



FRIENDS OF  
RESIDENTS  
IN LONG TERM  
CARE

# for your INFORMATION

Friends Of Residents In Long Term Care Newsletter

March 2007

Volume XXI

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and much more...!!!

## BE THERE FOR LONG TERM CARE



**The Community Center at Glenaire Retirement Center in Cary is the place to be on the afternoon of Monday, April 16, 2007.**

Advocates, long term care professionals and other concerned citizens will convene in Cary on Monday, April 16, for the Fifth Biennial Long Term Care Public Policy Conference. Many of the same folks will then seek out their state elected representatives at the NC Legislative Building in Raleigh on Tuesday, April 17, which has been designated as Long Term Care Advocacy Day.

These strategic events are timed for maximum impact during the 2007 “long session” of the NC General Assembly. Your invitation to be involved is the brochure included in this issue!

*Please turn to page three*

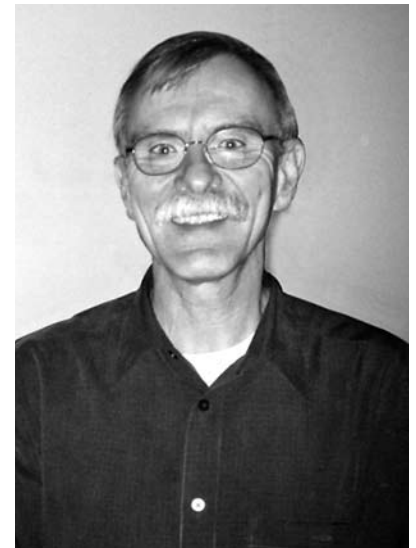
*The mission of Friends of Residents in Long Term Care is to promote the highest quality of life for those who cannot live independently, and for those who care for them.*

# Words from the Board Chair

By Chris Ivy

The Longfellow poem, “The Midnight Ride of Paul Revere” addresses a situation where a message needs to get to someone urgently so that action can be initiated.

"If the British march  
By land or sea from the town to-night,  
Hang a lantern aloft in the belfry arch  
Of the North Church tower as a signal light,  
One if by land, and two if by sea;  
And I on the opposite shore will be,  
Ready to ride and spread the alarm  
Through every Middlesex village and farm."



**FORLTC Board Chair Chris Ivy**

Our capability to send messages to each other has become a lot easier than it was in 1775. However there are still times when a message needs to be send out urgently to inform people of actions that need to be taken.

One of the roles of Friends of Residents is to follow the legislature and the bills that are being addressed. We like to be able to send out legislative alerts letting people know what is happening and whom they should contact regarding a particular piece of legislation. Time is often short so we want to get the information to as many people as we can in as short a time as possible.

Our email database is better than hanging a lantern but it needs some work. It has been several years since we fine-tuned our legislative alert system and many of you probably do not have the same email address you had a few years ago. Therefore I am asking that our members, as well as others that want to be kept informed, email Friends of Residents with their name and current email address so that Friends of Residents will be in a better position “to ride and spread the alarm” regarding long term care issues in North Carolina.

Send your email to: [friends@forltc.org](mailto:friends@forltc.org)

Thanks for your help.

## **For Your Information**

The newsletter of Friends of Residents in Long Term Care

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*Continued from page one*

Planning for the LTC Policy Conference and Advocacy Day began late last year, when FORLTC Education/Outreach Committee Chairman John Suddath, members of that committee, and others concerned with long term care issues began working together as for consortium. Those involved in organizing the two events include the AARP, which put together the conference in 2005 and is providing substantial funding this year. Conference coordinators Emily Paynter and Harriet Bartnick also have strong ties to the AARP. Other prestigious groups, including the NC Long Term Care Ombudsman Association, the Alzheimer's Association, and the Multiple Sclerosis Society, have likewise been on board since the very beginning.

A key piece fell into place when the Glenaire Retirement Center offered to provide space and assistance in hosting the events planned for April 16. As the conference organizers recently commented, "Glenaire has been most generous in supporting this conference and offering us premium services and facilities. We feel very fortunate to be able to work with them."

Indeed, for some time now the sense of excitement and anticipation at FORLTC has been exhilarating, as a prestigious group of experts, including FORLTC Board Member Jill Passmore, have agreed to participate, as noted in the conference brochure. Sponsors, who will be recognized in the event program, are still coming forward, and plans are being made to offer them organizational memberships in FORLTC and other benefits.

