

173-14-17

**Referral of complaints to the state long-term care ombudsman.**

- (A) Representatives of the office shall refer to the SLTCO, in a manner established by the SLTCO, any complaints:
- (1) That pose a conflict of interest to the representative or the regional program that cannot be remedied by reassigning the complaint to another representative;
  - (2) That the client has chosen to have handled by the SLTCO;
  - (3) That are frivolous, vexatious, or not made in good faith;
  - (4) That were made so long after the actual occurrence that it is no longer reasonable to conduct an investigation;
  - (5) For which an adequate investigation cannot be conducted because of insufficient funds, staff, expertise, or other factor that could result in an inadequate investigation despite a good faith effort by the representatives; or,
  - (6) For which an injunction is sought against a long-term care facility for a violation of the residents' bill of rights pursuant to sections 3721.10 to 3721.17 of the Revised Code.
- (B) The SLTCO shall provide updates on the progress and disposition of a case to the referring regional program. For those complaints which the SLTCO determines do not warrant handling, the SLTCO shall notify the client and/or complainant, if possible, and the regional program of the reasons the complaint will not be handled.

Five Year Review (FYR) Dates: 05/01/2015 and 05/01/2020

CERTIFIED ELECTRONICALLY

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Certification

05/01/2015

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Date

Promulgated Under: 119.03  
Statutory Authority: 173.01, 173.02, 173.20; Sections 305(a)(1)(C) and 712(a)(5)(D) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006; 45 C.F.R. 1321.11 (October 1, 2014 edition).  
Rule Amplifies: 173.20; Section 712 of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006.  
Prior Effective Dates: 06/15/1991, 12/27/2001, 12/28/2006