

# How Hospice Can Be A Force For Justice For Older People

## A Response to “Hospice Deficiencies Pose Risks to Medicare Beneficiaries” Report

A just society preserves the safety and dignity of all of its members across the lifespan. The Office of Inspector General (OIG) at the U.S. Department of Health and Human Services (HHS) published a 2019 **report that identified deficiencies that can cause harm to Hospice Medicare beneficiary**

**patients**, many of whom are older people. These deficiencies can risk elder mistreatment, an injustice that erodes older people’s safety and dignity by subjecting them to physical, emotional or sexual abuse, neglect or financial exploitation. The report showed us that **we can and must do better** in providing fair and quality care for older people during their end-of-life chapter.

We all have a role to play in ensuring the safety and well-being of every community; Hospice Care Providers are in a position to provide vital, compassionate care to those experiencing terminal illness.

Understanding the areas of improvement that the OIG report presented can be our first step in preventing elder mistreatment and promoting justice. The report recommended **Centers for Medicare and Medicaid Services (CMS)**:



View the report at:  
[www.oig.hhs.gov/oei/reports/oei-02-17-00020.pdf](http://www.oig.hhs.gov/oei/reports/oei-02-17-00020.pdf)



[www.cms.gov](http://www.cms.gov)

- 1 Educate Hospice Care Providers about common deficiencies and those that pose particular risks to beneficiaries.
- 2 Strengthen requirements for Hospices to report abuse, neglect, and other harm;
- 3 Strengthen guidance for surveyors to report crimes to local law enforcement;
- 4 Monitor surveyors’ use of immediate jeopardy;
- 5 Improve and make more user friendly the process for beneficiaries and caregivers to make complaints.

These recommendations urge all Hospice Care Providers be educated in recognizing mistreatment and reporting procedures. The **National Center on Elder Abuse (NCEA)** has provided some signs of elder mistreatment that everyone should know below.



[ncea.acl.gov](http://ncea.acl.gov)





## Physical Signs

- Broken bones, bruises, and welts
- Multiple cuts, sores or burns
- Torn, stained or bloody underclothing
- Sexually transmitted diseases without clear explanation
- Dirtiness, poor nutrition or dehydration
- Poor living conditions
- Missing daily living aids (glasses, walker, and medications)

### **Remember!**

Elder abuse can include neglect, physical, emotional, financial or sexual abuse. Many Hospice Care Providers may be familiar with the physical signs of elder mistreatment, however it is just as important to pay attention to the emotional and behavioral as well as the financial signs of mistreatment.

***Talk to the patient...  
more importantly listen.***



## Emotional and Behavioral Signs

Depression, anxiety, and fear would be normal behavioral reactions at end of life. Watch for:

- Increased depression:
  - Abnormal passivity
  - Loss of interest in activities patient used to enjoy
  - Increased crying
  - Unusual isolation from friends or other family
- Increased fear:
  - Startles or cringes easily
  - Evasiveness or reluctance to talk openly
  - Avoidance of eye contact or verbal contact with a caregiver
  - Cowers in the presence of the caregiver
- Increased hopelessness, helplessness, anxiety or feelings of powerlessness:
  - Slower movement than usual
  - Unusual and uncontrollable feelings of worry
  - Increased irritability or aggression
  - Unusual concentration difficulties
  - Change in sleeping or eating habits
- Confusion that is unrelated to any medical condition
- Contradictory statements
- Missing appointments that person used to attend



## Neglect Signs

- Lack of dressing changes
- Lack of comfort medication
- Withholding food or drink when not warranted

### **Important!**

Make sure patient care is aligned with patient's wishes **not** conflicting family wishes.



## Financial Signs

- Unusual or quick changes in a will or other financial documents
- Unusual changes in bank account or money management
- Fake signatures on financial documents
- Appearance of new people or visitors overly interested or invested in financial affairs
- Unpaid bills

## Reporting Abuse

### **When you encounter abuse you will want to report abuse.**

Many Hospice Care Providers are mandated reporters, meaning they are legally responsible to report suspicions of abuse to appropriate authorities.

To report fraudulent practices in your area, contact the **U.S. Department of Health and Human Services – Office of Inspector General “Fraud Hotline”** at its website or call **1-800-447-8477** (800-HHS-TIPS).

 [oig.hhs.gov/fraud/report-fraud](https://oig.hhs.gov/fraud/report-fraud)

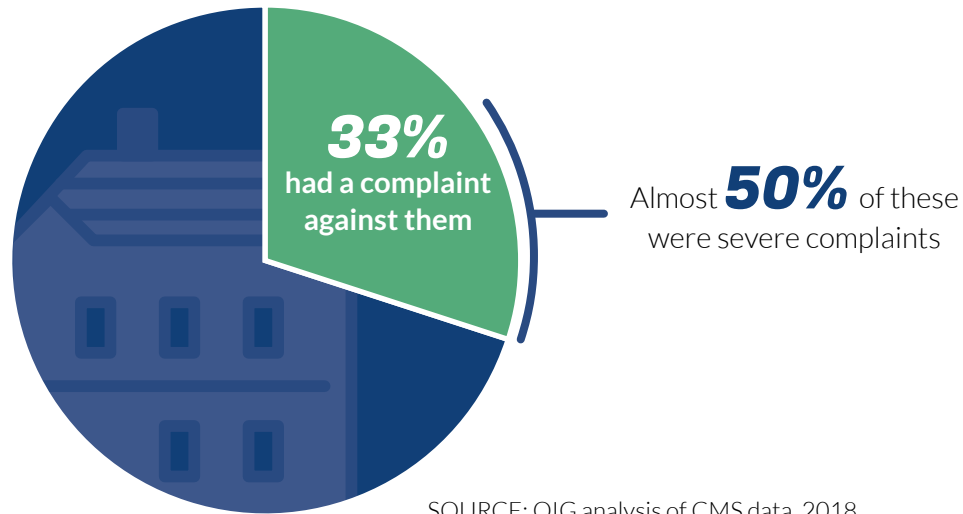
Programs such as Adult Protective Services (APS) and the Long-Term Care Ombudsmen are here to help. For reporting numbers, contact **Eldercare Locator** at **1-800-677-1116** or visit their website.

 [eldercare.acl.gov](https://eldercare.acl.gov)



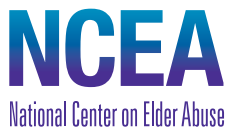
**Whether we have a terminal illness or not, we all deserve to be treated with respect and dignity.** The OIG report provided us with our blueprint. Elder mistreatment can be prevented when we understand the conditions that cause it and take the steps needed to address it. Now, let's make Hospices and Hospice Care Providers a coordinated, collective force for justice for older people.

**One-third** of hospices had complaints filed against them, and for almost half of these hospices, the complaints were severe.



In each year, **11-14%** of hospices had complaints filed against them.

The most common complaints were about quality of care, patient's rights, and administration issues. These complaints include beneficiaries not receiving treatment to control pain and manage symptoms, beneficiaries not receiving a notice of patient's rights in a language they understand, and unqualified hospice administrators. Other types of complaints were related to nursing services, patient neglect, and pharmaceutical services.



Keck School of  
Medicine of USC

***Providing end of life patient care is one of the noblest and most compassionate areas in the medical field.***

Regarding the whole person, honoring their life and preserving dignity of the person, all add up to the prevention of elder abuse.

As a hospice care provider, if you **see something, say something**. It is the only way that our society can truly achieve the goal of justice for all.