A keynote speaker has recently been confirmed (see below), and legislators offering to participate in the Advocacy Day program include Representatives Alice Bordsen, Beverly Earle, Jean Farmer-Butterfield and Jennifer Weiss as well as Senator Stan Bingham. Additionally, the FORLTC website at forltc.org, which has been running a "Save the Date" notice, is expected to have more detailed information by the time you read this newsletter.

So will you be there for long term care? Will you get involved in speaking up for those who can't speak for themselves? Please consider sending in your registration for the conference as soon as possible so that you won't miss out. And we hope you'll plan to be on hand for Advocacy Day as well.

## **ALZHEIMER'S EXPERT SIGNS ON AS KEYNOTE SPEAKER**

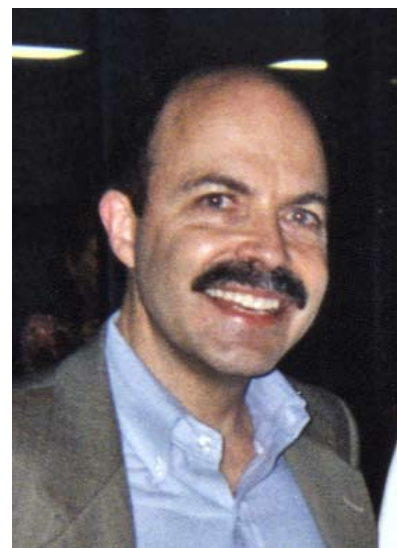
We are pleased to announce that Dr. Donald Schmechel has recently agreed to present a keynote address as the initial component of the formal program of the 2007 LTC Public Policy Conference on Monday, April 16. The author of numerous publications and currently the director of Bryan Alzheimer's Disease Research Center at Duke University, Dr. Schmechel sees more than 200 patients a year suffering from neurogenerative disorders. He is expected to discuss long term care issues from a personal as well as a professional perspective at the conference.



**Dr. Donald Schmechel**

## FORENSICS FORUM

by Roger Manus



**FORLTC  
Public Policy Committee  
Roger Manus**

- Q:** My father lives several hundred miles away at the other end of the state. He lives in his home and is cared for by CNA's who come to the home and stay with him. Each CNA stays for 72 hours at a time. Each Sunday, there is no CNA on duty and my sister stays with Dad. Yesterday, one of the CNA's called to say that she and the other CNA suspected that my sister was physically abusing Dad when she was alone with him. The CNA said that when she comes back on duty on Monday Dad usually has some bruises on various parts of his body, and my sister has a strong odor of alcohol on her breath. On Sunday a month ago, his arm was broken. Yesterday, he had a redness all around his neck, and he seemed scared and upset when the CNA relieved my sister. Dad is pretty steady on his feet, but he is no longer competent to report anything that happened in the recent past. My sister is well respected in the community. The aides fear that if they report to the authorities that no one will believe them and that after an inconclusive investigation by the authorities, my sister will fire them, bring in new aides, and the abuse will resume. My sister could do this because she handles Dad's money and personal matters through a durable power of attorney. Dad's physician is an old school chum of my sister's. Unbeknown to the aides, my sister was found to have abused her children years ago when she lived in another state. She has a temper and a lot of unresolved anger toward my Dad, so I am afraid that the aides are probably correct in their suspicions. What should I do?
- A:** Go to your Dad's town so that you arrive on Monday morning after your sister has left. Take your father to the hospital emergency room for an examination and call Adult Protective Services. If you still believe that the aides are correct, but it seems that Adult Protective Services is not prepared to act promptly and decisively, you could have yourself appointed guardian ad litem and file a domestic violence complaint in district court. North Carolina's domestic violence law covers the parent-child relationship on into adulthood. The advantage of using this law is that you could include a request for an immediate temporary protective order. In any event, you could petition for the Clerk of Court to appoint an interim and then a permanent guardian to decide about your Dad's care, where he lives, the supervision of visits and other matters. It would help to have an attorney assisting you in this complicated and potentially contentious situation. Good Luck!

*Roger Manus is a Raleigh attorney who is currently a member of FORLTC's Public Policy Committee. He was on FORLTC's Board of Directors for several years and has also served as board chairman.*

### **FAMILY COUNCIL MANUALS STILL AVAILABLE**

For your free copy of the FORLTC publication  
*Creating a Family Council: A Group for Success*,  
please contact an ombudsman or the FORLTC office.

