

Your Long-Term Care Ombudsman and other resources

- What an Ombudsman Does
- Steps to Take if You Have Reason to Complain
- Other Resources Available

What an Ombudsman Does

Under the law, every state has a long-term care ombudsman. This is a person, agency, or program that acts as an advocate and resource for persons who live in long-term care and assisted living facilities.

The professional staff and/or trained volunteers who serve in an ombudsman program specialize in one thing: problem solving. Here are some of the ways they can help.

- ❑ They listen to questions or concerns about the quality of care provided in a nursing or residential care facility.
- ❑ They investigate possible problems to find out what the situation is and what changes are needed to make things right.
- ❑ They are an excellent source of information about long-term care in your area.
- ❑ They provide community education about long-term care.
- ❑ They get involved when needed to protect residents' rights.
- ❑ They support long term care and assisted living facilities in promoting residents' independence and quality of life.

The Ombudsman can make a big difference in lots of ways. Here are just three small examples:

*At one facility, residents had concerns about losing items of personal property, such as eyeglasses, hearing aids, and so on. By working with the facility's administration, staff, and Resident Council, the ombudsman helped everyone understand the issues. Then she helped them with a program to protect residents' belongings through a series of simple but important steps. **Results:** The residents' complaints have been resolved and everyone involved now has a stake in preventing the problem in the future.*



*In another situation, both the residents and the administrator at a facility were concerned about the increase in noise on the street outside the facility. The ombudsman was able to join with them in asking for the help of the city's street department. **Results:** A lower speed limit has been*

posted, using air brakes on trucks is prohibited, the police cruise the street more often, and the noise level has been reduced.

In a third case, persons in the community felt there was a need for better public education about making health care decisions and the role of advance directives. The long term care ombudsman helped plan and implement a series of workshops, including many that took place in area nursing homes and retirement living communities.

Results: More people understand their options and feel confident in the care choices they make.

More Resources

Although the long term care ombudsman program can assist residents and their families, other resources are also available. For example:

- ❑ Every facility must have a way of receiving, investigating, and resolving resident concerns and complaints. And every facility wants to deal with problems or potential problems...preferably as early as possible, before a little issue becomes a big one.
- ❑ Most facilities have a Resident Council or similar group composed of people who live at the facility. Part of its job is to be a forum—a place where concerns and ideas can be discussed openly and ways found to make things better. Often there is a Family Council, as well.
- ❑ Residents also have the right to contact their state's Medicare/Medicaid survey and certification agency with complaints about suspected abuse, neglect, loss of property, or failure to carry out instructions contained in a person's advance directive.
- ❑ Other government and non-profit groups have as part of their mission the protection and advocacy of the interests of older or disabled persons. The long term care



ombudsman is a good place to learn more about these organizations in your area.

What to Do if You Have a Concern or Complaint

The law protects your right to ask questions and state any concerns or complaints you may have. But it doesn't require you to follow any special procedure. So, the steps you take are really up to you. Here are three suggestions:

- 1 Start close to home, if you're comfortable doing so. The facility where you live (or where your family member lives) wants to know whenever you think there's a problem. So, it makes good sense to contact a nursing supervisor, the director of nursing, or the administrator when you have a question or concern. Or you may prefer to bring up your issue at the next meeting of the Resident or Family Council.
- 2 If you don't get your questions answered or your issues addressed, press on. The resources described in this factsheet are there to serve you, so don't be reluctant to take advantage of them. If you are not comfortable starting with the facility's own grievance procedure, you always have the option of going immediately to the ombudsman.
- 3 Whenever you report a problem or potential problem, try to be as specific as you can be.

Knowing the who, what, when, where, and how of the situation will help others investigate and work out a solution.

Speaking Up About Problems is Your Right

Seeking help to solve problems is a benefit not only to you and your family, but also to others. And expressing your concerns is a right the law protects. Every facility that participates in Medicare or Medicaid is legally required to have a procedure for receiving, investigating, and promptly resolving resident complaints. And it is unlawful for a facility to discriminate or take any action against someone who exercises his or her right to speak up.

Open access to the long term care ombudsman (as well as to other survey and advocacy agencies and groups) is also a protected right. This includes the ability to contact them by phone or letter, as well as the right to have them visit with you.

Who To Contact

Here are the phone numbers of those people you have the right to contact:

The person(s) in our facility to contact with a question or complaint:

Our local or state long term care ombudsman:

(To find your local ombudsman, go to *www.ltcombudsman.org*, or call 202-332-2275

Our state's Medicare/Medicaid survey and certification agency:
