

THE TEXAS RESOLUTION CONNECTION

Volume 22, Issue 4

Fourth Quarter

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MOVING INTO THE DIGITAL AGE...

Are you prepared for the digital television transition? After February 17, 2009 federal law requires all television stations to broadcast in digital frequencies only.

To help you prepare for the digital television transition in 2009, we have answered some frequently asked questions.

I only watch the news and weather. Does the change affect me? *This could affect many of our friends in rural Texas and their ability to watch television programs. Weather, news and other local programming will be lost without the conversion.*

Television is fine the way it is, why are they doing this? *This change is taking place to free up the communication channels for community service providers, rescue squads, police officers and fire rescue. The transition will also provide more wireless services like broadband to more areas such as rural Texas. Finally, digital broadcasting is more efficient than analog and provides a clearer picture and sound for the viewer.*

(story continued on page 3)



TEXAS FFA CONVENTION COMES TO LUBBOCK

Dispute Resolution staff members were present at the 2008 Texas Future Farmers of America Convention, held at the United Spirit Arena in Lubbock. Thousands of Texas high school and college students converged upon the 80th Annual event. Awards, presentations and officer elections were held. During the convention, Patti Jones, Convention Chairman and Lubbock County Commissioner, addressed the convention on Wednesday during the third general session. During the address, Jones recognized Dr. Bill Bennett, Professor Emeritus Texas Tech University, as honorary convention chairman. Congratulations to Dr. Bennett for this great honor and to Commissioner Jones for helping to lead a fine convention.



**COMMISSIONER
PATTI JONES**

NEWS

TRMS™ & TEXAS 4-H TEAMING UP...



Jim Reeves of Texas 4-H & Joe Cox of Texas A&M Agri-Life discuss collaboration possibilities

Representatives from Dispute Resolution, Texas Agri-Life Extension and The Texas 4-H Youth Foundation, met to discuss an upcoming collaboration.

The times, they are 'a changin'... and while things like technology have improved, some things like growing up have gotten tougher.

The Texas 4-H Youth Foundation, Texas Agri-Life Extension and Dispute Resolution aspire to develop programs and workshops to deal with issues that face youth today.

HURRICANE/FLOOD

Dealing with weather in 2008 has been tough for Texans. Dealing directly and indirectly with hurricanes like Dolly, Gustav and Ike has been troublesome for many Texas residents.

Cleaning up after these disasters not only proves to be costly but difficult as well. One problem produced by flooding is mold.

According to the Toxic Black Mold Information Center, mold (often referred to as black mold) will develop in a number of colors. It also states that mold can cause a variety of health effects dependant on the person. Seniors, children and those with compromised immune systems seem to be the most vulnerable. Some of the ailments include, but are not limited to, allergies and breathing problems.

The Governor's Division of Emergency Management (GDEM) has listed ten ways to deal with mold in a flooded home. Some of the facts are listed below.

According to the publication, mold can be prevented but only if the source is cleaned and dried within 24-48 hours. It also states that mold and mold spores can never be totally eradicated once developed.

To view the complete GDEM publication go to: http://www.txdps.state.tx.us/dem/pages/dr1780_mold.htm

Be sure to look in next quarter's issue of The Texas Resolution Connection for more information on procedures, regulations and helpful hints for the National Appeals Division.

USDA United States Department of Agriculture
National Appeals Division



TRAVELS AROUND TEXAS...

In the coming months, staff will be visiting and participating in many different activities around the state of Texas. Booths will be on display throughout different Farm and Ranch shows and many other conventions and conferences. Below is a list of different places you can find us this Fall/Winter.

October 16: *Rural South Plains Coalition Meeting.....Levelland*

October 22-23: *South Texas Farm and Ranch Show....Victoria*

October 23-24: *Farm, Ranch, & Agri-Business Bankruptcy Institute....Lubbock*

November 4-7: *Adult Protective Services Conference.....San Antonio*

November 17: *ADR presentation.....Abilene*



NEWS

MOVING INTO THE DIGITAL AGE...

