Center.

## **(E) Smoking**

Ohio Living Cape May's entire campus is smoke-free and tobacco product-free.

## **(F) Weapons**

No person may bring any weapons (e.g., knives, firearms, batons, etc.) onto the property of Ohio Living Cape May. This policy applies to all persons, including, but not limited to, employees, volunteers, residents, visitors, and delivery personnel. The policy also applies to the entire property of Ohio Living Cape May including the Health Care Center itself, the surrounding land, all of Ohio Living Cape May's motor vehicles, and the parking lot (i.e., weapons may not be kept in vehicles parked in our parking lot).

Note: People with licenses to carry a concealed firearm are NOT permitted to bring such a firearm on to Ohio Living Cape May's property. Any person who brings such a firearm on to the property is guilty of criminal trespass.

## **(G) Voting**

At election time, Ohio Living Cape May ensures that residents are provided the opportunity to vote should they so choose. Prior to election day, representatives of the Clinton County Board of Elections will come to the Health Care Center to receive ballots and provide assistance to residents, as is necessary. For further information, please contact the Activity department.

## **(H) Parking**

Visitor parking may be found in front of the Rehab Suites and Health Care Center with handicap parking designated closer to the apartment portico. Vehicles parked in Handicap Spaces without an Ohio issued handicap permit or license plate will be subject to ticketing by the police department. Parking vehicles at the entrance door is not permitted as this area must be accessible for ambulances and other emergency vehicles.

## **(I) Pet Visits**

Ohio Living Cape May recognizes that pets hold an important place in many of our residents' lives. As a result, Ohio Living Cape May encourages families to include the family pet when visiting a resident.

However, based upon the nature and behavior of the animal, Ohio Living Cape May reserves the right to exclude a pet from the Community and/or restrict its access to other residents. Moreover, Ohio Living Cape May wishes to have your cooperation and assistance when bringing a pet into the Health Care Center. For instance, if applicable, when pets are in public areas, they are required to be on leashes and



you must provide Ohio Living Cape May with proof of shots. Also, extreme care should be taken for an animal that becomes frightened of new surroundings or people. Additionally, a “scooper” or similar equipment should be brought to clean up after the pet.

## **(J) Video & Sound Recording**

In order to protect the privacy of all of the Health Care Center’s residents and its staff, no video or sound recordings may be made in the Health Care Center. This policy applies to tape recorders, camera phones or video cameras that deliver a live feed to another location, and any other form of video or sound recording device. Likewise, pictures of residents or employees should not be posted on websites or social media.

## **(K) Holiday & Seasonal Decorations**

You are encouraged to decorate your rooms during the holidays. However, when decorating a room we ask for your cooperation in maintaining our building and promoting the safety of all of our residents. Thus, all decorations that are brought into the Health Care Center must be fire resistant and approved by the Environmental Services Director. For Holiday and Seasonal decorations to be placed on a door, we ask that they be hung on an over-the-door hanger, which may be found at most craft stores. Door decorations may not be affixed with nails, hooks or other substances that may permanently alter or deface the door. Similarly, nails, tape or gummed hangers should not be used on a room’s walls or cabinets. Instead, decorations may be applied to these surfaces with a “stick-um” product that does not mar surfaces. If a picture or bulletin board is to be hung in a room, please notify the Nursing Unit Manager who will arrange for a staff member to hang the object. As a safety and health precaution, we prohibit trees, branches or wreaths (straw or grapevine) from being brought into the building. Candles should not be brought into any resident room. Additionally, when ordering a floral arrangement, advise the florist not to use pine as a filler. Please keep these guidelines in mind when decorating a room to ensure the health and safety of our residents and the protection of the building.

## **(L) Clothing**

To reduce the risk of a resident losing clothing, we require that all personal clothing be labeled with the resident’s name at the time of admission and whenever a new piece of clothing is added. We will label the clothing in our laundry department. We are not responsible for any items that are “dry clean” only.

### Suggested Female Clothing

- \* Washable dresses/skirts/slacks blouses
- \* Sweatsuits
- \* Slips/Undershorts
- \* Bras
- \* Nylons/socks
- \* Low-heeled shoes
- \* Non-skid slippers
- \* Pajamas/Nightgowns
- \* Bathrobe
- \* Sweaters
- \* Lightweight coat
- \* Scarf/hat
- \* Non-skid slippers

### Suggested Male Clothing

- \* Permanent press slacks
- \* Sport/dress shirts
- \* Sweatsuits
- \* Sport/suit jackets
- \* Neckties
- \* Sweaters
- \* Undershorts
- \* Hat/cap
- \* Undershirts
- \* Socks
- \* Pajamas
- \* Bathrobe
- \* Shoes
- \* Non-skid slippers

## **(M) Assistive Devices, Wheelchairs & Related Equipment**

Ohio Living Cape May offers its residents a number of assistive devices and related equipment. Privately owned or rented wheelchairs, walkers, canes or other assistive devices are also allowed with the approval of Ohio Living Cape May's administration, and should be clearly marked with your name at all times. However, Ohio Living Cape May accepts no liability over the loss or repairs of privately owned or rented devices.

