

173-14-17

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

- (A) ~~Representatives of the office~~ A regional program director or designee shall refer ~~to the SLTCO, in a manner established by the SLTCO,~~ any of the following complaints to the SLTCO:
- (1) A complaint posing a conflict of interest that cannot be remedied by reassigning the complaint to another representative.
 - (2) A complaint the consumer wants the SLTCO to handle.
 - (3) A complaint that is frivolous, vexatious, or not made in good faith.
 - (4) A complaint made so long after the actual occurrence that it is no longer reasonable to conduct an investigation.
 - (5) A complaint for which an adequate investigation cannot be conducted because of insufficient funds, staff, expertise, or other factor that could result in an inadequate investigation.
 - (6) A complaint 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 3721.18 of the Revised Code.
- (B) The SLTCO shall determine whether referred complaints warrant investigation. The ~~SLTCO's~~ SLTCO's determination in this matter is final.
- (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 consumer and/or complainant, if possible, and the regional program of the reasons to not handle the complaint ~~shall not be handled~~.

Effective:

Five Year Review (FYR) Dates: 11/16/2023

Certification

Date

Promulgated Under: 119.03
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3058g; 45 C.F.R. 1321.11, 1324.11, 1324.13, 1324.15
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