

# The Role of the Long-Term Care Ombudsman



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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

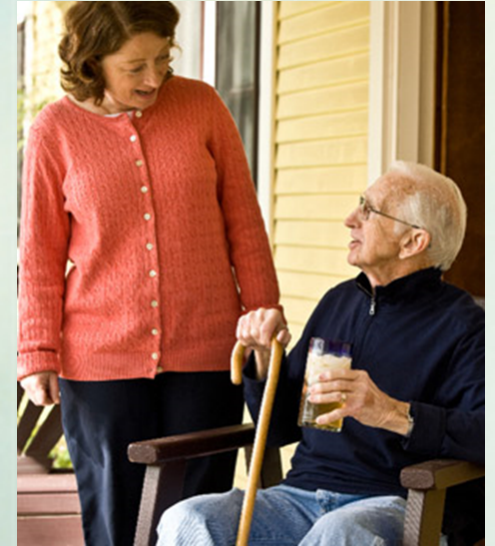


# You are a *WHAT*?

- 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

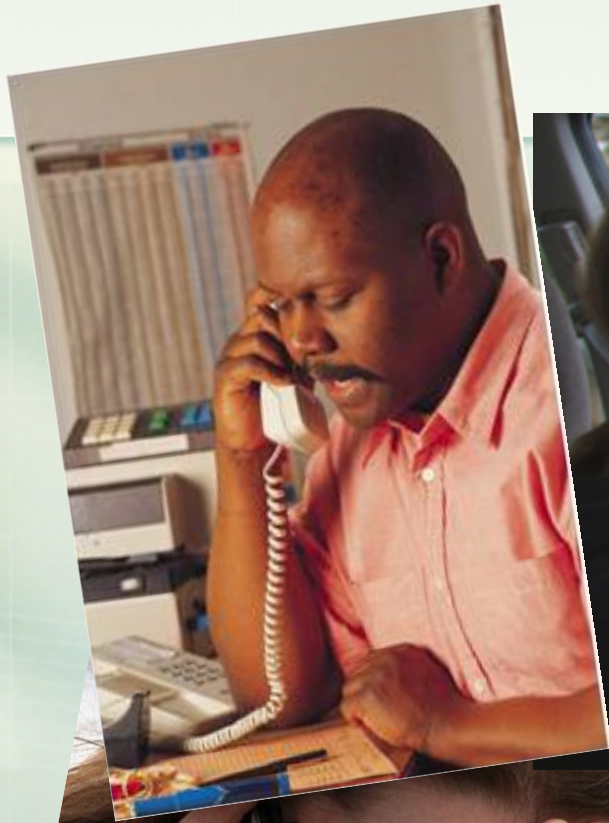
- Residents have the right to make their own choices, good and “bad.”
- Ombudsmen support residents in making their own choices, even when others may disagree with them.

# 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



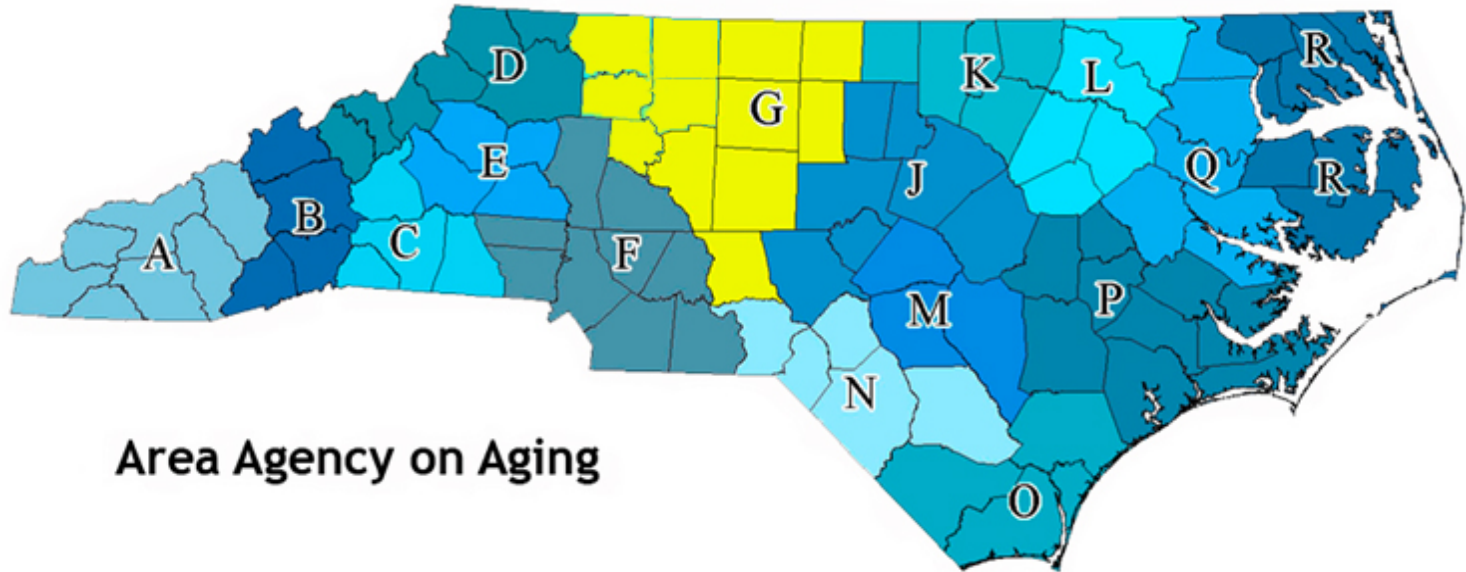
- Local citizens appointed by County Commissioners to serve as volunteer advocates for residents in long-term Care.
- Have an interest in good quality of care in long-term care facilities

# 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



**Area Agency on Aging**

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>

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# Questions?

# **Duke Dementia Family Support Program**

## **Caregiver Connections**

**An Educational Webinar Series With the Experts**

**Thank you for joining us today!**

**[dukefamilysupport.org](http://dukefamilysupport.org)**

**919-660-7510**