## **(N) Fire Safety Plan**

Ohio Living Cape May maintains an updated fire and disaster plan. Copies of the fire safety plan may be found throughout the Health Care Center as well as other community locations. If you have any questions regarding Ohio Living Cape May's fire safety plan or evacuation procedures, please contact building maintenance.

## **(O) Infection Control**

As older adults are particularly susceptible to certain clinical conditions, Ohio Living Cape May may take action, such as isolation, with respect to residents with influenza and other communicable conditions as a means to prevent the spread of infection and to avoid possible exposure to other residents.

## **(P) Electrical Appliances**

All electrical items that are brought into the Health Care Center must be inspected and approved by a member of the maintenance department and must have an Underwriters Laboratory (UL) approved label. All electrical items must have a three-wire properly grounded electrical plug system. Additionally, no extension cords, heating pads, adaptive wiring, grounding adapters or multiple outlets are permitted at any time. No electrical appliance may be brought into Ohio Living Cape May that displays any sign of alterations of any type. All electrical appliances will remain subject to safety inspection by the maintenance department. Items that do not meet safety standards will be removed from a room as a safety precaution.

## **(Q) Food & Beverages**

Visitors or friends delivering food and/or beverages to residents must consult the Nurse to determine the appropriateness of such food or drink in light of any dietary restrictions that your physician may have put into place. Food must be placed in a sealed plastic container. Beverages must be placed in containers that have a replaceable cap/lid.

## **(R) Money & Other Valuable Items**

Ohio Living Cape May does not accept responsibility for the loss or theft of money or valuables. Thus, jewelry and other valuables should not be kept in your room. We also recommend that no more than \$40 in cash be kept by you. You may, however, create an account with us and withdraw personal funds at your discretion from the account by contacting the Business office Coordinator. If you believe that any of your money or valuables are missing, please report the loss immediately to the Executive Director/Administrator so that an investigation may be conducted.

Personal property such as wheelchairs, glasses, hearing aides, shoes, clothing and dentures should be marked with a resident's name so that such property may be returned if it is misplaced.

## **(S) Government & Advocate Contact Information**

The following list includes state and local government agencies, and resident advocacy organizations.

### Social Security Administration Office

80 Progress Drive

Xenia, OH 45385-2666

866-755-5372

### State Department of Health Office

Ohio Department of Health

246 North High Street

Columbus, OH 43266

(614) 466-3543

### State & Local Medicaid Offices

Ohio Department of Jobs & Family Services

30 East Broad Street

Columbus, OH 43215

(614) 752-9700

Clinton County Department of Jobs & Family Services

1025 S. South Street

Wilmington, OH 45177

(937)382-0963

### State & Local Department of Aging Offices

Ohio Department of Aging

50 West Broad Street, 8<sup>th</sup> Floor

Columbus, OH 43215

(614) 466-5500

Area Agency on Aging, District 1

644 Linn Street, #1100

Cincinnati, OH 45203

(513) 721-1025

### State & Local Ombudsmen Offices

Ohio Long Term Care Ombudsman

50 West Broad Street

Columbus, OH 43215

(800) 282-1206

Ombudsman Region 1 – Cincinnati Area

7162 Reading Road, Suite 1150

Cincinnati, OH 45237

(800) 488-6070

State Medicaid Fraud Control Unit  
Office of the Attorney General  
Medicaid Fraud Control Unit  
150 East Gay Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215  
(800) 642-2873

## **(T) Participation in Decisions Regarding Care**

We will look to you to provide direction and input in the care that you receive, except for in the following circumstances:

6. You are declared legally incompetent by a court of law; or
7. You executed a durable power of attorney for health care designating another individual to handle your medical care *and* your attending physician determines that you do not have the capacity to make informed health care decisions for yourself.

In order to protect and promote the interest of our residents, Ohio Living Cape May reserves all rights to deny a resident's or a representative's request to use a specific medical intervention or treatment that the Health Care Center deems inappropriate.

We understand and realize the importance of family members being involved in the decision making process and care of a loved one. However, when more than one person acts as a surrogate decision maker, oftentimes this serves only to interrupt the continuity of care, complicates the decision making process, and creates conflicts between family members and the Health Care Center. If more than one individual is actively involved, consensus is preferred and we expect the Power of Attorney for Health Care or designated responsible person to act as the representative and decision maker for the family.

