The Role of the Long-Term Care Ombudsman

Kim Johnson, MS
Senior Regional Long-Term Care Ombudsman
Piedmont Triad Regional Council Area Agency on Aging
Area Agency on Aging

- Advocacy
- Planning
- Program and resource development
- Information brokerage
- Funds administration quality assurance
- Under the umbrella of the Regional Council
Area Agency on Aging

- Programs include:
  - Home and Community Care Block Grant
  - Family Caregiver Support Program
  - Extended Health Promotion Programs
  - Long-Term Care Ombudsman Program
You are a **WHAT?**

- Om-buhdz-muhn, Swedish.
- One acting as the advocate for clients in exercising their rights, and/or in helping them to negotiate the complex rules and regulations of a given bureaucracy.
- Long-Term Care Ombudsmen are advocates for residents in long-term care facilities.
Ombudsman Focus: Residents’ Rights

- The Right to Be Fully Informed
- Right to Complain
- Right to Participate in One's Own Care
- Right to Privacy and Confidentiality
Ombudsman Focus: Residents’ Rights

- Rights During Transfers and Discharges
- Right to Dignity, Respect, and Freedom
- Right to Visits
- Right to Make Independent Choices
What does an Ombudsman do?

- **Investigates** and attempts to resolve concerns and complaints, made by, or on behalf of residents in Nursing Homes, Adult Care Homes and Family Care Homes.
- **Empowers** residents to assert their rights.
- **Supports** the voice of residents in dispute resolution.
- **Provides** technical assistance to residents, families and staff.
- **Educates** facility staff.
- **Promotes** elder abuse awareness.
- **Advocates** for changes in laws, regulations and policies which will benefit residents.
What an Ombudsman doesn’t do

- Cite facilities for regulatory violations
- Impose fines on facilities
- Investigate abuse
- Perform Construction inspections
- Conduct Life Safety inspections
- Suspend admissions/shut down
Respecting rights NOT judging decisions

- Residents have the right to make their own choices, good and “bad.”
- Ombudsmen support residents in making their own choices, even when others may disagree with them.
Our Advocacy Philosophy

- Advocacy is the process by which change is effected when needed.
- An effective advocate confronts as little as possible.
- An effective advocate facilitates change through persuasion and education.
Who can make complaints?
Complaint Investigation Process

- Determine if the allegation is a true concern of the resident.

- Develop and implement a plan of action to resolve the problem, such as:
  - Mediation between a resident and facility.
  - Assist resident in a discharge hearing.
  - Facilitate a meeting with the resident/family and staff to discuss concerns and create a plan to resolve them.

- Follow up with resident regarding outcome and ensure solutions are working to resident’s satisfaction.
The Resident is ALWAYS the client

- Regardless of who made the complaint, an Ombudsman visits the resident in the facility and discusses the complaint with him or her.

- The resident has the right to withdraw the complaint so no further action will be taken.

- If the resident agrees with the allegations, additional information will be gathered and consent to investigate will be obtained.

- Consent can also be obtained by the resident’s legal representative if the resident lacks capacity.
Confidentiality

- All information shared with the Ombudsman is confidential.
- Information may ONLY be shared with proper consent.
- Ombudsmen can and will initiate an investigation while the complainant remains anonymous.
Limits of Ombudsmen Jurisdiction

- Resident has left the facility
- Complaint alleges abuse
- Other Agencies that Investigate Complaints:
  - Department of Social Services: https://www.ncdhhs.gov/divisions/social-services/local-dss-directory
  - Division of Health Service Regulation: https://info.ncdhhs.gov/dhsr/ciu/complaintintake.html
Community Advisory Committees

- Local citizens appointed by County Commissioners to serve as volunteer advocates for residents in long-term Care.
- Have an interest in good quality of care in long-term care facilities
In a Nutshell…

The Ombudsman program is a network of professionals supported by volunteers working to improve quality of life for residents in long-term care facilities.
North Carolina Regions

16 Regional Councils of Government in NC house the state’s Area Agencies on Aging, including the Long-Term Care Ombudsman Program.

List of Area Agencies on Aging in NC can be found here:

https://www.ncdhhs.gov/divisions/aging-and-adult-services/adult-day-services/daas-area-agencies-aging
Duke Dementia Family Support Program

Caregiver Connections
An Educational Webinar Series With the Experts

Thank you for joining us today!

dukefamilysupport.org
919-660-7510