## **PRC MEETS – BRIEFLY – IN FEBRUARY**

By FORLTC Board Member Jim Ankeny

Bearing in mind our ongoing efforts to monitor the Penalty Review Committee, I volunteered to represent FORLTC at the group's public meetings during 2007. Consequently, I can report that the February meeting started promptly at 10 a.m. – and lasted only 11 minutes. Only one penalty was on the agenda. The Meadows of Oak Grove in Durham County was assessed a \$1500 penalty for failure to protect a resident from mental and physical abuse.

As a first year member of the FORLTC Board of Directors and not a native to this industry, I found the experience to be a crucial part of public and government oversight in the protection of the public. I wondered why only one penalty was being reviewed. My understanding is that the state legislature had changed the rules or has not renewed a rule that all incidents be reviewed.

It is currently required that a resident, guardian or family member must “request” a review of an incident. Families are mailed a letter after an incident, and they may request a review of the event. If they do not respond requesting the review, it will not happen.

Many do not request reviews because they believe that they will be required to come to the hearing, and this is a hardship. The request requirement has had the unfortunate effect of only having a small number of incidents reviewed. It also appears to be a waste of state and committee members' time and resources, as they must prepare and travel to the meetings monthly.

No reviews are planned for the March 8 meeting, which is to be a yearly Forum. Discussion of reviewing the rules, procedures and policy is expected.

*Six proposals to revamp the PRC process were formally adopted on January 12 when the FORLTC Board of Directors approved legislative priorities for 2007. To review these, please consult our last newsletter or look on our website, forltc.com, under Legislation. We look forward to hearing more from Jim in the months to come as he continues to monitor this situation.*

## **A SPECIAL WELCOME TO NEW BOARD MEMBERS**

We are very pleased to announce that Jim Ankeny, (see above) is only one of five new board members who began three-year terms on January 1, 2007. We want to extend a warm welcome to Jim and to Wendy Craig, Sue Floyd, Walt Sheffield and John Wasson. They are a highly qualified group. Jim is a businessman who has been an effective and enthusiastic member of our Events Committee. John is the director of Cleveland County DSS and a member of our Public Policy Committee. Wendy and Walt are both attorneys with extensive experience in elder law. Sue Floyd is a licensed real estate broker who formerly worked on aging issues as staff to the General Assembly. Her mother is a nursing home resident. **MANY THANKS FOR ALL YOU ARE DOING, AND WILL BE DOING, ON BEHALF OF LTC RESIDENTS AND THEIR CAREGIVERS.**

*FORLTC committee assignments for 2007 are expected to be finalized at the board meeting on April 13. A new board orientation is also scheduled on that date.*

# Membership Contributions from December 2006 through February 2007

*Thank you to these contributors for helping continue our mission!*

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By Christopher Ivy

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By Mattie Deloney

### **Dr. LeRoy King**

By Dr. and Mrs. Bruce King, III

### **William Lamb**

By Elma Holder

*please turn to pg. 11*



**The folks at Silver Bluff Village in Canton have every reason to smile as they celebrate being among the first to receive the NOVA designation.**

**FORTLC CONGRATULATES FIRST TWO NOVA DESIGNEES**

Approximately 150 people gathered at the McKimmon Center in Raleigh on January 19, 2007, to celebrate the statewide implementation of NC NOVA and to honor the two pilot organizations that have thus far attained the designation, Silver Bluff Village in Canton and Well-Spring Retirement Community in Greensboro. The NC NOVA Partner Team also recognized all 60 pilot site organizations at the event. FORLTC, which has for years been involved with developing and implementing this program, heartily congratulates the first two winners. We also commend all those who continue to strive for this prestigious designation.

*For more on NC NOVA, just turn the page. Additionally, please consult the Better Jobs, Better Care section on our website, [forltc.org](http://forltc.org), for background information as well as a detailed update.*



**Well-Spring of Greensboro, shown below, has also been awarded the NOVA designation. At left, Well-Spring resident Ralph Mullin enjoys a friendly chat with LPN Kesah Jackson.**



# NC NOVA: FROM PROBLEM TO NOTEWORTHY PROGRAM

By Dr. Sandy Spillman

Every day at our assisted living residences, front line care workers bear the responsibility for the well-being of our residents. From daily medication administration to help with bathing and dressing, the interaction between care worker and resident creates a baseline for the success of our assisted living services. North Carolina's healthcare industry has long recognized the connectivity between well trained, satisfied workers and happy, healthy residents. In our industry, there is a constant push for finding new ways to retain employees and maintain a high quality of care for seniors in long term care environments.

