

# 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 most residents receive good care in long-term care facilities, far too many 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.

**Webster's Dictionary defines the Swedish word ombudsman as "a public official appointed to investigate citizens complaints against local or national government agencies that may be infringing on the rights of individuals."**

Begun in 1972 as a demonstration program, the Ombudsman Program today is established in all states under the Older Americans Act, which is administered by the Administration on Aging (AoA). Local ombudsmen work on behalf of residents in hundreds of communities throughout the country.

In 2000, almost 1,000 paid ombudsmen and 8,000 certified volunteer ombudsmen, working in 591 localities nationwide, investigated about 232,000 complaints made by 137,000 individuals and provided information on long-term care to another 245,000 people. The most frequent complaints involved lack of resident care due to inadequate staffing.

## ***Residents Rights***

Ombudsmen help residents and their families and friends understand and exercise rights that are 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;
- be fully informed prior to admission of their rights, services available and all charges; and
- be given advance notice of transfer or discharge.



## ***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 and 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; and
- advocate for changes to improve residents' quality of life and care.

## ***Resources***

The National Long-Term Care Ombudsman Resource Center, operated by the National Citizens Coalition for Nursing Home Reform (NCCNHR) in conjunction with the National Association of State Units on Aging, provides on-call technical assistance and intensive annual training to assist ombudsmen in their demanding work. The Center is supported with funds from the Administration on Aging. NCCNHR, located in Washington, DC, also has many resources to assist residents and their families. They may be contacted at 202-332-2275; their website is [www.nccnhr.org](http://www.nccnhr.org)

To contact a state or local long-term care ombudsman, visit the resource center's website at [www.ltombudsman.org](http://www.ltombudsman.org) and click in the box "Who Are Ombudsmen?" You may also call AoA's Eldercare Locator at 1-800-677-1116 and ask for the local ombudsman program or area agency on aging nearest the nursing home or similar facility where the resident lives. The area agency will either be the sponsor of the ombudsman program or know where the program is located. You may also locate the local ombudsman through the Office of the State Long-Term Care Ombudsman, which is usually located in the State Office on Aging.

*Guide to Choosing a Nursing Home*, a 37-page booklet available free from the Center for Medicaid and Medicare Services (CMS). Call 1-800-Medicare (1-800-633-4227) or view it on the web at: [www.medicare.gov](http://www.medicare.gov)

**Working in close partnership with its sister agencies in the U.S. Department of Health and Human Services, the AoA provides leadership, technical assistance, and support to the national aging network of 57 State Units on Aging, 655 Area Agencies on Aging, 225 Tribal and Native organizations representing 300 American Indian and Alaska Native Tribal organizations, and two organizations serving Native Hawaiians, plus thousands of service providers, adult care centers, caregivers, and volunteers. For more information about the AoA, please contact:**

**Administration on Aging  
U.S. Department of Health and Human Services  
Washington, DC 20201  
Website: <http://www.aoa.gov>**

**Phone: (202) 619-0724  
Fax: (202) 260-1012  
TDD: (202) 401-7575  
Email: <mailto:aoainfo@aoa.gov>**

**Eldercare Locator: 1-800-677-1116, Monday – Friday, 9 a.m. to 8 p.m. ET**