(Continued from page 1)

How do I know if I need a converter box? *To determine if a television needs a digital-to-analog converter box, a user can look at the television manual; it should indicate if the television is analog or digital. According to www.DTV2009.gov, televisions are often labeled with the word “digital” or with other buzz words such as “Integrated Digital Tuner,” “Digital Tuner Built-In,” “Digital Receiver,” “Digital Tuner,” “DTV,” “ATSC,” or “HDTV” (High Definition television). Keep in mind you do not need an HDTV to view digital programs; you would only need DTV. If a residence subscribes to a paid TV service such as cable or satellite, a converter box is not needed.*

But what if I have an antenna? *If you have an antenna (“rabbit ears” or rooftop antenna) and you do not have a television with a built-in digital tuner then you need a converter box.*

How much will this box cost? *Digital convertor boxes range from \$40.00-\$70.00; however each household is allowed to request up to two \$40.00 coupons.*

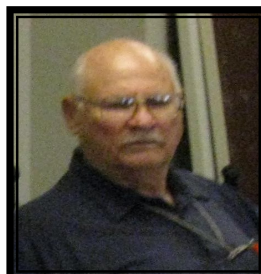
I ordered a coupon, but it never came! *Individuals in rural Texas who receive mail at a post office box, they should include their physical home address, to prevent application denial.*

How do I order coupons? *You can request coupons online at www.DTV2009.gov or call 1-888-388-2009 (1-877-530-2634 TTY).*

Helpful Tip: *If you have the internet you can visit www.dtv2009.gov select “What Are My Options” this will navigate to a page posing the question “Will the Digital Transition Affect Me?” by answering a few short questions about your current television service it will let you know if the digital transition will impact you.*

MEET THE STAFF AND BOARD...

Each issue, we will focus on our staff and Board members. This issue spotlights **John Zahn**, Member of the Advisory Board and **Dominica Hernandez**, Dispute Resolution’s Outreach/Service Delivery Clerk.



JOHN ZAHN

John Zahn is an outgoing member of the Dispute Resolution Advisory Board. John has been an instrumental member and friend for years.

His work in promoting the mission of Dispute Resolution is highly appreciated. We are thankful for his many years of service.



Dominica Hernandez is the ADR Coordinator and has been with Dispute Resolution since March 2008. Dominica, is a Senior majoring in Sociology at Texas Tech University, was recently married.



DOMINICA HERNANDEZ



TEXAS TRIVIA

- Texas comes from the Hasinai Indian word “tejas” which means “allies” or “friends”.
- Texas has the nations largest herd of whitetail deer.
- The cattle population is estimated to be 16 million in Texas alone.

<http://www.50states.com/facts/texas.htm>

NEWS

WHERE ARE THEY NOW?

Ever been asked the question, “what ever happened to...?” Maybe we can help you out.

Many of our past staff, board members and mediators who have been so effective in promotion and execution of our programs, we would like to take the time to catch up with them.

This quarter, we would like to recognize the Honorable William “Bill” Smith, 110th District Judge for the State of Texas.

Judge Smith was one of the original mediators for the USDA State Certified Mediation Program from its beginning in March 2000 until he took the bench in June of 2006.

In a past interview, Judge Smith was asked about mediation and its relation to being a judge. Judge Smith stated, “mediation has given me the tools and skills necessary to be an effective judge.”

Two years later, Judge Smith still supports Alternative Dispute Resolution: “I continue to be a firm believer in ADR. I order parties to mediation in every case where a jury has been requested. I don’t think it is appropriate to pull citizens away from their daily lives to impost a result in a case when the parties haven’t even tried to resolve it themselves.”



JUDGE WILLIAM P. SMITH (L) AND JUDGE MACKAY HANDCOCK (R) AT JUDGE SMITH'S SWEARING IN, JUNE 2006.

2008 FARM BILL

Often times when new Farm Bills are passed, they are tough to understand. The 2008 Farm Bill, which was passed on June 18, 2008, is no exception.

The Economic Research Service (ERS), an agency of The US Department of Agriculture, created a web based comparison of the 2002 Farm Bill and the 2008 Farm Bill.

Though the website does not provide a comprehensive list of all new provisions or elements of provisions, it does include a brief description of major changes.

The 2008 Farm Bill Side-By-Side Comparison can be found at: <http://www.ers.usda.gov/farbill/2008/>

TRMS™ HOSTS 2008 STATUTORY & REGULATORY UPDATE SESSION



**DAVID SULLIVAN,
FSA AT TRMS
UPDATE**

Dispute Resolution hosted a meeting September 17-18 in Lubbock to discuss statutory and regulatory issues related to USDA and the Ag Mediation Program.

