

# LONG TERM CARE COMMUNITY COALITION

*Advancing Quality, Dignity & Justice*

## LONG-TERM CARE OMBUDSMEN: INDEPENDENT ADVOCATES FOR QUALITY CARE

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### FACT SHEET

A Long-Term Care Ombudsman is an advocate for residents living in nursing homes, assisted living facilities, and other long-term care settings. Ombudsmen work to protect residents' rights, ensure quality care, and provide a voice for individuals who may otherwise go unheard.

The Long-Term Care Ombudsman Program is a free and confidential resource which, under the [Older Americans Act](#), operates in every state. Though ombudsmen don't have the authority to penalize a facility when resident rights are violated, they *do* have the authority to advocate with and on behalf of residents to address both care and quality of life problems. Because ombudsmen are accessible and regularly present in facilities, they play a vital role in monitoring conditions and helping residents and families navigate challenges.

### What Ombudsmen Can Do

#### Advocate for Residents' Rights

- Ombudsmen educate residents, families, and staff about residents' legal rights and help ensure those rights are respected.

#### Investigate Complaints

- They respond to concerns raised by residents, family members, or others. Complaints may involve quality of care, food, staffing, personal dignity, transfer and discharge issues, or residents' ability to make choices.

#### Resolve Problems

- Ombudsmen work with residents, families and loved ones, and facility staff to mediate disputes and reach solutions that honor the resident's wishes.

#### Provide Information

- They can explain residents' rights, facility rules, care options, and how to navigate systems like Medicare and Medicaid.

#### Empower Residents

- Ombudsmen encourage and support residents in speaking up for themselves, both individually and through resident councils.

#### Systemic Advocacy

- While ombudsmen handle individual complaints, they also track patterns and trends. These data helps inform state and federal policymakers about systemic problems in long-term care.

*Ombudsmen are independent advocates for residents in long-term care. They help resolve problems, protect rights, and improve quality of life, but they rely on residents' voices and consent to act.*

## Limitations of the Ombudsman Program

### No Direct Enforcement Power

→ Ombudsmen do not regulate or license facilities. They cannot fine or penalize providers.

### Resident-Centered Scope of Activities

→ They can only act with the resident's consent or, if the resident lacks capacity, that of their representative. This means families cannot force the ombudsman to get involved in a situation when the resident does not want them to.

## How They Can Help Residents and Families

- Listen to concerns and help clarify issues.
- Assist in addressing complaints about care and services.
- Advocate for care that respects dignity, privacy, and choice.
- Provide guidance when facing discharge or transfer.
- Support families trying to understand facility policies or resident rights.
- Support resident and family councils.
- Connect residents and families with legal or community resources if additional help is needed.

### How to Reach an Ombudsman:

Every state has a [Long-Term Care Ombudsman program](#), with representatives who serve specific regions or facilities. Contact information is usually available through your state's Department on Aging or local Area Agency on Aging.

Need help finding your local ombudsman program? [Check out this tool](#).