



WHAT IS THE LONG-TERM CARE OMBUDSMAN PROGRAM?

The Long-Term Care Ombudsman Program (Ombudsman program) serves individuals living in long-term care facilities such as nursing homes, board and care (including assisted living), and similar settings and works to resolve resident problems related to poor care, violation of rights, and quality of life. Ombudsman programs also advocate at the local, state and national levels to promote policies and consumer protections to improve residents' care and quality of life.

While many people living in long-term care facilities receive good care, others experience problems such as, poor care; unanswered requests for help; or violations of rights such as improper eviction, or not being treated with dignity and respect. Thus, thousands of trained staff and volunteers 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 Ombudsman program.

HISTORY

Begun in 1972 as a demonstration program, today the Ombudsman program operates in all states, the District of Columbia, Puerto Rico

and Guam, under the authorization of the Older Americans Act (OAA). Each state has an Office of the State Long-Term Care Ombudsman (Office), headed by a full-time State Long-Term Care Ombudsman (Ombudsman) who directs the program statewide. Across the nation, state Ombudsmen designate staff and thousands of volunteers as representatives of the Office to advocate with and on behalf of residents.

RESULTS

In 2017, over **8,800** volunteers, **6,625** of whom were designated to investigate complaints, and **1,308** designated staff served in Ombudsman programs in 523 localities nationwide. Ombudsmen investigated and worked to resolve 201,460 complaints made by 128,091 individuals. In addition, Ombudsmen provided consultations on rights, care and related services 527,098 times.

RESIDENTS' RIGHTS

The Ombudsman program's goal is to help residents, their families and friends understand and exercise rights guaranteed by law, both at the Federal level for nursing homes and to varying degrees at the State level for board and care facilities (including assisted living), and similar settings.

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
- 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 training to assist ombudsman programs.

To contact a Long-Term Care Ombudsman, visit the resource center's website at <http://www.ltombudsman.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. Call 1-800-Medicare (1-800-633-4227) and ask for publication #02174, or view it at: <http://www.medicare.gov/NHCompare>.

FOR MORE INFORMATION ABOUT ACL

U.S. Department of Health and Human Services, Administration for Community Living, Washington DC 20201

Phone: (202) 401-4634

Email: ACLinfo@acl.hhs.gov

Web: <http://www.acl.gov>

OMBUDSMAN RESPONSIBILITIES

Ombudsman responsibilities outlined in Title VII of the OAA 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