At the meeting, David Sullivan, FSA Appeals and Mediation Coordinator went over the 2008 Farm Bill as well as current issues, changes and challenges surrounding the USDA Agricultural Mediation Program in Texas.

Also, Joli Liebrock, Deputy Assistant Director of National Appeals Division (NDA) offered a question and answer session regarding the relationship between mediation and appeals in USDA cases.

Other issues such as agreements, ethical issues and conflict of interest techniques were discussed. In addition, presentations were given by Rural Development, and the law firm of Wetsel and Carmichael L.L.P.

TRMS appreciates the attendees and presenters for their involvement in a fine session.

NEWS

ADR IN PRACTICE...

The issue of Alternative Dispute Resolution (ADR) in the health care arena continues to grow.

As time goes on, ADR will be at the forefront of issues such as indigent care, credit disputes and simple employment issues.

Dispute Resolution Director Gene Valentini presented *Joint Commission Standards for Managing Conflict – What Are the Options for Health Care Providers?* at the Texas Rural Health Trifecta August 6th.

During this presentation, Valentini spoke of guidelines and practices for hospitals to use for managing conflict and resolving disputes for every day business.



Gene Valentini speaking at the Texas Rural Health Trifecta, August 6th in Austin

QUICK FACTS

- 54 million people use rural hospitals for essential healthcare
- 9 million are Medicare beneficiaries

Courtesy of American Hospital Association
http://www.aha.org/aha_app/issues/Rural-Health-Care/index.jsp

CHANGES IN MEDICARE

Medicare is changing the way hospitals and other providers are paid for the services they provide. According to <http://www.cms.hhs.gov/>, as of October 2008, there are now eight specific conditions that Medicare classifies as “hospital acquired conditions” which will no longer be eligible for Medicare reimbursement.

Centers for Medicare and Medicaid Services feels that this movement will give facilities more incentives to make more thorough examinations and documentation at admission resulting in better treatment and lower costs for taxpayers.

Join us on October 17th for our Lubbock Health Care Symposium as keynote speaker David O’Dell addresses these issues and how they may affect you.

See page 7 for more information or to register for the

DID YOU KNOW?

The Center for Disease Control reports that health-care-associated infections in American hospitals each year account for 1.7 million infections and 99,000 associated deaths.

<http://www.cdc.gov/ncidod/dhqp/hai.html>

HELP!!!

**Like our new cover?
Enjoy taking pictures?**

Submit a high quality seasonal photo of a “rural” subject for our next cover. If your picture is chosen, we’ll mention your name in that issue.

Send your picture via e-mail to:

**Mike Smith
Outreach Manager**

**@
drc@co.lubbock.tx.us
Subject– Newsletter Photos**

TRAINING

MOUNTAIN MEDIATION



PARTICIPANTS ENGAGE IN ROLE-PLAY EXERCISES DURING BASIC MEDIATION TRAINING.

Comments Please...

When asked "what did you like most about the training?" one 2008 Fall BMT participant commented

"The atmosphere. I was afraid the course would intimidate me, but Gene created an atmosphere that everyone is equal."

In addition to the trainings listed, we also offer training sessions tailored to your specifications. If you do not see a training topic or location that meets your needs, please contact our office and we will accommodate you as best we can.

To register for any of the trainings, please visit our Web site at <http://www.co.lubbock.tx.us/drc/training.htm>. Or call our office or Training Coordinator at 1-866-329-3522 or 806-775-1720.