In 2001, the turnover rates for adult care workers in North Carolina hit a staggering 113%. These statistics not only illustrate the lack of job satisfaction, they also reflect an additional impact most keenly felt by the 70,000 seniors in their care. Lurking immediately in the background of this data is the resulting lack of productivity for adult care providers and the high cost of replacing these employees.

In October of 2002, the Institute for the Future of Aging Services announced the launch of a \$15.5 million program targeted at improving recruitment and retention of direct care workers in the long term care industries. The **Better Jobs, Better Care Program** – funded by the Robert Wood Johnson Foundation and Atlantic Philanthropies – awarded demonstration grants to five state-based Partner Teams comprised of representatives from the direct care worker pool, long term care providers, select groups of consumers, health care providers, and state and local agencies and officials. Sixty slots were created for long term care providers from North Carolina, and they included 20 nursing homes, 20 home care agencies and 20 adult care providers.

The national Better Jobs, Better Care Program has a core mission consisting of two prongs:

1. finding ways to reduce turnover of direct care workers through specific efforts to improve jobs, foster better job training, and provide incentives for long term care providers;
2. assuring the continuity of high quality care for the frail elderly in long term care settings;

as a reflection of our commitment to providing a good working environment for our employees, a high level of care for our residents, and the further goal of attaining additional licensure designations reflecting provider excellence.

The North Carolina Better Jobs, Better Care Partner Team is raising the bar even further through the pursuit of the special voluntary licensure designation called **NC NOVA: New Organizational Vision Award**. Service providers achieving NC NOVA designation will receive a special licensure award as an adjunct to the state-issued operating license. It will function much like the one-to-five star designations given to hotels and restaurants, allowing consumers to know quickly and easily which long term care providers are among the best in the state.

As of July 17, 2006, the North Carolina Partner Team has successfully worked with the North Carolina General Assembly in the passage of NC Senate Bill 1277 establishing NC NOVA as a voluntary statewide program. Next steps for the Partner Team include determining how to measure program impact and developing educational materials for consumers, family caregiver, providers, policy makers and others. In addition, the Partner Team will be making plans to support providers interested in seeking NC NOVA designation through a variety of training initiatives.

Silver Bluff Village Nursing Facility in Canton, NC, and Well Spring Continuing Care Retirement Community, in Greensboro, NC, have been awarded the special licensure and were honored at the NC NOVA Kick Off ceremony at the Kinnamon Center in Raleigh, NC, on January 19, 2007.

The meeting was attended by a wide variety of pilot program participants. Awards were given to each participant in the program, and the participants were given the opportunity to express the changes noted

## DCWA: A Voice for Direct Care Workers



**DCWA President Martha Holt Dunston, left, makes a presentation to 2006 Direct Care Worker of the Year Sonya Ruff of Conover Nursing Center. CONGRATULATIONS, SONYA!**

The Direct Care Workers Association of North Carolina was incorporated April 22, 2003, to be a statewide, education-based organization for direct care workers and others who share its mission and values. The mission of the Direct Care Workers Association is to improve the quality of care provided to health and long term care consumers and their families through the education, professional development and public awareness of direct care workers.

The Association believes in:

- Quality care, and the skill, individual attention, diligence, compassion, commitment and dedication necessary to make it happen;
- Professionalism, and the opportunity, advocacy, integrity and fairness that go with it;
- Effective communication, and the clarity that comes from listening with an open mind to what others say;
- Diversity, and the inclusion and active participation of people with different backgrounds and differing points of view; and
- Teamwork, and the respect that comes from working toward a common goal with a commitment to support the group's decisions.

In 2007, the Direct Care Workers Association of NC will host two statewide conferences. The first conference will be held on **Thursday, June 7 at the Charlotte Convention Center**; the second will be held on **Thursday, November 8 at the Embassy Suites, Cary, NC**.

Please visit the website at [dcwa-nc.org](http://dcwa-nc.org) to learn more about the Association and how you can support DCWA's mission of education and quality care.

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in their communities as they begin to implement the NC NOVA project. Congratulations to all who have participated in the pilots, and hats off to those many who are still working toward the goal of achieving special licensure.