## **(U) Care Planning**

Your care in our Health Care Center is overseen by an interdisciplinary care team that consists of representatives from the following disciplines: Nursing, Activities, Culinary and Nutrition Services, Rehabilitation Services, and Case Management. This team with input from you, your loved ones and your physician formulates a comprehensive care plan for you. The interdisciplinary care team meets at least quarterly to review your written plan of care, goals and approaches for care. We will provide you and your family with a notice of the care plan meeting, and we encourage you and your family to attend. In cases of refusal of care that put you at risk, you will be asked to enter into a Risk Agreement with Ohio Living Cape May.

## **(V) Refusal of Services**

Ohio Living Cape May will make a good faith effort to provide services to you that are routinely provided in a skilled nursing facility, including those prescribed by your attending physician. However, we are not responsible for outcomes that are due to you refusing or refusing to comply with such services. Should you refuse food, fluids, treatments, therapies, medications, grooming, therapeutic bathing, etc., and/or refuse to comply with physician's orders (e.g., if you are a diabetic with orders not to consume sugar, but then eat candy), we will in no way be responsible for the outcomes associated with such choices. In cases of refusal of care that put you at risk, you may be asked to enter into a Risk Agreement with Ohio Living Cape May.

## (W) Transfer & Discharge

- 1) Reasons for involuntary discharge. Reasons that we may need to discharge you include the following:
  - a) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;
  - b) The transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;
  - c) The safety of individuals in the facility is endangered;
  - d) The health of individuals in the facility would otherwise be endangered;
  - e) The resident has failed, after reasonable and appropriate notice, to pay for (or to have paid under Medicare or Medicaid) a stay at the facility;
  - f) The facility ceases to operate;
  - g) The Resident is a beneficiary under the Medicare program and Ohio Living Cape May's participation in the Medicare is involuntarily terminated or denied; or
  - h) The Resident is a beneficiary under the Medicaid program and Ohio Living Cape May's participation in the Medicaid program is involuntarily terminated or denied.
- 2) Notice of transfer or discharge. It is Ohio Living Cape May's policy to notify you in writing in advance of any proposed transfer or discharge from our Facility. We will also send a copy of the notice to Ohio Department of Health, as well as to the state long-term care ombudsman.
  - a) Time frame for advance notice. The notice shall be provided at least thirty (30) days in advance of the proposed transfer or discharge, unless the safety of individuals in the facility would be endangered; the health of individuals in the facility would be endangered, the resident's health improves sufficiently to allow a more immediate transfer or discharge; an immediate transfer or discharge is required by the resident's urgent medical needs; or the resident has not resided in the facility for 30 days.
  - b) Contents of notice. The notice will include all of the following: the reasons for the transfer or discharge, the effective date of the proposed transfer or discharge, the location to which the resident is to be transferred or discharged, a statement of the resident's appeal rights, including the name address (mailing and email), and telephone number of the entity which receives such requests and information on how to obtain an appeal form and assistance in completing the form and submitting the appeal hearing request. The notice shall also include the name, mailing address and telephone number of the State Long-Term Care Ombudsman. If the resident is, or the facility alleges a resident is, mentally ill or developmentally disabled, the notice shall include the name, mailing address, email address and telephone number of the Ohio protection and advocacy system. If the information in the notice changes prior to effecting the transfer or discharge, Ohio Living Cape May will update the notice as soon as practicable.
- 3) Challenge of Decision to Transfer or Discharge and Hearing. If you receive notice that you are being transferred or discharged, you may challenge this decision, unless the transfer or discharge is required because Ohio Living Cape May's license has been revoked, Ohio Living Cape May is being closed, you are a recipient of Medicaid and Ohio Living Cape May's participation in the Medicaid program has been terminated or denied, or if you are a recipient of Medicare and Ohio Living Cape May's certification under the Medicare program has been terminated or denied.

You may challenge the transfer or discharge by requesting an impartial hearing to be conducted by the Department of Health at Ohio Living Cape May. If a hearing is desired, the

hearing must be requested no later than thirty days after you receive the discharge notice, by submitting a written request to: Legal Services Office of the Department of Health, 246 North High Street, Columbus, Ohio 43215. (614) 466-4882. [odhlegal@odh.ohio.gov](mailto:odhlegal@odh.ohio.gov). The Ohio Department of Health does not have a discharge appeal request form, but may assist you in providing written notice of your appeal. Additionally, a copy of the hearing request should be sent to the administrator of the facility. A hearing will be held at Ohio Living Cape May within ten days of receipt of the request by the Department of Health.

If you appeal a transfer or discharge, then Ohio Living Cape May will not discharge you unless Ohio Living Cape May prevails at the hearing.

- 4) Plan & Counseling Services. Ohio Living Cape May shall develop a plan to effectuate the orderly and safe transfer or discharge of a resident. The resident and the resident's family or representative will be consulted in choosing another facility. The resident will receive counseling services before the move to minimize the adverse effects of transfer trauma.
- 5) Personal belongings. All personal belongings left in Ohio Living Cape May after your discharge or death must be picked up no later than forty-eight (48) hours after the event. Personal belongings that are not picked up within this time frame will either be donated or disposed of, unless your family or representative contacts us to make other arrangements.
- 6) Discontinuance of Operations. In the event Ohio Living Cape May proposes to discontinue operations, you and your representative will be notified of the proposed date of discontinuance and the notice will be sufficient so that you can make suitable arrangements for your transfer.

