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**Office of the Long Term Care Ombudsman
Administrative Overview
January 2007**

Introduction

The Office of the Long Term Care Ombudsman exists to enhance the quality of life, improve the level of care, protect individual rights and promote the dignity of each Oregon resident of a nursing facility, adult foster care home, residential care facility or assisted living facility. The office investigates and resolves complaints made by or on behalf of long term care facility residents. Its authorizing statute is ORS 441, and is funded by at least one percent of Title III(B) of the Older Americans Act funding received by the state. Oversight is provided by a seven-member Long Term Care Advisory Committee appointed by the Governor and legislative leaders to monitor the program and advise the Governor and Legislative Assembly.

The Long Term Care Ombudsman Office investigates and resolves complaints made by or for residents of long term care facilities about administrative actions that may adversely affect their health, safety, welfare or rights. The primary way it does this is by appointing designees (volunteers) to serve as local representatives of the office in various districts in the state and monitors their functions for compliance with agency policies and procedures. The Ombudsman also monitors the development and implementation of federal, state and local laws, regulations and policies that relate to long term care facilities in the state. In addition the Office provides information to public agencies about problems of residents in long term care facilities. It publishes brochures and flyers, prints and posts posters, and distributes press releases to publicize the Long Term Care Ombudsman Office's services, purpose and mode of operation. The Ombudsman works with agencies such as the Department of Human Services and the Board of Examiners of Nursing Home Administrators to establish a statewide system to collect and analyze information on complaints and conditions in long term care facilities for the purpose of publicizing improvements and resolving significant problems.

History

The Long Term Care Ombudsman Office was established in 1981 and placed within the Governor's Office. Its funding was to be at least one percent of the Title III(B) of the Older Americans Act funding received by the state.

In 1985 the Long Term Care Ombudsman was made an independent state agency by the Legislative Assembly. A Long Term Care Advisory Committee was established to monitor the

Long Term Care Ombudsman Program, advise the Governor and Legislative Assembly on the Long Term Care Ombudsman Program, and to nominate Ombudsman candidates to the Governor. The Long Term Care Ombudsman Account was created in the Office to account for all moneys appropriated and expended to carry out the duties of the program.

In 1995 the Legislative Assembly gave the Long Term Care Advisory Committee appeal and “own motion,” review authority over Ombudsman response to provider complaints. A long term care facility that files a complaint against an Ombudsman designee (volunteer) and objects to the action of the Long Term Care Ombudsman in resolving the complaint may appeal to the Long Term Care Advisory Committee. The committee on its own motion may review any appealable action by the Ombudsman.

Current Organization

Division and Unit Breakdown:

LTCO Advisory Committee

Office of the Director

Screening and Recruitment Committees

Program Administrator

Certified Ombudsmen

Primary Agency Statutes and Administrative Rule Chapters

Oregon Administrative Rule 114: Long Term Care Ombudsman

Oregon Revised Statutes:

441 – Health Care Facilities

Chronology

- 1981** The Long Term Care Ombudsman Office was established in the Governor’s Office.
- 1985** The Long Term Care Ombudsman Office was removed from the Governor’s Office and became an independent state agency. The Long Term Care Advisory Committee was established. The Long Term Care Ombudsman Account was created in the office of the Ombudsman.
- 1995** Long Term Care Advisory Committee was given appeal and “own motion” review authority over Ombudsman response to provider complaints.

Bibliography

Legislatively Approved Budget, Long Term Care Ombudsman Office. 1995-1997.

Office of the Long Term Care Ombudsman <<http://www.oregon.gov/LTCO/index.shtml>>

Oregon Administrative Rules, Chapter 114. 1989.

Oregon Blue Book, Secretary of State. 1996-2006.

Oregon Laws: 1981 Ch. 534; 1985 Ch. 153; 1989 Ch. 224; 1995 Ch. 789.