

173-14-23**Initial designation of regional long-term care ombudsman programs: process.**

The SLTCO may designate a sponsoring agency as a new regional long-term care ombudsman program (regional program) only if the sponsoring agency complies with all the structural standards established in paragraph (B) of rule 173-14-22 of the Administrative Code and completed an ombudsman plan that is acceptable to the SLTCO in accordance with paragraph (D) rule of this rule.

The SLTCO may designate a temporary regional program as needed.

(A) The SLTCO shall adhere to the following process when designating a sponsoring agency to serve as a new regional program:

(1) Issue a request for proposal (RFP), in consultation with the AAA, that does all of the following:

(a) Seeks sponsoring agencies willing to serve as the regional program.

(b) Identifies all the standards that a sponsoring agency needs to qualify for designation as a regional program.

(c) Establishes a deadline of thirty days after responding to the RFP for the sponsoring agency to provide the SLTCO with an ombudsman plan and documents to support the sponsoring agency's claim to meet the standards under paragraph (A)(1)(b) of this rule.

(2) Conduct an on-site visit to each of the eligible agencies responding to the RFP to verify the facts presented in each proposal and, at the SLTCO's discretion, include the AAA serving the region to participate in the on-site visit.

(3) Review the ombudsman plans of all proposals submitted and, at the SLTCO's discretion, consult with the AAA, then choose the agency that is most appropriate to serve as the regional program.

(4) Notify the AAA and responding agencies of the SLTCO's decision and the right of every agency not chosen to request a hearing to appeal the SLTCO's decision according to Chapter 119. of the Revised Code.

(5) Notify the chosen agency of its designation year.

(B) Any sponsoring agency receiving full or provisional designation as a regional program shall enter into a contract with the AAA or the SLTCO that, at a minimum, specifies the following:

- (1) The regional program's geographical region.
- (2) A requirement for the regional program to comply with all state and federal laws, regulations, policies and procedures governing the office of the SLTCO.
- (3) A requirement for the regional program to comply with all ODA policies and procedures relating to contractors.
- (4) A requirement for the regional program to comply with all of the reporting requirements in rule 173-14-19 of the Administrative Code.

(C) Summary and action plans:

- (1) The SLTCO shall develop a summary and action plan in conjunction with the full or provisional designation of each newly designated regional program to address areas of positive practices and concern and specify actions for the regional program to take to correct problem areas or any violation of the law or the structural standards that are discovered during the initial designation process.
- (2) Once the summary and action plan has been issued, the regional program's director, AAA, or sponsoring agency involved in the designation process has fifteen days to provide written or electronic comments to the SLTCO on the content of the summary and action plan. If these parties do not provide written or electronic comments to the SLTCO within fifteen days, the summary and action plan takes effect on the fifteenth day. If these parties provide written or electronic comments to the SLTCO within fifteen days, the SLTCO shall take the comments into consideration when finalizing the summary and action plan.
- (3) The AAA and the SLTCO shall provide the technical assistance or contacts, or conduct the visits under the terms of the summary and action plan. If appropriate, the SLTCO may perform a program review to monitor the implementation of the summary and action plan.

(D) The ombudsman plans for regional programs seeking initial designation may address the following:

- (1) Complaint handling, including, intake, screening, complaint investigation, complaint resolution, and follow-up activities.
- (2) Providing a regular presence, including increasing awareness of the program and its functions by consumers, sponsors, providers, social services, and the aging network and increasing the number of complaints received directly from consumers.

- (3) Public education and information, including increasing awareness of the program and long-term care issues.
- (4) Identifying systemic issues, monitoring the development and implementation of policy by agencies that have an effect on the lives of consumers, coordinating and advocating with agencies and the legislature, and documenting the progress of systemic reform.
- (5) Representation at hearings and legal representation, including defining the types of hearings in which the regional program representatives provide representation and developing how the regional program ensures legal representation is provided to clients in other cases.
- (6) Professional development and continuing education for representatives, including assuring that volunteer representatives can pass the appropriate certification exam, and developing a continuing education program targeted at the needs of representatives.
- (7) Recruitment, screening, retention, and supervision of volunteer representatives, including increasing the number of volunteer hours and increasing the capacity of volunteers to do such activities as complaint handling, establishing presence, observing, monitoring issues and providers, and providing information to the public.
- (8) Fundraising, including identifying where additional resources are needed, and developing fundraising strategies to meet those needs.
- (9) Program administration, including developing the ombudsman plan; increasing the skills of administrative staff in such areas as fund-raising, accounting methods, performance appraisals, supervising personnel, and similar administrative activities.
- (10) Internal quality assurance process, including identifying problems in the delivery of core ombudsman services and developing objectives, action steps with time lines, and outcome standards for correcting the problems.
- (11) Core services.
- (12) Optional services, if approved by the SLTCO, including defining those services delivered by the regional program that are not core services and developing goals, objectives, action steps with time lines, and outcome standards for measuring the success and impact of the services.

- (13) Each provision under paragraphs (A) and (B) of rule 173-14-24 of the Administrative Code.
- (14) Other areas of program operation identified by the SLTCO.

Replaces: 173-14-23

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 121.07, 173.01, 173.02, 173.16; 42 U.S.C. 3025, 3058g; 45 C.F.R. 1321.11, 1324.11, 1324.13, 1324.15

Rule Amplifies: 173.16; 42 U.S.C. 3058g; 45 C.F.R. 1321.11, 1324.11

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