

173-14-22**Initial designation of regional long-term care ombudsman programs: standards.**

(A) No sponsoring agency may serve as a regional long-term care ombudsman program unless designated by the SLTCO.

(B) Except as otherwise provided in paragraph (A) of this rule, no sponsoring agency may qualify as a fully-designated regional program unless it complies with all the following structural standards:

(1) Be a tax-exempt organization.

(2) Have a governing board with responsibility to ensure compliance with all program and contract requirements; all relevant federal and state statutes, regulations, and policies; and ensure program integrity and stability.

(3) Comply with the prohibitions against unremedied organizational conflicts of interest under 45 C.F.R. 1324.21.

(4) Ensure sufficient physical and digital security to maintain confidentiality of records and privacy of clients.

(5) Have no employee or ombudsman, no individual involved in designating, hiring, evaluating, or terminating a regional program director, and no governing board member with an unremedied conflict of interest.

(6) Retain the type of qualified staff required under rule 173-14-14 of the Administrative Code.

(7) Maintain an incoming toll-free telephone line dedicated to the regional ombudsman program that is answered during normal business hours by an ombudsman.

(8) Have the capacity to develop policies and procedures that conform to all federal and state statutes, regulations, and policies, including on the following topics, and provide these policies and procedures to the SLTCO within six months after designation for the SLTCO's review for approval and on request, and make these policies and procedures available to an ombudsman in the regional program:

(a) Complaint prioritization.

(b) Case assignment.

(c) Recruiting, screening, training, and supervising ombudsman staff.

- (d) Quality assurance.
 - (e) Personnel policies for every ombudsman.
 - (f) Emergency preparedness procedures including continuity of operations using an all-hazards approach and coordination with emergency management agencies.
- (9) Maintain nonprofit directors and officers liability insurance.

Replaces: 173-14-22

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. 1321.9, 1324.11, 1324.13, 1324.15

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

Prior Effective Dates: 07/11/1991, 12/27/2001, 12/28/2006, 05/01/2018, 01/28/2022, 08/01/2024