



# Long-Term Care Ombudsman Program

*Advocates for quality of life & quality of care*

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**Fall 2021**

# Texas Long-Term Care Ombudsman Program



- Advocates for residents of nursing facilities and assisted living facilities
- A state and federally mandated program by the Older Americans Act
- Protects the health, safety, welfare, and rights of residents
- Independent of any long-term care facility and of other government functions
- Services are free, confidential, and available statewide

# Texas Structure



## State office:

- Includes the State Ombudsman, Deputy State Ombudsman, Assisted Living Ombudsman, Developer, Monitor, Nursing Facility Specialist, and Office Manager
- The State Ombudsman certifies each volunteer and staff ombudsman

## Local offices:

- The state contracts with 28 local ombudsman entities, which operate under the direction of the State Ombudsman
- Each has a Managing Local Ombudsman and volunteers
- Larger programs may have additional staff ombudsmen
- Volunteers receive the same training as staff

# COVID-19 and Ombudsman Work



- In March of 2020, ombudsmen temporarily stopped in-person facility visitation.
- Instead, ombudsmen connected with residents and facilities virtually.
- Today ombudsmen are back to visiting all nursing and assisted living facilities in Texas.
  - Ombudsmen have been trained in infection control best practices, such as Personal Protective Equipment (PPE) use.



# Where to Find Other State Ombudsman Programs

National Ombudsman Resource Center

[https://theconsumervoice.org/get\\_help](https://theconsumervoice.org/get_help)



# What We Do



Ombudsmen help protect the health, safety, welfare and rights of people living in nursing facilities and assisted living facilities.

## Ombudsmen:

- Provide information and assistance
- Identify, investigate, and work to resolve complaints
- Educate residents and others
- Represent residents



# An Ombudsman Can Help

- Residents' rights
- Quality of care
- Quality of life
- Family issues
- Problem-solving
- Discharge
- Staff in-service training
- Speaker for resident or family council

# Ombudsmen and PASRR



Ombudsmen help educate residents, their families, and facility staff about Preadmission Screening and Resident Review (PASRR) services and requirements.

Ombudsmen help facilitate conversations between the resident and Local Authorities.

Ombudsman monitor for concerns about PASRR services, including lack of PASRR services.



# YOUR RIGHT

## to Specialized Services in a Nursing Home

If you have an intellectual or developmental disability or a mental illness, you may qualify for extra services, called specialized services. Specialized services help you become more independent and keep the skills you have or develop new skills. Items you receive through specialized services become your property.

You can get specialized services if you are eligible for Medicaid and have a qualifying disability or mental illness. Most, but not everyone, with an intellectual or developmental disability or living with mental illness will qualify for specialized services.

Specialized services are in addition to regular nursing home care and include:



**Medical equipment** including a manual wheelchair and support mattress



**Independent living skills training** including employment support, housing options and medication management



**Health care services** including physical, occupational and speech therapies



**Mental health support** including professional and self-help resources

*I have the right to make decisions about my life and get the care I need.*



If you have questions or think you qualify, ask your social worker or contact your long-term care ombudsman at 800-252-2412.

# Example

**Complaint:** a resident with an intellectual disability tells her ombudsman she wants to move out of the facility to live back in her home in the community.

# Consent & Confidentiality



Ombudsmen must have consent to:

- Work on a resident's behalf
- Access records
- Reveal a person's name or identifying characteristics

# What We Look for During Visits



## Are residents:

- Clean and dressed?
- Participating in regular activities?
- Receiving meals and snacks?
- Asked about individual preferences?
- Restrained?\*
- Treated with kindness and respect?
- Heard?

## Do staff:

- Know the residents by name?
- Respond quickly to call lights?
- Knock on doors before entering a resident's room?
- Treat residents with respect, courtesy, and dignity?
- Ensure residents are given privacy?
- Wear name badges?
- Follow infection control procedures?



# When a Complaint is Identified



## Residents

- Listen to the resident, take the resident's perspective
- Investigate: observe, interview, review records
- Advocate even if there is no regulatory violation
- Determine if other people can help

## Other Complainants

- Collect information
- Speak to the resident and get the resident's permission to assist

Only act with permission from resident or complainant



# MOST FREQUENT COMPLAINTS



## Nursing Home

1. Failure to respond to requests for help
2. Involuntary Discharge
3. Food service
4. Infection control, housekeeping, pests
5. Dignity, respect, staff attitudes
6. (added) Visitation

## Assisted Living

1. Food service
2. Infection control, cleanliness, pests, housekeeping
3. Medications
4. Involuntary discharge
5. Other rights and preferences
6. (added) Visitation

# Resident self-Advocacy



- Help residents voice concerns and resolve their own problems
- Encourage participation in resident council
- Educate about residents' rights
- Educate about the facility grievance process
- Encourage participation in care or service plans

# Example

**Complaint:** a facility is threatening to discharge a resident living with a serious mental illness. The facility claims they cannot meet the resident's needs.



# Questions?



# TX Contact Information

**1-800-252-2412**

**[ltc.ombudsman@hhs.Texas.gov](mailto:ltc.ombudsman@hhs.Texas.gov)**

**[https://apps.hhs.texas.gov/news\\_info/ombudsman/](https://apps.hhs.texas.gov/news_info/ombudsman/)**