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Attorneys at Law

SERVING THE UNIQUE NEEDS OF LONG TERM CARE PROFESSIONALS

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IN THE EYE OF THE STORM **by Kimberli Poppe-Smart**

Sheets of water wash over the hotel windows as raindrops relentlessly pelt the glass. Trees distort into unnatural shapes as the punishing winds of hurricane Sandy into a rage. This usually bustling Washington D.C. suburban city is now a ghost town with public transportation, schools, federal offices, day cares, and various businesses closed, in an effort to keep residents safe in their homes and out of the eye of the storm.

Inside the hotel, Kimberli Poppe-Smart is attending a bi-annual conference of state and federal leaders, vendors, consultants and media. Spirited discussion inside distracts the attendees from the storm mounting just outside the glass barriers. Uncertainty surrounding the impending Presidential and state elections outcomes, talk of a lame duck session focused on budget deals and dozens of impending due dates related to the Affordable Care Act, including Medicaid expansion and the health insurance exchange is, for many leaders, more unsettling than Sunday's forceful presence.

The "perfect storm" brewing, both inside and outside, the hotel, is temporary. Sandy will die down and normalcy will be restored in the business districts. The nation will transition into the next four years of a new or the same presence in the White House and legislatures and Governors' office will go about their days addressing the needs of their constituents

In your facilities, the "perfect storm" brews daily. The impacts of changing needs of residents, family requests, surveyor and ombudsmen visits and financial realities are significant. Now, add to those the ever-changing reimbursement landscape of Medicaid and Medicare, quality initiatives, managed care agreements, evolving evidence-based practices and the unexpected critical incident and your storm is now a Category I.

Risk management strategies aid you in managing the storm and avoiding potentially disastrous results. Recognizing that each and every day that you and your staff come to work you set out to deliver A+ care but the focus around you derail those good intentions, it is essential that your tool kit contains relevant and effective risk management strategies.

In the coming months our newsletter will bring you up-to-date information on risk management. Planned topics include: implications of the Office of Inspector General's 2012 work plan for long term care providers; Center for Medicare & Medicaid's Hand in Hand training and what it means to you;

and an examination of psychotropic use in Skilled Nursing Facilities. These articles will bring you a discussion of the issues and recommended strategies to address them within your facilities.

About the author:

A senior associate returning to Wroten & Associates, Kimberli M. Poppe-Smart has unite her nearly 30-year nursing career with over a decade of legal experience into a health care risk management and compliance specialist. Her most recent experience as an appointed leader in state government, overseeing Medicaid, survey and certification and a myriad of additional state-administered program add a depth of knowledge and experience rarely seen in the litigation arena. Ms. Poppe-Smart earned a diploma in registered nursing in 1983, a bachelor of science in nursing in 1992 and graduated cum laude from Thomas Jefferson School of Law in San Diego, CA in 2002.

Ms. Poppe-Smart is a Wroten & Associates litigation team member as well as an expert in identifying and managing risks and implementing enterprise risk management plans and strategies. She has spoken nationally on health care topics including quality assurance, risk management and compliance.