

<b>LONG TERM CARE OMBUDSMAN PROGRAM</b> <b>Grievance Process</b>	<b>DAIL – LTCOP – 16.30</b>
<b>Effective Date: July 1, 2017</b>	<b>Page 1 of 2</b>

**Policy Statement**

To be responsive to concerns regarding the performance of an individual ombudsman or representative of the Long Term Ombudsman Program (LTCOP) all grievances shall be documented and relevant action shall be identified to assure quality of services.

**Legal Authority:** 45 CFR Parts § 1324.11 (e)(7);  
910 KAR 1:210 Section 2(2)(w)

**Procedure:**

- 1) The KLTCO shall notify DAIL within two (2) business days of any grievance or complaints made against a representative of the LTCOP and all follow up investigation findings and corrective actions.
- 2) Grievances/complaints Against Staff/Volunteers:
  - a) Shall be directed to the District LTCO for investigation;
  - b) The DLTCO shall notify the KLTCO within two (2) business days of grievances filed against staff/volunteers;
  - c) The DLTCO shall investigate the complaint within five (5) business days;
  - d) The nature of the complaint and the investigation shall be promptly documented and maintained in the District's staff/volunteer files;
  - e) A response back to the complainant shall be given and will include the number to the KLTCO office. The response shall be given within seven (7) business days.
  - f) A copy of the investigation and the response sent to the complainant shall be sent to the KLTCO within seven (7) business days.
- 3) Grievances/complaints Against District Ombudsmen shall be directed to the KLTCOP for investigation:
  - a) The Regional LTCO shall notify the KLTCO within two (2) business days of grievances filed against staff/volunteers;
  - b) The RLTCO shall investigate the complaint within five (5) business days;
  - c) The nature of the complaint and the investigation shall be promptly documented and maintained in the District Ombudsman file at the KLTCOP office;
  - d) A response back to the complainant shall be given and will include the number to the KLTCO office. The response shall be given within seven (7) business days;
  - e) A copy of the investigation and the response sent to the complainant shall be sent to the KLTCO within seven (7) business days.
- 4) Grievances/complaints Against Regional Ombudsman shall be directed to the KLTCO for investigation:

<b>LONG TERM CARE OMBUDSMAN PROGRAM</b>	<b>DAIL – LTCOP – 16.30</b>
<b>Grievance Process</b>	
<b>Effective Date: July 1, 2017</b>	<b>Page 2 of 2</b>

- a) The KLTCO shall investigate the complaint within five (5) business days;
- b) The nature of the complaint and the investigation shall be promptly documented and maintained in the District Ombudsman file at the KLTCOP office;
- c) A response back to the complainant shall be given and will include the number to the KLTCO office. The response shall be given within seven (7) business days.
- 5) Grievances/complaints Against the Kentucky Long-Term Care Ombudsman shall be directed to the KLTCOP hosting agency for investigation:
  - a) The KLTCO hosting agency shall investigate the complaint within five (5) business days;
  - b) The nature of the complaint and the investigation shall be promptly documented and maintained in the file at the KLTCOP office;
  - c) A response back to the complainant shall be given and will include the number to the DAIL office. The response shall be given within seven (7) business days;
  - d) A copy of the investigation and the response sent to the complainant shall be sent to DAIL within seven (7) business days.
- 6) Grievance against de-designation process:
  - a) The KLTCO shall send written notice to the DLTCO program provider, AAAIL and DAIL by registered or certified mail within seven (7) calendar days of the KLTCO's decision to de-designate.
  - b) The notice shall specify:
    - i) The reason for the de-designation;
    - ii) That the provider or applicant may file a request for reconsideration with the KLTCO within ten (10) calendar days from receipt of notice;
    - iii) A request for reconsideration of de-designation shall state in writing why the request is filed and the factual circumstances and issues to be considered during the review;
    - iv) That failure to file a request for reconsideration within the ten (10) calendar days shall constitute a waiver.
- 7) Review of reconsideration regarding the de-designation of the local LTCO program provider includes:
  - a) The KLTCO shall:
    - i) Review request for reconsideration within thirty (30) calendar days;
    - ii) Send the request to DAIL for review and comment;
    - iii) Make the final determination to designate or to refuse, suspend, or remove designation of a local Ombudsman entity or representative of the Office.
  - b) Final determination will be sent by registered or certified mail to the LTCO program provider, AAAIL and DAIL.