## **(X) Room Changes**

1. Definition of "room change". A room change is the relocation of a resident from one room to another within our Health Care Center.
2. Requested room change. You may request a room change at any time, and we will attempt to accommodate your request. However, it may not always be possible for us to grant your request for a room change.
3. Room change decision made by Ohio Living Cape May. We may change the assignment of your room at any time in our sole discretion. Once a decision to change your room has been made, we will promptly notify you, and if known, your Representative or interested family member of the room change. Reasonable notice of the room or roommate change, including an oral or written explanation of the reason for the change, will be given to you prior to the room or roommate change.

## **(Y) Advance Directives**

1. Upon your request Ohio Living Cape May will provide to you a copy of the Advance Directives Packet entitled, "*Choices: Living Well at the End of Life*". You can also access this informational packet via the internet at [www.caringinfo.org/files/public/ad/Ohio.pdf](http://www.caringinfo.org/files/public/ad/Ohio.pdf). Please review this packet closely. It contains information relating to Living Wills, Health Care Powers of Attorney, Do Not Resuscitate Orders, Organ Donation, and the Hospice Choice. It also contains forms you may use to let Ohio Living Cape May know your health care choices, if you have not already completed an advance directive.



2. It is Ohio Living Cape May's policy to comply with all legally valid advance medical directives, including provisions for the withholding or withdrawal of nutrition and hydration, subject to (1) the Health Care Center's advance directives policy, and (2) Health Care Center's reserved right to object to the proposed action based upon conscience or other moral, ethical or philosophical basis.
3. Ohio law permits Ohio Living Cape May, your attending physician, and any of their respective employees or agents, to object to any health care decisions made by you or your attorney-in-fact, and to refuse to comply with those health care decisions. If any person, or Ohio Living Cape May, is unwilling or unable to comply or allow compliance with your or your attorney-in-fact's wishes, then it will assist you in finding an alternative person in the Health Care Center to comply with your wishes, or if necessary, alternative placement in a facility that can implement the health care decision.
4. If you do not have an advance directive upon admission to the Health Care Center, then Ohio Living Cape May reserves the right to require that your capacity to execute an advance directive be certified by a physician before it agrees to accept and honor a new advance directive.
5. If you choose not to receive cardiopulmonary resuscitation ("CPR") through a valid Living Will, or a physician determines that CPR would not be medically appropriate, then Ohio Living Cape May will honor that do-not-resuscitate ("DNR") request or order in accordance with Ohio law. That is, Ohio Living Cape May will follow The State of Ohio Do-Not-Resuscitate Protocol, which has been approved by the Ohio Department of Health.
6. Ohio Living Cape May acknowledges that documentation of advance directives by you is not a pre-condition for admission; nor will the Health Care Center otherwise discriminate against you based on whether you have executed advance directives.
7. It is Ohio Living Cape May and your physician's policy to clearly document orders for withholding or withdrawing treatment, including DNR orders, in your medical record. We require such orders to be signed by the attending physician and to indicate the person(s) who participated in the decision making.
8. It is Ohio Living Cape May's policy to provide in-service training to its staff concerning residents' rights including information about advance directives, DNR orders and a resident's right to participate in medical decision making. It is our policy to provide for both individual and group education for staff and the community on issues concerning advance directives.
9. A copy of this policy and the information provided below will be placed in your medical record. A copy of any advance directive executed by you will be kept in your medical record as well.
10. Complaints concerning the advance directive requirements should be directed to the Executive Director/Administrator of Ohio Living Cape May, and may also be filed with the state survey and certification agency.

## **(Z) Notice of Privacy Practices**

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

### **I. Who We Are**

This Notice of Privacy Practices ("Notice") describes the privacy practices of Ohio Living including all Ohio Living Life Plan Communities, Ohio Living Home Health & Hospice, and their physicians, nurses, and other personnel. It applies to services furnished to you at any Ohio Living site or location.

## **II. Our Privacy Obligations**

We are required by law to maintain the privacy of your health information (“Protected Health Information” or “PHI”) and to provide you with this Notice of our legal duties and privacy practices with respect to your PHI. We are also obligated to notify you following a breach of unsecured PHI. When we use or disclose your PHI, we are required to abide by the terms of this Notice (or other notice in effect at the time of the use or disclosure).

