

NEW YORK  
OFFICE OF  
STATE  
OPERATIONS

Office of the State  
Long Term Care  
Ombudsman

## NYS OMBUDSMAN PROGRAM

Our Mission, Philosophy, and Values

Educating, Empowering,  
Advocating

June 7, 2017

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### Getting Acquainted

- Who Are We?
- Who Are You?

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### Activity

**You are 80 years of age and you have some serious health problems that are becoming more of a concern for you and your family. It is increasingly more difficult to live on your own. After a heartfelt conversation with your friends and family you have decided that the best place for you to be is in a nursing home. Today is admission day and you are quite capable of speaking on your own behalf. What are your biggest concerns about moving to a nursing home? What are some things about you as a person that would be important for the staff to know about you?**

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*"Honey, I've been through 2 world wars, the Great Depression, taught 13,297 children, administered 4 elementary schools and outlived every one of the pastors I worked with. I'm 89 years old and you're telling me it's bedtime?"*

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## Ombudsman Program Mission

To serve as an advocate and resource for older adults and persons with disabilities who live in long-term care facilities

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## Authority under the Federal Older Americans Act

- 24-hour access to all LTC facilities, without interference
- Access to residents' records, with consent

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### Administration of the LTCOP Program

- The Older Americans Act, administered by the Administration on Aging (AoA), requires each state establish an Office of the State Long-Term Care Ombudsman.
- In **New York**, the program is administratively housed within the State Office for the Aging (NYSOFA) and provides advocacy services through a network of 15 regional programs.
- Each regional ombudsman program has a designated ombudsman coordinator who recruits, trains, and supervises a corps of volunteers (approximately 800 statewide) that provide a regular presence in nursing homes and adult care facilities.




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### Responsibilities of a Long-Term Care Ombudsman under the Older Americans Act

- Investigate and resolve complaints
- Educate consumers/providers on residents' rights
- Advocate for quality care in LTC facilities
- Promote development of resident/family councils




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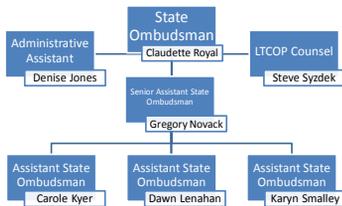
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### State LTCOP Organizational Chart




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## Certified Ombudsmen

- All ombudsmen (staff and volunteers) must complete a 36 hour certification training
- Volunteers also participate in 6 additional in-service trainings per year
- Volunteers commit to 2-4 hours weekly in a facility




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## Ombudsman Roles

- **Advocate** – Acts on behalf of residents to assure rights are not violated.
- **Broker** – Refers residents' problems or concerns to appropriate persons and follows-up to assure problems are resolved.
- **Collaborator** – Works with residents and staff towards achieving mutually beneficial solutions.
- **Educator** – Provides consultations and learning materials to residents, their families, facility staff, and community.




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## Ombudsman Roles cont.

- **Investigator** – Gathers pertinent information from various sources and evaluates facts impartially.
- **Mediator** – Brings together all pertinent individuals to arrive at an agreement or compromise, while facilitating discussion from an objective third party viewpoint.
- **Problem solver** – Helps residents and staff develop various options to bring about resolutions to problems or complaints.
- **Systems change agent** – Addresses broad systemic problems faced by residents in LTC facilities and advocates for change at a systems-wide level.




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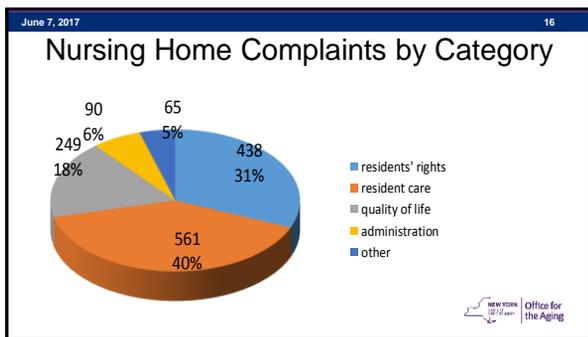
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- ### Most Frequent Nursing Home Complaints
- Discharge/eviction (planning, notice, process)
  - Medications – administration, organization
  - Care plan / resident assessment – inadequate, failure to follow
  - Dignity/respect/staff attitudes
  - Failure to respond to requests for assistance
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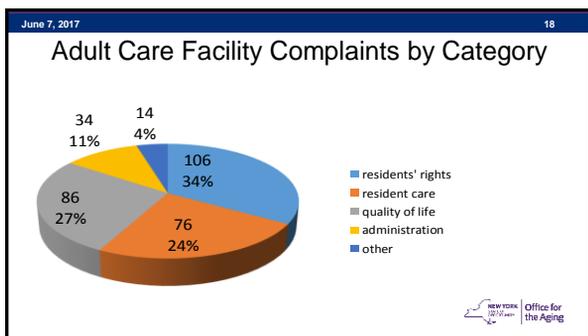
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### Most Frequent Adult Home Complaints

- Medications – administration, organization
- Discharge/eviction - planning, notice, process
- Dignity, respect – staff attitudes
- Food service – quantity, quality, variation, choice, menu, utensils
- Cleanliness, pests, general housekeeping
- Resident conflict, including roommates




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### Differences between LTCOP and DOH

- Both have the ability to investigate complaints
- DOH focuses on regulatory compliance while LTCOP focuses on Quality of Life
- DOH's determination of regulatory compliance is based on meeting minimum standards
- LTCOP is not concentrated on minimum standards, but focuses on resident's individual needs and requests
- LTCOP's goal is to be a regular presence in facilities, maintaining relationships with residents and families
- DOH enters facility specifically for survey and or complaint investigations, and has the ability to sanction a facility




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**Office of the State  
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1-855-582-6769

<https://ltcombudsman.ny.gov/>




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