

LONG TERM CARE OMBUDSMAN PROGRAM Kentucky_Ombudsman Responsibilities to Long-Term Care Residents	DAIL – LTCOP – 16.9
Effective Date: December 30, 2009 Revised Date: January 4, 2016 Reviewed Date: July 1, 2017	<p style="text-align: right;">Page 1 of 2</p>

Policy Statement:

The Kentucky Long-term Care Ombudsman shall personally or through representation of the office conduct investigation to resolve complaints or act upon issues on behalf of residents.

Legal Authority: OAA § 712(3) (a), (d)
45 CFR §1324.13

Procedure:

- (1) Identify, investigate, and resolve complaints that are made by or on behalf of residents, and relating to action, inaction, or decisions that may adversely affect the health, safety, welfare, or rights of residents (including the welfare and rights of the residents with respect to the appointment and activities of guardians and representative payees), of the following:
 - (a) Providers, or representatives of providers, of long-term care services;
 - (b) Public agencies; or
 - (c) Health and social service agencies
- (2) Provide services to assist residents in protecting their health, safety, welfare, and rights;
- (3) Inform residents about means of obtaining services provided by long-term care service providers, public agencies, or health and social service agencies or other services to assist residents in protecting their health, safety, welfare, and rights;
- (4) Ensure residents have regular and timely access to LTCO services for residents and timely responses to complaints;
- (5) Represent the interests of residents before governmental agencies and pursue administrative, legal and other remedies to protect the health, safety, welfare and rights of residents;
- (6) Analyze, comment on, and monitor the development and implementation of federal, state, and local laws, regulations, and other governmental policies and actions pertaining to the health, safety, welfare and rights of residents, with respect to the adequacy of long-term care facilities and services in the state;
- (7) Recommend changes in such laws, regulations, policies, and actions as the Office determines appropriate;
- (8) Facilitate public comment on laws, regulations, policies, and actions;

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- (9) Provide technical support for the development of resident and family councils to protect the well-being and rights of residents; and prohibit inappropriate disclosure of the identity of any complainant or resident with respect to LTCO files or records
- (10) Promote the development of citizen organizations, to participate in the program.
- (11) KLTCO, or designee, shall conduct investigations related to concerns/complaints on DLTCO, certified Ombudsman, friendly visitors, program volunteers and/or program staff.
- (12) KLTCO or designee shall investigate complaints made against any representative of the LTCOP.
- (13) Carry out such other activities as the Administration on Aging and/or DAIL determines to be appropriate.