## **III. Permissible Uses and Disclosures Without Your Written Authorization**

In certain situations, which we describe in Section IV below, we must obtain your written authorization in order to use and/or disclose your PHI. However, we do not need any type of authorization from you for the following uses and disclosures:

Uses and Disclosures For Treatment, Payment and Health Care Operations. We may use and disclose PHI, but not your “Highly Confidential Information” (defined in Section IV.C below), in order to treat you, obtain payment for services provided to you and conduct our “health care operations” as detailed below:

- **Treatment.** We may use and disclose your PHI to provide treatment, for example, to diagnose and treat your injury or illness. We may also disclose PHI to other health care providers involved in your treatment.
- **Payment.** In most cases, we may use and disclose your PHI to obtain payment for services that we provide to you – for example, disclosures to claim and obtain payment from your health insurer, HMO, or other company that arranges or pays the cost of some or all of your health care (“Your Payor”) to verify that Your Payor will pay for health care.
- **Health Care Operations.** We may use and disclose your PHI for our health care operations, which include internal administration and planning and various activities that improve the quality and cost effectiveness of the care that we deliver to you. For example, we may use PHI to evaluate the quality and competence of our physicians, nurses and other health care workers. We may disclose PHI to our Patient Relations Coordinator in order to resolve any complaints you may have and ensure that you have a comfortable visit with us.

We may also disclose PHI to your other health care providers when such PHI is required for them to treat you, receive payment for services they render to you, or conduct certain health care operations, such as quality assessment and improvement activities, reviewing the quality and competence of health care professionals, or for health care fraud and abuse detection or compliance.

We participate in one or more Health Information Exchanges. Your healthcare providers can use this electronic network to securely provide access to your health records for a better picture of your health needs. We and other healthcare providers may allow access to your health information through the Health Information Exchange for treatment, payment or other healthcare operations. This is a voluntary agreement. You may opt out at any time by notifying the Medical Records Department.

B. **Use or Disclosure for Directory of Individuals in Ohio Living.** We may include your name, location in Ohio Living, general health condition and religious affiliation in a patient directory without obtaining your authorization unless you object to inclusion in the directory. Information



in the directory may be disclosed to anyone who asks for you by name or members of the clergy; provided, however, that religious affiliation will only be disclosed to members of the clergy.

C. Disclosure to Relatives, Close Friends and Other Caregivers. We may use or disclose your PHI to a family member, other relative, a close personal friend or any other person identified by you when you are present for, or otherwise available prior to, the disclosure, if we (1) obtain your agreement; (2) provide you with the opportunity to object to the disclosure and you do not object; or (3) reasonably infer that you do not object to the disclosure.

If you are not present, or the opportunity to agree or object to a use or disclosure cannot practicably be provided because of your incapacity or an emergency circumstance, we may exercise our professional judgment to determine whether a disclosure is in your best interests. If we disclose information to a family member, other relative or a close personal friend, we would disclose only information that we believe is directly relevant to the person's involvement with your health care or payment related to your health care. We may also disclose your PHI in order to notify (or assist in notifying) such persons of your location, general condition or death.

D. Fundraising Communications. We may contact you to request a tax-deductible contribution to support important activities of Ohio Living. In connection with any fundraising, we may disclose to our fundraising staff demographic information about you (e.g., your name, address and phone number) and dates on which we provided health care to you, without your written authorization. You have the right to opt out of receiving fundraising communications and may do so by calling 800.686.7800, ext. 160 or by sending an email to [foundation@ohioliving.org](mailto:foundation@ohioliving.org).

E. Public Health Activities. We may disclose your PHI for the following public health activities: (1) to report health information to public health authorities for the purpose of preventing or controlling disease, injury or disability; (2) to report child abuse and neglect to public health authorities or other government authorities authorized by law to receive such reports; (3) to report information about products and services under the jurisdiction of the U.S. Food and Drug Administration; (4) to alert a person who may have been exposed to a communicable disease or may otherwise be at risk of contracting or spreading a disease or condition; and (5) to report information to your employer as required under laws addressing work-related illnesses and injuries or workplace medical surveillance.

F. Victims of Abuse, Neglect or Domestic Violence. If we reasonably believe you are a victim of abuse, neglect or domestic violence, we may disclose your PHI to a governmental authority, including a social service or protective services agency, authorized by law to receive reports of such abuse, neglect, or domestic violence.

G. Health Oversight Activities. We may disclose your PHI to a health oversight agency that oversees the health care system and is charged with responsibility for ensuring compliance with the rules of government health programs such as Medicare or Medicaid.

H. Judicial and Administrative Proceedings. We may disclose your PHI in the course of a judicial or administrative proceeding in response to a legal order or other lawful process.

I. Law Enforcement Officials. We may disclose your PHI to the police or other law enforcement officials as required or permitted by law or in compliance with a court order or a grand jury or administrative subpoena.

J. Decedents. We may disclose your PHI to a coroner or medical examiner as authorized by law.

K. Organ and Tissue Procurement. We may disclose your PHI to organizations that facilitate organ, eye or tissue procurement, banking or transplantation.