Also to be commended in addition to Friends of Residents in Long Term Care and individual consumer representatives on the NC NOVA Partner Team are its other members including the Association for Home and Hospice Care of NC; NC Assisted Living Association; NC Association, Long Term Care Facilities; NC Association Non-Profit Homes for the Aging; NC Health Care Facilities Association; Harriet Manor; Direct Care Workers Association of NC; NC Institute on Aging, UNC-Chapel Hill; Gerontological Nursing Specialty Program, Duke University; The Carolinas Center for Medical Excellence; NC Department of Health and Human Services and NC Foundation for Advanced Health Programs.

*Sandy Spillman is Director of Operations for Salem Senior Housing and a member of the FORLTC Education/Outreach Committee.*

## **Better Protection for the Frail Elderly:**

### **An Expansion of the Health Care Personnel Registry**

By Polly Williams

As we all know, nearly everyone in frail health would prefer to live at home rather than entering into institutional care. We may be looking forward to care by a friendly and attentive home care aide. That is why a recent series of stories in **The News & Observer** was so alarming.

Some residents in an apartment facility for the elderly were scammed by their home care aide. She was friendly all right—so friendly that she was able to persuade one elderly gentleman to open a joint bank account with her. Then she emptied it of every cent, leaving him destitute.

Another resident suffered identity theft. The aide was a convicted felon who had served prison time twice for the same offence. At first the home care agency claimed not to know about this record, despite a required criminal record check, because the aide used another name; later they admitted they did know. Since they were not bonded, those cheated had no ready recourse from the agency. The president of the agency is affiliated with other home care agencies and an adult care home that have been cited for violations.

Certainly it is scary to think that if we needed a home care aide, she might help herself to our identity and our jewelry. And that the agency might deny responsibility.

I talked to Sherry Thomas, Senior Vice-President at the Association for Home and Hospice Care, about my concerns and asked her what precautions we should take in hiring an aide through an agency. She said that although a criminal record check is required before an aide is hired (and some of us well remember how many years and how much work it took to get that legislation passed in final form), an agency is not barred from hiring the person no matter the crime. If you are employing an aide from an agency, you should ask what their hiring policies are with respect to what the criminal records checks disclose. Ask also whether their aides are employees of the agency or simply working under contract.

You should also make sure that the agency is licensed, bonded, and insured. Find out about how the aides are supervised (they are required to have a registered nurse available to supervise). Talk with the supervisor.

Then take some precautions: keep your financial papers in a locked box or file drawer; don't leave your credit card lying around; don't ask the aide to get the mail. Don't give the aide a check for a purchase at the pharmacy with an amount not filled in.

The state needs a better disciplinary process for aides. At present, there is only the system of the Health Care Personnel Registry, which is inadequately maintained. Complaints go to the state, and if they are substantiated, the aide's name is put on the Registry—and then the aide cannot or should not be hired. But the state is so overwhelmed with complaints that only the serious ones are investigated.

*continued on pg. 11*

Some good news: the social worker at the retirement home appealed for help from her friends, and the elderly man, who was without funds and who had no relatives to turn to, was showered with cash, clothes, and groceries. The social worker's church paid his phone bill and restored his service. He is very grateful. Meanwhile, the aide is in jail, and the state Division of Facilities Services has undertaken to investigate the agency.

Some other news: a bill has been filed with Representative Jennifer Weiss as primary sponsor, H95 "Health Care Personnel Registry Funds." The companion bill is S109, filed by Senator Vernon Malone.

Both legislators are members of the Legislative Study Commission on Aging, which recommended the same bill for the previous session, but it failed to pass. The bill would require a registry of all health care personnel in any setting who have neglected or abused patients, or misappropriated property or drugs, or committed fraud—in other words the registry would be more comprehensive than it is now. (It would also include accusations when frauds have been substantiated to the point that they are being investigated.) The bill asks for \$1.7 million for 2007-08 so that the registry can be properly kept up. This bill is worth watching because it provides an important and necessary protection. Let's hope it will have better fortune in this session of the General Assembly.

*Polly Williams is Vice Chair of the FORLTC Public Policy Committee.*

## **IN HONOR OF continued from pg. 6**

### **Roger Manus**

By Betty Price Gregory  
And by Beth Garriss Hardy  
And by Alice Mahy

### **Northwest AAA Staff**

By NWPCOG AAA

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