

173-14-01**Definitions.**

As used in this chapter:

"Action plan" means a plan that that a representative develops in conjunction with the consumer as part of the complaint-handling process. The plan includes strategies and actions for the representative to take and target dates for the representative to meet.

"Advocacy" means planning, preparing, and conducting community education programs, training events, and legislative and other public relations contacts; influencing the formation, implementation, and outcome of public policy affecting consumers; representing consumers, both individually and collectively, to effect a positive change.

"Affiliated" means being or having a parent, child, sibling, spouse, or household member who is a board member of, a consultant to, or has another relationship by which they may profit from a provider.

"Area agency on aging" (AAA) means an entity that ODA designates to be an AAA under rule 173-2-04 of the Administrative Code.

"Business day" means any day that is not a Saturday, Sunday, or legal holiday defined in section 1.14 of the Revised Code.

"Community-based long-term care services" has the same meaning as in section 173.14 of the Revised Code.

"Complaint" means an expression of dissatisfaction or concern brought to, or identified by, the ombudsman program.

"Complaint case records" means confidential records that the office of the SLTCO keeps for complaints that the program handled.

"Complaint handling" means all the processes available to handle a complaint, including intake, screening, opening a case, assigning, investigating, attempting resolution, referring, performing follow-up activities, closing a case, and documenting and records retention.

"Complex complaint" means a complaint involving a greater depth of investigation, including research and multiple contacts with provider staff or consumers, and the development of an action plan as a part of opening a case.

"Consumer" means a resident of a long-term care facility or the recipient of community-based long-term care services. When appropriate, the term includes a prospective, previous, or deceased resident or recipient.

"Core ombudsman services" means complaint handling, providing general information, advocacy, public education, monitoring the implementation of laws, professional development for representatives of the office, establishing a presence in long-term care facilities with consumers and long-term care providers, managing volunteer resources, program supervision, and program administration.

"Direct supervision" means in-person instruction and observation followed by discussion of a representative's activity within five business days after the representative performed the activity.

"Follow-up activities" means the site visits, phone calls, letters, or interviews that a representative completes after investigating and attempting to resolve a complaint.

"General information" means researching and providing information on matters such as entitlement and public benefits programs, access to long-term care services, providing information to prospective consumers on the selection of long-term care services using verified and objective information, and referrals to other sources of assistance in those situations where a case is not being opened for complaint handling.

"Hour" means a period of sixty minutes.

"Immediate family member" means a member of the household or a relative with whom there is a close personal or significant financial relationship.

"Legal representative" means a court-appointed guardian, conservator, attorney-in-fact, or executor or administrator of the estate of a deceased consumer who can give consent or authorization in the matter.

"Long-term care facility" has the same meaning as in section 173.14 of the Revised Code.

"Long-term care services" means services of a long-term care facility or community-based long-term care provider.

"ODA" means "the Ohio department of aging."

"ODIS" means "ombudsman documentation and information system for Ohio." or the system that replaces ODIS.

"Office" means the SLTCO, the SLTCO's staff and volunteers, and the staff and volunteers of designated regional long-term care ombudsman programs.

"Older Americans Act" means 42 U.S.C. Chapter 35.

"Ombudsman services" means core ombudsman services and optional ombudsman services.

"Optional ombudsman services" means any SLTCO-approved ombudsman service that is not a core ombudsman service.

"Personal care services" has the same meaning as in section 3721.01 of the Revised Code.

"Provider" means a long-term care facility or community-based long-term care provider and any corporation, partnership, or person operating the long-term care facility or community-based long-term care provider.

"Recipient" has the same meaning as in section 173.14 of the Revised Code.

"Regional program," "regional long-term care ombudsman program," and "program" mean an entity, either public or private and nonprofit, that the SLTCO designates as a regional long-term care ombudsman program.

"Representative of the office of the state long-term care ombudsman," "representative of the office," and "representative," mean one of the categories of ombudsman in rule 173-14-03 of the Administrative Code.

"Resident" has the same meaning as in section 173.14 of the Revised Code

"Resolved" means the status of a complaint after the state office or regional program addresses it to the satisfaction of the consumer or complainant.

"SLTCO" means the state long-term care ombudsman and, depending on the immediate context, includes state-office staff and volunteers with SLTCO-delegated responsibilities.

"Sponsor" means an adult relative, friend, or guardian who has an interest in or responsibility for the welfare of the consumer, but is not a representative performing ombudsman services for the consumer. A sponsor is identified by a representative's reasonable effort to identify a sponsor chosen by the consumer.

"Sponsoring agency" means the agency or organization that houses the state office or regional program.

"State office" means the SLTCO and those staff members and volunteers of the SLTCO's office at ODA.

"Verified" means the status of a complaint after the work (i.e., interviews, record review, observations, etc.) of the state office or regional program determines that the circumstances described in the complaints are mostly or generally accurate.

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