



Office of the State
Long Term Care
Ombudsman

New York State Long Term Care Ombudsman Program

Educating, Empowering, Advocating

June 17, 2021

Ombudsman Program Mission

To serve as an advocate and resource for older adults and persons with disabilities who live in long-term care facilities



Ombudsman Program Values

Resident-Centered Focus

Confidentiality

Accessibility

Prevention

Resident Empowerment & Autonomy

Complaint Resolution

Objectivity

Administration of the LTCOP Program

- The Older Americans Act, administered by the Administration on Community Living (ACL), requires each state to establish an Office of the State Long-Term Care Ombudsman.
 - In **New York**, the program is administratively housed within the State Office for the Aging (NYSOFA) and provides advocacy services through a network of regional programs.
 - The NYS LTCOP has 3 Assistant State Ombudsmen who supervise all regional programs and who are overseen by both a Senior Assistant State Ombudsman and the New York State Ombudsman.
 - To manage the 15 regional LTCO Programs from the State LTCOP Office, each ASO is individually assigned to 5 separate regional LTCO Programs.
 - Each regional ombudsman program has a designated ombudsman coordinator who recruits, trains and supervises a corps of volunteers that provide a regular presence in nursing homes and adult care facilities.



LTCOP by the Numbers

- Approximately 1500 Long Term Care Facilities
- Over 160,000 beds
- Includes Skilled Nursing Facilities, Adult Care Facilities and Family Type Homes
- Approximately 35 Full Time and 15 Part Time Staff Statewide
- Approximately 250 Certified Volunteer Ombudsman
- My region---Region 4 covering Westchester Rockland and Putnam, there are a total of 130 facilities; 2 full time staff, and 19 volunteers



RESIDENT RIGHTS

Dignity: Residents have the right to be treated with humanity, kindness, and as individuals

Care: Residents have the right to equal care, treatment, and services irrespective of their source of payment.

Privacy: Residents have the right to privacy, including the right to privacy in their treatment, care, private relations and communications with individuals in and out of the facility.



Resident Rights

Personal Property: Residents have the right to possess and use personal property, to ensure that it is protected from theft, and to manage their financial affairs.

Information: Residents have the right to participate in decisions about any treatment, including the right to refuse treatment

Freedom: Residents have the right to make choices about their schedules and activities, and to be free from physical and chemical restraints.



The NYS LTCOP Poster

Ombudsmen provide all facilities with this poster to be visibly accessible to all residents, employees or other person(s), to make them aware that they may file complaints with, or provide information, to a long term care Ombudsman.



EDUCATING EMPOWERING ADVOCATING

Ombudsmen help residents understand and exercise their rights to good care in an environment that promotes and protects their dignity and quality of life

www.ltcombudsman.ny.gov

Call locally: _____
or **1-855-LTCOP NY**
(582-6769)

Or contact:
NYS Long Term Care Ombudsman Program
2 Empire State Plaza
Albany, NY 12223



Responsibilities of a Long-Term Care Ombudsman under the Older Americans Act

- Investigate & Resolve Complaints
- Educate consumers/providers on residents' rights
- Advocate for quality care in LTC facilities
- Promote development of resident/family councils



Ombudsman Authority under the Federal Older Americans Act

- Access to all LTC facilities without interference
- Access to residents and medical records with consent



Ombudsman Roles

- ❖ Listener/Investigator- gathers information, then evaluates facts
- ❖ Educator- on resident rights, responsibilities and regulations, on how to choose a nursing home, on staffing, and on resources in the community
- ❖ Negotiator/Mediator/Collaborator- helps to improve communication and find acceptable solutions, act as a 3rd party facilitator between roommates/other residents and staff
- ❖ Policy Analyst- takes a look at the broader policies that impact resident life



Ombudsman Roles (cont'd.)

- ❖ Consultant – provider of information
- ❖ Advocate – on behalf of residents, as individuals and as groups
- ❖ Referral Agent/Broker - to other agencies who may be better able to help
- ❖ Problem Solver – is thoughtful and assists in resolving resident problems/issues by providing options and resources
- ❖ Systems Change Agent- advocating for concerns of residents and the need for change on a systems level. Working on broader, underlying problems for residents of LTC facilities



“Similar, but Different”

SIMILARITIES:

- Both the DOH and the LTCOP are oversight entities for long term care facilities.
- Both have the ability to investigate complaints on behalf of complainants.

DIFFERENCES:

- However, the LTCOP investigates in a much different way than the DOH to identify the root causes of problems to assist in mediation with facility staff to resolve resident complaints **BEFORE** regulatory action becomes necessary.
- With the LTCOP, facilities have an opportunity for significant improvement before receiving a formal citation for a given problem.



- Click to edit Master text styles
 - Second level
 - Third level
 - Fourth level
 - Fifth level

Permission to Act

- Before beginning any investigative work on behalf of a resident, an Ombudsman must receive verbal permission to do so from the resident, or their representative.
- A resident, or their representative, is always first fully informed about how the Ombudsman program can help them.
- The resident, or their representative, then needs to give the Ombudsman Program verbal permission to work on their behalf to resolve their complaints, to review their records if needed, and to reveal their identity and/or information in order to help resolve their complaint. The Ombudsman must then document that verbal permission was granted in their own documentation.



Certified Ombudsman Requirements

- All Ombudsman (staff and volunteers) must complete a 36-hour certification training
- Volunteers also participate in 6 additional in-services each year
- Volunteers commit to 2-4 hours weekly in a facility



Why Use Volunteers?

Add a level of authenticity to the program, represent the community, and assist in protecting vulnerable older adults;

Represent the grassroots advocacy approach that aligns with the mission of the Ombudsman program;

Provide more eyes and ears in facilities; and

Assist with facility coverage



Volunteer Challenges

- Finding them
- Keeping them
- Commitment to meeting established program expectations
- Skill Set/Temperament
- Consistency

