



# Long-Term Care Ombudsman Program

## WHAT IS THE LONG-TERM CARE OMBUDSMAN PROGRAM?

Long-term care ombudsmen are advocates for residents of nursing homes, board and care homes, assisted living facilities, and similar adult care facilities. They work to resolve problems of individual residents and to bring about changes at the local, state, and national levels to improve care. While many residents receive good care in long-term care facilities, others are neglected, and other unfortunate incidents of psychological, physical, and other kinds of abuse do occur. Thus, thousands of trained staff and volunteer ombudsmen regularly visit long-term care facilities, monitor conditions and care and provide a voice for those unable to speak for themselves.

The Swedish word “ombudsman” means “a public official appointed to investigate citizens’ complaints against local or national government agencies that may be infringing on the rights of individuals.” This concept has been applied in many U.S. settings to include complaints against non-governmental organizations and advocacy for individuals and groups of individuals, as with the Long-Term Care Ombudsman Program.

## HISTORY

Begun in 1972 as a demonstration program, today the Long-Term Care Ombudsman Program is established in all States under the Older Americans Act which is administered

by the Administration on Aging (AoA). Local ombudsmen work with and on behalf of residents in hundreds of communities throughout the country.

## RESULTS

In federal fiscal year 2012, over 11,000 volunteers, 8,712 of whom were certified to investigate complaints, and 1,180 staff served in Long-Term Care Ombudsman Programs in 573 localities nationwide. Ombudsmen investigated and worked to resolve 193,650 complaints made by 126,398 individuals. In addition, ombudsmen provided information on rights, care and related services 405,589 times.

## RESIDENTS’ RIGHTS

Ombudsmen help residents and their families and friends understand and exercise rights guaranteed by law, both at the Federal level for nursing homes and for States that provide rights and protections in board and care, assisted living and similar homes. Residents have the right to:

- Be treated with respect and dignity
- Be free from chemical and physical restraints
- Manage their own finances
- Voice grievances without fear of retaliation
- Associate and communicate privately with any person of their choice
- Send and receive personal mail
- Have personal and medical records kept

confidential

- Apply for State and Federal assistance without discrimination
- Be fully informed prior to admission of their rights, services available, and all charges
- Be given advance notice of transfer or discharge

### OMBUDSMAN RESPONSIBILITIES

Ombudsman responsibilities outlined in Title VII of the Older Americans Act include:

- Identify, investigate, and resolve complaints made by or on behalf of residents
- Provide information to residents about long-term care services
- Represent the interests of residents before governmental agencies
- Seek administrative, legal, and other remedies to protect residents
- Analyze, comment on, and recommend changes in laws and regulations pertaining to the health, safety, welfare, and rights of residents
- Educate and inform consumers and the general public regarding issues and concerns related to long-term care and facilitate public comment on laws, regulations, policies, and actions
- Promote the development of citizen organizations to participate in the program
- Provide technical support for the development of resident and family councils to protect the well-being and rights of residents

- Advocate for changes to improve residents' quality of life and care

### RESOURCES

The National Long-Term Care Ombudsman Resource Center supported with AoA funding and operated by the National Consumer Voice for Quality Long-Term Care, provides technical assistance and intensive training to assist ombudsmen in their demanding work.

To contact a long-term care ombudsman, visit the resource center's Web site at <http://www.ltcombudsman.org>.

You can also call Eldercare Locator at 1-800-677-1116 (<http://www.eldercare.gov>) and ask for the local ombudsman program or the Area Agency on Aging nearest the nursing home or similar adult care facility where the resident lives. The area agency will either be the sponsor of the ombudsman program or know where the program is located.

The *Medicare Guide to Choosing a Nursing Home* booklet is available free from the Centers for Medicaid and Medicare Services (CMS). Call 1-800-Medicare (1-800-633-4227) and ask for publication #02174, or view it on the Web at: <http://www.medicare.gov/NHCompare>.

### For more information about ACL

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