L. Research. We may use or disclose your PHI without your consent or authorization if an Institutional Review Board or Privacy Board approves a waiver of authorization for disclosure.

M. Health or Safety. We may use or disclose your PHI to prevent or lessen a serious and imminent threat to a person's or the public's health or safety.

N. Specialized Government Functions. We may use and disclose your PHI to units of the government with special functions, such as the U.S. military or the U.S. Department of State under certain circumstances.

O. Workers' Compensation. We may disclose your PHI as authorized by and to the extent necessary to comply with state law relating to workers' compensation or other similar programs.

P. As Required By Law. We may use and disclose your PHI when required to do so by any other law not already referred to in the preceding categories.

#### **IV. Uses and Disclosures Requiring Your Written Authorization**

A. Use or Disclosure with Your Authorization. We must obtain your written authorization for most uses and disclosures of psychotherapy notes, uses and disclosures of PHI for marketing purposes, and disclosures that constitute the sale of PHI. Additionally, other uses and disclosures of PHI not described in this Notice will be made only when you give us your written permission on an authorization form ("Your Authorization"). For instance, you will need to complete and sign an authorization form before we can send your PHI to your life insurance company or to the attorney representing the other party in a lawsuit in which you are involved.

B. Uses and Disclosures of Your Highly Confidential Information. Federal and state law requires special privacy protections for certain highly confidential information about you ("Highly Confidential Information"). This Highly Confidential Information may include the subset of your PHI that: (1) is maintained in psychotherapy notes; (2) is about mental health and developmental disabilities services; (3) is about alcohol and drug abuse prevention, treatment and referral; (4) is about HIV/AIDS testing, diagnosis or treatment; (5) is about sexually-transmitted disease(s); (6) is about genetic testing; (7) is about child abuse and neglect; (7) is about domestic abuse of an adult with a disability; or (8) is about sexual assault. In order for us to disclose your Highly Confidential Information for a purpose other than those permitted by law, we must have Your Authorization.

C. Revocation of Your Authorization. You may withdraw (revoke) Your Authorization, or any written authorization regarding your Highly Confidential Information (except to the extent that we have taken action in reliance upon it) by delivering a written statement to the Privacy Official identified below. A form of Written Revocation is available upon request from the Privacy Official.

#### **V. Your Rights Regarding Your Protected Health Information**

A. For Further Information; Complaints. If you would like more information about your privacy rights, if you are concerned that we have violated your privacy rights, or if you disagree with a decision that we made about access to your PHI, you may contact our Privacy Official. Also, you may make a complaint by calling the Ohio Living Corporate Hotline at 877. 780.9366. You may

also file written complaints with the Director, Office for Civil Rights of the U.S. Department of Health and Human Services. Upon request, the Privacy Official will provide you with the correct address for the Director. We will not retaliate against you if you file a complaint with us or the Director.

B. Right to Request Additional Restrictions. You *have the right to request a restriction on the uses and disclosures of your PHI (1) for treatment, payment and health care operations purposes, and (2) to individuals (such as a family member, other relative, close personal friend or any other person identified by you) involved in your care or with payment related to your care. For example, you have the right to request that we not disclose your PHI to a health plan for payment or health care operations purposes, if that PHI pertains solely to a health care item or service for which we have been involved and which has been paid out of pocket in full. Unless otherwise required by law, we are required to comply with your request for this type of restriction. For all other requests for restrictions on use and disclosures of your PHI, we are not required to agree to your request, but will attempt to accommodate reasonable requests when appropriate.* If you wish to request additional restrictions, please obtain a request form from our Privacy Official and submit the completed form to the Privacy Official. We will send you a written response.

C. Right to Receive Confidential Communications. You may request, and we will accommodate, any reasonable written request for you to receive your PHI by alternative means of communication or at alternative locations.

D. Right to Inspect and Copy Your Health Information. You may request access to your medical record file and billing records maintained by us in order to inspect and request copies of the records. Under limited circumstances, we may deny you access to a portion of your records. If you would like to access your records, please obtain a record request form from the Privacy Official and submit the completed form to the Privacy Official. If you request copies, we will charge you a cost-based fee, consistent with Ohio law, that includes (1) labor for copying the PHI; (2) supplies for creating the paper copy or electronic media if you request an electronic copy on portable media; (3) our postage costs, if you request that we mail the copies to you; and (4) if you agree in advance, the cost of preparing an explanation or summary of the PHI.

E. Right to Amend Your Records. You have the right to request that we amend PHI maintained in your medical record file or billing records. If you desire to amend your records, please obtain an amendment request form from the Privacy Official and submit the completed form to the Privacy Official. We will comply with your request unless we believe that the information that would be amended is accurate and complete or other special circumstances apply.

