



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 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. The program is administered by the Administration on Aging (AoA). Local ombudsmen work on behalf of residents in hundreds of communities throughout the country.

RESULTS

In 2008, about 12,000 volunteers, 8,700 of whom were certified to investigate complaints, and 1,306 paid ombudsmen served in 572 localities nationwide. Ombudsmen investigated 271,650 complaints made by 82,506 individuals and provided information on long-term care to another 327,000 people. The most frequent nursing home complaints involved lack of resident care due to inadequate facility staffing.

RESIDENTS’ RIGHTS

Ombudsmen help residents and their families and friends understand and exercise rights guaranteed by law, both at the Federal level and in many States.

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



FOR MORE INFORMATION ABOUT AOA

U.S. Department of Health and Human Services, Administration on Aging, Washington DC 20201
PHONE 202.619.0724 / FAX 202.357.3523 / EMAIL aoainfo@aoa.gov / WEB www.aoa.gov

- Be fully informed prior to admission of their rights, services available, and all charges
- Be given advance notice of transfer or discharge
- Advocate for changes to improve residents' quality of life and care

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

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 (NCCNHR), in conjunction with the National Association of State Units on Aging, provides on-call technical assistance and intensive training to assist ombudsmen in their demanding work.

NCCNHR, located in Washington, DC, also has many resources to assist residents and their families. Contact them at 202-332-2275 or online at <http://www.nursinghomeaction.org>.

To contact a State or local long-term care ombudsman, visit the resource center's Web site at <http://www.ltombudsman.org> and click on "Ombudsman Locator."

You can also call AoA's Eldercare Locator at 1-800-677-1116 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.

Guide to Choosing a Nursing Home, a 37-page 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> (Scroll down to the "Additional Information" section



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