

LONG TERM CARE OMBUDSMAN SERVICES

**Karen Jones, Executive Director/Program
Manager**

Linda Beck, Ombudsman

(805) 785-0132

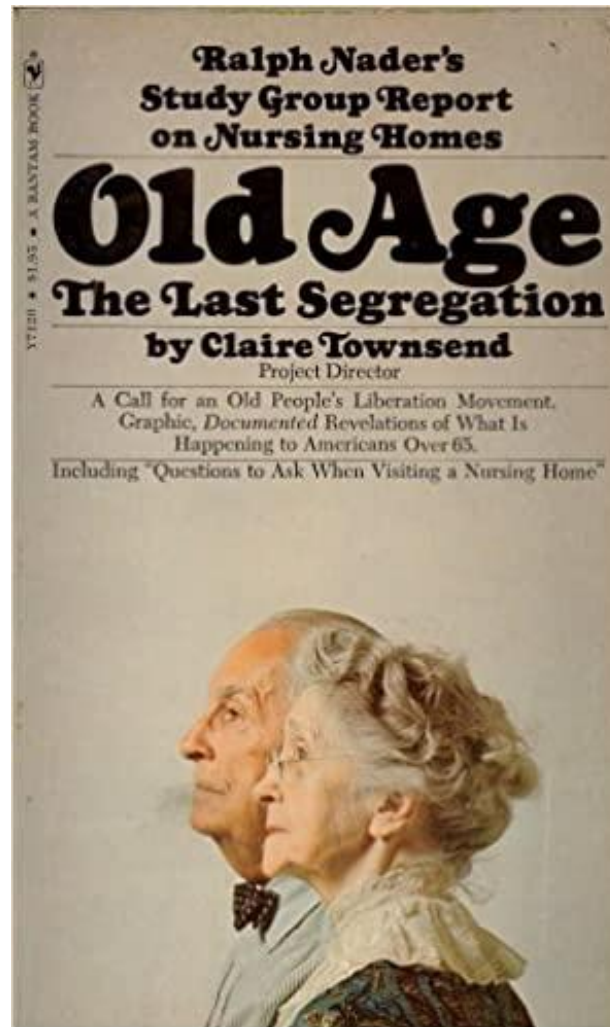
Ombudsman@ombudsmanslo.org

Ombudsmanslo.org

LTCOP Mission Statement:

Promoting the highest possible quality of life and care for long term care facility residents.

LTCOP History



LTCOP History

1972 – Pilot Programs in nursing homes

1978 – National Program created as part of Older Americans' Act (PL 89-73)

1981 – Expanded to include “board and care” facilities

1987 – Nursing Home Reform Law establishes Residents' Bill of Right

2006 – Expanded to include assisted living facilities

LTCOP Status

Federal:

- Department of Health and Human Services, Administration for Community Living, Administration on Aging <https://acl.gov/>

California:

- Department of Aging, Office of the State Long Term Care Ombudsman www.aging.ca.gov

LTCOP Services

- Resident-Centered Advocacy
- Facility Monitoring Visits
- Complaint Investigation and Resolution, including Abuse Investigation (CA mandate only)
- Witness Advanced Health Care Directives (CA only)

LTCOP Services

- Information/Referral/Consultation - including placement information
- Community Education
- Systems Advocacy: State and Federal

Ombudsman Authority: Federal

- Private, unimpeded and immediate access to LTC facilities and residents.
- Access to residents' files, records with permission or if LTCO believes a resident representative is not acting in the resident's best interest.
- Access to facility records, policies and documents accessible to residents and the public.

42 USC Section 3058(g)

Ombudsman Authority: State

- Unescorted, unhindered movement within LTC facilities at any time deemed necessary and reasonable by the State Ombudsman.
- Civil penalty \$2,500 for willful interference
- Willful interference is reported to local law enforcement as an act of isolation (elder abuse)

California Welfare & Institutions Code Sections 9722, et seq.

Common Issues in Long Term Care

- Discharge/Transfer
- Failure to respond for requests for assistance
- Staff attitude
- Medication Management
- Admission agreements
 - Financial responsibility
 - Services
 - Arbitration

What Happened in Long Term Care During Covid?

- Some Resident Rights Suspended
- Visitor Restrictions -> Isolation
- Infection Control Procedures
- Staff Training Requirements Reduced
- Staffing Shortages
- California did not give LTC facilities immunity

CA- LTCOP Legislative Priorities

- SB 650 – Annual consolidated financial reports from SNF owners/operators/managers/lessees showing related party transactions of 5% or more.
- AB 749 – SNF Medical Directors must be certified in post-acute and long term care medicine.
- SB 48 – Provide HCP training to promote early diagnosis for Alz and other dementias.
- AB 665 – RCFE's that provide internet access must provide videoconference technology.

Long Term Care Resources

California Advocates for Nursing Home Reform
(CANHR) www.canhr.org

Justice in Aging www.justiceinaging.org

National Consumer Voice for Quality Long Term
Care www.theconsumervoice.org

How YOU Can Help LTCOP – San Luis Obispo

- Use LTCOP services
- Support LTCOP legislative priorities
- Consider LTCOP for legacy gifts
- Join Us: New Volunteer Training is starting soon

**IF YOU SEE SOMETHING
SAY SOMETHING**

*Never doubt that a small group of thoughtful,
committed citizens can change the world;
indeed, it is the only thing that ever has.*

Margaret Mead

Questions?

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