F. Right to Receive An Accounting of Disclosures. Upon request, you may obtain an accounting of certain disclosures of your PHI made by us during any period of time prior to the date of your request provided such period does not exceed six years. If you request an accounting more than once during a twelve (12) month period, we will charge you \$0.75 per page of the accounting statement. We will inform you in advance of any fee and provide you with an opportunity to withdraw or modify the request.

G. Right to Receive A Copy of this Notice. Upon request, you may obtain a copy of this Notice, either by email or in paper format. Please submit your request to:

Privacy Official  
Ohio Living  
9200 Worthington Road, Suite 300  
Westerville, Ohio 43082  
Phone: 614. 888.7800

## **VI. Effective Date and Duration of This Notice**

A. Effective Date. This Notice is effective on January 1, 2014.

B. Right to Change Terms of this Notice. We may change the terms of this Notice at any time. If we change this Notice, we may make the new notice terms effective for all Protected Health Information that we maintain, including any information created or received prior to issuing the new notice. If we change this Notice, we will post the new notice in waiting areas around CE and on our Internet site at [www.ohioliving.org/privacy](http://www.ohioliving.org/privacy). You also may obtain any new notice by contacting the Privacy Official.

## **VII. Privacy Official**

You may contact the Privacy Official at:

Privacy Official  
Ohio Living  
9200 Worthington Road, Suite 300  
Westerville, Ohio 43082  
Phone: 614. 888.7800

## **(AA) Obtaining Information from your Medical Record**

If you desire to obtain or if you would like someone else to obtain any information from your medical record, you are required to complete a written authorization form that authorizes Ohio Living Cape May to disclose such information. These forms may be obtained by contacting medical records. In addition, you or the person who you authorize to access your information must pay for any copies that they request before those copies will be provided to them.

## **(BB) Resident Council**

You are encouraged to take part in Ohio Living Cape May's Resident Council. Resident Council Meetings are open to all residents of the Community. The purpose of the Resident Council is to provide residents a forum in which they may voice their questions or concerns. We will make all reasonable efforts to address any issues voiced by the residents at these meetings.

## **(CC) Residents Rights Laws**

Health Care Center residents are granted specific rights under both State and Federal law. We have duplicated these laws below for your easy reference in a separate document that was provided at admission. If you would like another copy of those laws, please ask.

## **(DD) Privacy Act Statement**

Federal law requires that Ohio Living Cape May provide you with the following notice. Ohio Living Cape May is required to comply with that law in order to receive any payment from Medicare or

Medicaid for services provided to its residents. This form is not a consent form to release or use health care information pertaining to you.

1. Authority for collection of information including social security number (SSN)

Sections 1819(f), 1919(f), 1819(b)(3)(A), 1919(b)(3)(A), and 1864 of the Social Security Act. Skilled nursing facilities for Medicare and Medicaid are required to conduct comprehensive, accurate, standardized, and reproducible assessments of each resident's functional capacity and health status. As of June 22, 1998 all skilled nursing and nursing facilities are required to establish a database of resident assessment information and to electronically transmit this information to the State. The State is then required to transmit the data to the federal Central Office Minimum Data Set (MDS) repository of the Centers for Medicare and Medicaid Services (CMS).

These data are protected under the requirements of the Federal Privacy Act of 1974 and the MDS Long Term Care System of Records.

2. Principal purposes for which information is intended to be used

The information will be used to track changes in health and functional status over time for purposes of evaluating and improving the quality of care provided by nursing homes that participate in Medicare or Medicaid. Submission of MDS information may also be necessary for the nursing homes to receive reimbursement for Medicare services.

3. Routine uses

The primary use of this information is to aid in the administration of the survey and certification of Medicare/Medicaid long term care facilities and to improve the effectiveness and quality of care given in those facilities. This system will also support regulatory, reimbursement, policy, and research functions. This system will collect the minimum amount of personal data needed to accomplish its stated purpose.

The information collected will be entered into the Long Term Care Minimum Data Set (LTC MDS) system of records, System No. 09-70-1516. Information from this system may be disclosed, under specific circumstances, to: (1) a congressional office from the record of an individual in response to an inquiry from the congressional made at the request of that individual; (2) the Federal Bureau of Census; (3) the Federal Department of Justice; (4) an individual or organization for a research, evaluation, or epidemiological project related to the prevention of disease of disability, or the restoration of health; (5) contractors working for CMS to carry out Medicare/Medicaid functions, collating or analyzing data, or to detect fraud or abuse; (6) an agency of a State government for purposes of determining, evaluating and/or assessing overall or aggregate cost, effectiveness, and/or quality of health care services provided in the State; (7) another Federal agency to fulfill a requirement of a Federal statute that implements a health benefits program funded in whole or in part with Federal funds or to detect fraud or abuse; (8) Peer Review Organizations to perform Title XI or Title XVIII functions, (9) another entity that makes payment for or oversees administration of health care services for preventing fraud or abuse under specific conditions.