2008 TRAINING DATES...

Just Added!
Basic Mediation Training
December 1-5 Tyler, TX

ADR Professional Continuing Education*

Who is the Client?: November 15, Lubbock, TX

Continuing Legal Education

Elder Law Part 2

November 6, Seminole, TX

November 21, Kerrville, TX

2nd Ann. Symposium for Resolving Healthcare Disputes**

October 17, Lubbock, TX

Property Tax Arbitration

October 23-24, 27-28, Lubbock, TX

2009 TRAINING DATES...

Basic Mediation Training

March 2-6, South Padre Island

April 20-24, Salado, TX

August 10-14, Lubbock, TX

September 14-18, Ruidoso, NM

Family Mediation Training

October 20-22 TBA

ADR Professional Continuing Education*

Juvenile Law: January 10, Lubbock, TX

March 27, Lubbock, TX**

Confidentiality: February 7, Lubbock, TX

Family: Caucus/ No Caucus: March 28, Lubbock, TX

Case Law & Legislative Update: September 5, Lubbock, TX

Guardianship: November 14, Lubbock, TX

Continuing Legal Education

Probate Insights

April 2, Nacogdoches, TX

April 23, Mt. Pleasant, TX

Alzheimer's, Dementia, and the Law

September 10, Victoria, TX

September 24, Athens, TX

October 8, Sherman, TX

Hearing Elders' Voices and Interests

November 5, Seminole, TX

Resolving Healthcare Issues

April 10, Tyler, TX

October 20, Kerrville, TX

3rd Ann. Symposium for Resolving Healthcare Disputes**

October 16, Lubbock, TX

*RSVP only, no registration required

**Co-sponsored by the Lubbock County Bar Association

NOTE: Reciprocal Continuing Education Credit available for many other professions

TRAINING

NEW FRONTIERS FOR HEALTH CARE DELIVERY

Healthcare is something that most of us have dealt with or will deal with in our life time. Choosing the right hospital or nursing home for you or a loved one can be difficult.

The Consumer Assessment of Healthcare Providers and Systems (CAHPS) surveys a patient's experience with a particular provider or system.

Join us as keynote speaker David O'Dell, M.D., J.D. speaks from the perspective of an attorney, physician and consultant about the CAHPS survey and its potential impact on revenue from third party providers.

What implications can this have on providers and healthcare professionals? The Lubbock Health Care Symposium can answer these questions!

A Sample of questions & answers you might find at
<http://www.hospitalcompare.hhs.gov/Hospital/Search/SearchOptions.asp>

	HOSPITAL A	HOSPITAL B	HOSPITAL C
	<u>Acute Care</u>	<u>Acute Care</u>	<u>Acute Care</u>
Percent of patients who reported that staff "Always" explained about medicines before giving it to them.	36%	57%	63%
Percent of Heart Failure Patients Given Discharge Instructions	10% of 52 patients	45% 712 patients	88% of 256 patients
Percent of Surgery Patients Who Received the Appropriate Preventative Antibiotic(s) for Their Surgery	77% of 22 patients	80% of 525 patients	84% of 352 patients

REGISTRATION FORM

LUBBOCK HEALTH CARE SYMPOSIUM
 OCTOBER 17, 2008, LUBBOCK, TX

Name: _____

Address: _____

Phone: _____

Fax _____

Email: _____

Occupation _____

Method of Payment (circle one)

Check (enclosed) Amt. _____ ✂

Visa MasterCard Discover

Credit Card Number

Exp. Date:

Signature

PO# _____

BOARD OF JUDGES

Honorable Ruben G. Reyes
Honorable William C. Sowder
Honorable Cecil G. Puryear
Honorable Jim B. Darnell
Honorable Sam Medina

Honorable Bradley S. Underwood
Honorable Larry B. "Rusty" Ladd
Honorable Drue Farmer
Honorable Paula Lanehart

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Honorable Judy Parker
Honorable Melissa McNamara

Honorable Patricia Moseley
Honorable Kevin Hart

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Mark Heinrich

Ysidro Gutierrez
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This newsletter is published by the
Texas Dispute Resolution System™

- Family/Divorce Mediation
- Parenting Coordinator Referrals
- Community supervision program
- Social Studies
- Civil Mediation
- Criminal Mediation
- Law Enforcement Referrals
- Educational Institution Referrals
- Intergovernmental Referrals
- Healthcare Mediation Referrals
- USDA Agricultural Mediation Program
- Rural Mediation
- Arbitration
- Continuing Education of ADR Professionals
- Basic Mediation Training
- Family Mediation Training
- Parenting Coordinator Training
- Property Tax Arbitration Training
- CPS Mediation Training
- Continuing Legal Education Workshops
- Customized Training



For more information about our services, please contact us at:

Phone: (806) 775-1720 or 1-866-329-3522

Fax: (806) 775-1729

E-Mail: drc@co.lubbock.tx.us

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