

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 of the following complaints:

- (1) A complaint ~~That pose posing~~ a conflict of interest ~~to the representative or the regional program~~ that cannot be remedied by reassigning the complaint to another representative;.
- (2) A complaint ~~That the client consumer has chosen to have handled by~~ wants the SLTCO to handle;
- (3) A complaint ~~That are~~ that is frivolous, vexatious, or not made in good faith;.
- (4) A complaint ~~That were~~ made so long after the actual occurrence that it is no longer reasonable to conduct an investigation;.
- (5) A complaint ~~For 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) A complaint ~~For 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~~ 3721.18 of the Revised Code.

(B) The SLTCO shall determine whether complaints warrant investigation. The SLTCO's determination in this matter is final.

~~(B)~~ (C) 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 consumer~~ and/or complainant, if possible, and the regional program of the reasons the complaint ~~will~~ shall not be handled.

Effective:

Five Year Review (FYR) Dates: 1/30/2018

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Certification

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Date

Promulgated Under: 119.03

Statutory Authority: 173.01, 173.02, 173.20; 42 U.S.C. 3025(a)(1)(C),  
3058g(a)(5)(D); 45 C.F.R. 1321.11, 1324.11(e)(2),  
1324.13(b)(1), 1324.15(b)

Rule Amplifies: 173.15; 173.20; 42 U.S.C. 3058g; 45 C.F.R. 1321.11,  
1324.11(e)(2), 1324.19(b)

Prior Effective Dates: 06/15/1991, 12/27/2001, 12/28/2006