4. Whether disclosure is mandatory or voluntary and effect on individual of not providing information

For nursing home residents residing in a certified Medicare/Medicaid nursing facility the requested information is mandatory because of the need to assess the effectiveness and quality



of care given in certified facilities and to assess the appropriateness of provided services. If a nursing home does not submit the required data it cannot be reimbursed for any Medicare/Medicaid services.

## **(EE) Non-Discrimination and Accessibility Notice**

Ohio Living Cape May complies with applicable Federal and State civil rights laws and does not discriminate on the basis of race, color, national origin, sex, age, disability or other protected classes. Ohio Living Cape May does not exclude people or treat them differently because of race, color, national origin, sex, age, disability, creed, ancestry, gender identity or expression, marital status, lawful source of income, familial status, learning disability or physical or mental disability.

Ohio Living Cape May provides free:

- Aids and services to people with disabilities to communicate effectively with us, such as:
  - Qualified sign language interpreters; and
  - Written information in other formats (large print, audio, accessible electronic formats, Braille, other formats)
- Language services to people whose primary language is not English, such as:
  - Qualified interpreters
  - Information written in other languages

If you need these services, contact the Ohio Living Corporate Executive for Compliance.

If you believe that Ohio Living Cape May has failed to provide these services or discriminated in another way on the basis of race, color, national origin, sex, age, disability, creed, ancestry, gender identity or expression, marital status, lawful source of income, familial status, learning disability or physical or mental disability, you can file a grievance with: Corporate Executive for Compliance, 9200 Worthington Road, Suite 300, Westerville, Ohio 43082, Phone 614.888.7800, Fax 614.888.6864. You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, the Ohio Living Compliance Officer is available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201, 1-800-868-1019, 800-537-7697 (TDD). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

For all languages below, call 800.234.0780.

### **English**

ATTENTION: If you speak [insert language], language assistance services, free of charge, are available to you.

### **Spanish**

ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística.

### **Chinese**

注意: 如果您使用繁體中文, 您可以免費獲得語言援助服務。

## German

ACHTUNG: Wenn Sie Deutsch sprechen, stehen Ihnen kostenlos sprachliche Hilfsdienstleistungen zur Verfügung.

## Arabic

مصل الفته مقرر) مقرب لصلتا. ناجمل اب كل رفاوتت ةي وغلل ا ةدع اسمل ا تامدخ ن إف، ةغلل ا ركذا ثدحتت تنك اذ: ةظوح لم مكبل او

## Pennsylvania Dutch

Wann du [Deutsch (Pennsylvania German / Dutch)] schwetzscht, kannscht du mitaus Koschte ebber gricke, ass dihr helft mit die englisch Schprooch.

## Russian

ВНИМАНИЕ: Если вы говорите на русском языке, то вам доступны бесплатные услуги перевода.

## French

ATTENTION: Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement.

## Vietnamese

CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn.

## Cushite

XIYYEEFFANNAA: Afaan dubbattu Oroomiffa, tajaajila gargaarsa afaanii, kanfaltiidhaan ala, ni argama.

## Korean

주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다.

## Italian

ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti.

## Japanese

注意: 如果您使用繁體中文, 您可以免費獲得語言援助服務。

## Dutch

AANDACHT: Als u nederlands spreekt, kunt u gratis gebruikmaken van de taalkundige diensten.

## Ukrainian

УВАГА! Якщо ви розмовляєте українською мовою, ви можете звернутися до безкоштовної служби мовної підтримки.

## Romanian

ATENȚIE: Dacă vorbiți limba română, vă stau la dispoziție servicii de asistență lingvistică, gratuit.

## Cushite

XIYYEEFFANNAA: Afaan dubbattu Oroomiffa, tajaajila gargaarsa afaanii, kanfaltiidhaan ala, ni argama.

## Korean

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## Italian

ATTENZIONE: In caso la lingua parlata sia l'italiano, sono disponibili servizi di assistenza linguistica gratuiti.

## **Japanese**

注意事項：日本語を話される場合、無料の言語支援をご利用いただけます。

## **Dutch**

AANDACHT: Als u nederlands spreekt, kunt u gratis gebruikmaken van de taalkundige diensten.

## **Ukrainian**

УВАГА! Якщо ви розмовляєте українською мовою, ви можете звернутися до безкоштовної служби мовної підтримки.

## **Romanian**

ATENȚIE: Dacă vorbiți limba română, vă stau la dispoziție servicii de asistență lingvistică, gratuit.



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Our mission is to provide adults with caring and quality services  
toward the enhancement of physical, mental and spiritual well-being  
consistent with the Christian Gospel.



# Ohio Living

Cape May

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**FAITH + COMPASSION + COMMUNITY**

175 Cape May Drive | Wilmington, Ohio 45177

**P** 937.382.2995 **F** 937.382.2994

[ohioliving.org](http://ohioliving.org)

