Long-Term Care Ombudsman

What is the office of the State Long-Term Care Ombudsman?
Created by the Older Americans Act and mandated by the Ohio Revised Code, the Long-Term Care Ombudsman helps older adults and their families understand long-term care, addresses questions and concerns about the quality of long-term care and works with providers and older adults and their families to address problems and concerns. The Long-Term Care Ombudsman provides a voice for older adults receiving long-term care, including residents of nursing homes, residential care facilities, adult care facilities, and assisted living communities as well as older adults who receive community-based long-term care services.

How is the office of the State Long-Term Care Ombudsman administered?
The State Long-Term Care Ombudsman has twelve regional long-term care ombudsman programs. Volunteers are recruited and trained through the regional offices and placed in nursing facilities to make the Long-Term Care Ombudsman program more accessible to residents.

How is the State Long-Term Care Ombudsman funded?
The State Long-Term Care Ombudsman is funded by the federal government through the Older Americans Act and by the Ohio Department of Aging.

What long-term care settings are served by the Long-Term Care Ombudsman?
The Long-Term Care Ombudsman addresses consumer concerns in a variety of settings, including:
- Institutional-based care, such as a nursing home;
- Residential long-term care facilities, including residential care facilities and adult care facilities;
- Group settings, such as adult foster homes; and
- Home and community-based services.

How does the Long-Term Care Ombudsman work with older adults in nursing homes and adult care facilities?
The Long-Term Care Ombudsman, with the permission of the consumer, assists in resolving complaints about quality of care and quality of life issues. The Long-Term Care Ombudsman works to uphold the legal rights of residents; assist older adults denied admission or threatened with transfer or discharge; and assists in resolving concerns about all aspects of long-term care.

How does the Long-Term Care Ombudsman work with older adults in community-based long-term care settings?
The Long-Term Care Ombudsman can help negotiate disputes with regard to the quality of services as well as address concerns about billing and access to community-based services. The Long-Term Care Ombudsman may also advocate on behalf of older adults with the agencies that administer Medicare, Medicaid, and other long-term care programs and services.

How does the State Long-Term Care Ombudsman handle complaints?
The Long-Term Care Ombudsman works closely with the older adult to address complaints and the older adult decides to what extent the Long-Term Care Ombudsman is involved in resolving the complaint. Typically, the Long-Term Care Ombudsman first investigates and documents the complaint. Options for resolution are then presented to the older adult and the Long-Term Care Ombudsman works with the older adult to resolve the problem. The Long-Term Care Ombudsman will then follow up to ensure resolution of the problem.

Consumer Directed Care: The Choices Program

What is The Choices Program?
Choices is a Medicaid waiver program with the same eligibility criteria as PASSPORT. The program allows the older adult to become the employer and hire service providers, including friends, neighbors or some relatives to provide community-based care. Choices is available in the central Ohio and southern Ohio regions served by the Area Agencies on Aging based in Columbus, Marietta and Rio Grande.

How is Choices different from PASSPORT?
Choices offers a great degree of flexibility for the consumer. Traditional PASSPORT care plans are often limited to certain types of services from an authorized list of providers. Some older adults would prefer different types of services or greater flexibility in scheduling services. Choices helps meet the long-term care needs of these older adults.

What types of services are available through Choices?
Choices consumers receive the same types of services that are available through traditional PASSPORT, such as homemaker attendant service, meals, adult day care, etc., and may return to traditional PASSPORT at any time.

Do Choices cost more than traditional PASSPORT home care services?
Choices care plans must meet the same financial cap as traditional PASSPORT care plans. That is, care plan costs may not exceed 60% of the cost of nursing home care.

How many older adults participate in Choices?
Choices is not for everyone. Since the initial Central Ohio pilot program began in 2002, 5% of the Central Ohio Area Agency on Aging’s caseload has enrolled. Through 2007, the three Area Agencies on Aging that offer Choices may enroll 500 older adults cumulatively.

What types of responsibilities do older adults have in Choices?
The consumer is the “employer of record” under the Internal Revenue Code and responsible for all necessary tax forms and payroll duties. All taxes must be paid, including worker’s compensation. Older adults use a fiscal intermediary to assist with the financial aspects of the program.

How do older adults handle the responsibilities of being the employer?
Choices’ consumers receive significant and extensive training. The older adult has a specialized case manager to assist in navigating the intricacies of acting as the employer. Finally, a Review Team must evaluate and approve the older adult for enrollment.

If family members are already providing care, are public funds used to pay them through Choices?
Family caregivers already provide 80% of long-term care for older adults. Research indicates that family caregivers do not use public funds to substitute for informal, unpaid care. Formal care generally replaces informal care only when there is a loss or change in the informal caregiver because of illness or death. Spouses, parents, stepparents, legal guardians and representatives are not authorized to provide services. Many consumers appoint an Authorized Representative, who may not be an individual provider, to act on the older adult’s behalf and direct services.
What resources are available to educate older adults and their families to learn more about the quality of care available in a nursing home or assisted living facility?

Helping older adults and their families with the process of selecting a long-term care facility is one of the primary functions of the Long-Term Care Ombudsmen. Regional Long-Term Care Ombudsmen assist older adults and their families in considering long-term care options. In addition, the Ohio Long-Term Care Consumer Guide provides information to assist older adults in identifying an appropriate nursing or assisted living facility. The Guide contains a variety of information about nursing homes, assisted living and home care providers. It also features detailed comparative information about each nursing facility in Ohio, based on annual family satisfaction surveys. The Guide is available at www.ltcohio.org.

Who do families contact if they are interested in learning more about the office of the Long-Term Care Ombudsman?
Families can contact the State Long-Term Care Ombudsman at 1-800-282-1206.