

We demand that facilities and licensors ensure, as already required under law, that all long-term care residents routinely receive adequate amounts of a variety of fresh and whole foods, macronutrients and micronutrients (proteins, fats, vitamins and fiber-dense foods). This includes meals, snacks, and beverages consistent with the resident's dietary needs; and, centering on resident choice and decision-making and in support of resident health and quality of life, rather than on the fear of retaliation and extra expenses put on to the resident.

Point One

We the Long-Term Care Ombuds Resident Advisory Council affirm that residents of all long-term care facilities need adequate nutrient-dense meals and beverages specific to their dietary needs. We recognize that adequate, nutritionally appropriate food is a right protected in state and federal laws governing long-term care facilities.

Point Two

We understand that food is medicine. Nutrition has a critical impact, increasingly recognized scientifically, upon people's long-term physical and mental health. Long-term care facilities that fail to treat residents' dietary needs as equally important as residents' prescription medication needs put residents' health at risk.

Point Three

We stress that when a facility accepts a resident, they have a legal duty to ensure that the individual's nutritional and dietary needs are consistently and adequately met. No resident, as all too often happens, should be harassed for or retaliated against because of their nutritional or dietary needs. Real examples of retaliation include residents threatened by providers with discharge, or discharged without reasonable accommodation measures as required under the law.

Point Four

We find it unacceptable that when a long-term care facility fails to provide appropriate and adequate food, and residents often must purchase food items with their private funds to ensure that they receive proper nutrition, despite already having paid the facility for all meals. Residents, including those on Medicaid, pay what amounts to double costs, for facility-provided meals that fail to address their medical or dietary needs, paying out-of-pocket to ensure adequate and appropriate nutrition. An example of this is a resident who is diabetic requesting plain yogurt without added sugars, and the facility purchasing only sweetened yogurt. It is up to the resident to purchase their own yogurt, and pay for the sweetened version that they cannot eat.

Point Five

We affirm that each resident must make an informed decision about the food provided for them by their long-term care facility. When a facility fails to specify meal ingredients or menu substitutions residents are denied the ability to make informed choices to meet their specific dietary needs. Residents then risk eating foods or ingredients that are allergic to or otherwise harm their health.

Point Six

We affirm that long-term care facilities must meet their obligation to provide various food and meals rather than offer the same food choices every few days. We stress that when a facility accepts a resident they have a legal duty to ensure the individual's nutritional and dietary needs are consistently and adequately met. A real example is a home serving hot dogs several times a week as the main meal, serving pasta repeatedly during the week, lack of protein or protein alternatives and the lack of fresh or raw vegetables.

Point Seven

We urge that long-term care facilities be held accountable for discrepancies between menus and Ingredients approved by staff dietitians (where applicable), menus and ingredients announced to residents, and what food is served to residents. Unauthorized substitutions served to uninformed residents lead to unacceptable health risks.

Point Eight

We urge enforcement and licensing agencies authorized with monitoring compliance by long-term care facilities to prioritize enforcement of regulations that ensure the health and safety of vulnerable adults in long-term care, particularly concerning safe food handling, timely menu and ingredient disclosure, menu and ingredient substitutions, meal variety, and nutritional value. An example would be multiple complaints about substandard food quality and dirty kitchens submitted to the State licensing. Yet the state fails to substantiate complaints for many months.