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Ohio Revised Code

Section 173.17 State long-term care ombudsman; duties.

Effective: September 29, 2017
Legislation: House Bill 49

(A) The state long-term care ombudsman shall do all of the following:

(1) Appoint a staff and direct and administer the work of the staff;

(2) Oversee the performance and operation of the office of the state long-term care ombudsman program, including the operation of regional long-term care ombudsman programs;

(3) Establish and maintain a statewide uniform reporting system to collect and analyze information relating to complaints and conditions in long-term care facilities and complaints regarding the provision of community-based long-term care services for the purpose of identifying and resolving significant problems;

(4) Provide for public forums to discuss concerns and problems relating to action, inaction, or decisions that may adversely affect the health, safety, welfare, or rights of residents, recipients and their representatives with respect to services by long-term care providers, public agencies and entities, and social service agencies. This may include any of the following: conducting public hearings; sponsoring workshops and conferences; holding meetings for the purpose of obtaining information about residents and recipients, discussing and publicizing their needs, and advocating solutions to their problems; and promoting the development of citizen organizations.

(5) Encourage, cooperate with, and assist in the development and operation of services to provide current, objective, and verified information about long-term care;

(6) Develop and implement, with the assistance of regional programs, a continuing program to publicize, through the media and civic organizations, the office, its purposes, and its methods of operation;

(7) Maintain written descriptions of the duties and qualifications of representatives of the office;

(8) Evaluate and make known concerns and issues regarding long-term care by doing all of the following:

(a) Preparing an annual report containing information and findings regarding the types of problems experienced by residents and recipients and the complaints made by or on behalf of residents and recipients. The report shall include recommendations for policy, regulatory, and legislative changes to solve problems, resolve complaints, and improve the quality of care and life for residents and recipients. The report shall be submitted to the governor, the speaker of the house of representatives, the president of the senate, the director of health, the medicaid director, the director of job and family services, the director of mental health and addiction services, and the assistant secretary for aging of the United States department of health and human services.

(b) Monitoring and analyzing the development and implementation of federal, state, and local laws, rules, and policies regarding long-term care services in this state and recommending to officials changes the office considers appropriate in those laws, rules, and policies;

(c) Providing information and making recommendations to public agencies, members of the general assembly, and others regarding problems and concerns of residents and recipients.

(9) Conduct training for employees and volunteers on the ombudsman's staff and for representatives of the office employed by regional programs;

(10) Monitor the training of representatives of the office who provide volunteer services to regional programs, and provide technical assistance to the regional programs in conducting the training;

(11) Issue certificates attesting to the successful completion of training and specifying the level of responsibility for which a representative of the office who has completed training is qualified;

(12) Register as a residents' rights advocate with the department of health under division (B) of section 3701.07 of the Revised Code;

(13) Conduct advocacy visits and authorize other representatives of the office of the state long-term

care ombudsman program to conduct advocacy visits;

(14) Perform other duties specified by the department of aging.

(B) The state ombudsman may delegate to any member of the ombudsman's staff any of the ombudsman's authority or duties set forth in sections 173.14 to 173.28 of the Revised Code other than any authority or duty required by federal law to be exercised or performed by the ombudsman. The state ombudsman is responsible for any authority or duties the ombudsman delegates.