

*Equipping Long-Term Care Ombudsmen for Effective Advocacy:
A Basic Curriculum*

**HISTORY AND ROLE OF THE LONG-TERM CARE
OMBUDSMAN PROGRAM**

TEACHING NOTES

Developed by Sara S. Hunt, Consultant

**National Long-Term Care
Ombudsman Resource Center**
National Citizens' Coalition for Nursing Home Reform
1424 16th Street, NW, Suite 202
Washington, DC 20036
Tel: (202)332-2275 Fax: (202)332-2949
E-mail: ombudcenter@nccnhr.org
Web Site: lcombudsman.org

May 2004

ACKNOWLEDGMENTS

Many thanks to the Advisory Committee for the Local Long-Term Care Ombudsman Curriculum— Esther Houser, Oklahoma State Long-Term Care Ombudsman (SLTCO); John Sammons, Kentucky SLTCO; Linda Sadden, Louisiana SLTCO; Eileen Bennett, Long-Term Care Ombudsman Program (LTCOP) Specialist, Montgomery County LTCOP, Maryland; Claudia Stine, Director of LTCO Services, Wisconsin LTCO; and Louise Ryan, Assistant Washington SLTCO, for their review, testing, and comments. A special thanks goes to the local LTCO who field tested the draft of this curriculum module and provided feedback.

ABOUT THE AUTHOR

Sara Hunt, MSSW, is a consultant for the National Long-Term Care Ombudsman Resource Center with expertise in the areas of ombudsman training, policy development, program management, and care planning and quality of life. Sara was the State Long-Term Care Ombudsman in Louisiana for five years (1981-1986) and has served as a consultant to the Ombudsman Resource Center since 1987. For more than twenty years, Sara has been developing and conducting training programs, most of those for ombudsmen. She is co-author of *Nursing Homes: Getting Good Care There*.

ABOUT THE PAPER

This curriculum module was supported, in part, by a grant, No. 90AM2690 from the Administration on Aging, Department of Health and Human Services. Grantees undertaking projects under government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official Administration on Aging policy.

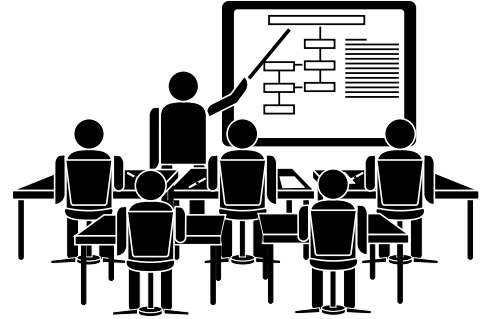
Table of Contents

Introduction	4
Agenda	7
Teaching Outline	8
References	12
Appendix	13

THE LONG-TERM CARE OMBUDSMAN PROGRAM

Teaching Notes

Introduction



PURPOSE

This module provides an understanding of the Long-Term Care Ombudsman Program (LTCOP), its unique aspects, and the responsibilities of individual ombudsmen.


LEARNING OBJECTIVES

At the conclusion of this module individuals will know:

- why the LTCOP was developed,
- the primary responsibilities of long-term care ombudsmen (LTCO), and
- the unique aspects of the LTCOP.

CONTENTS

This module contains:

- an agenda,
- a teaching outline,
- handouts, (See Appendix) 
- PowerPoint presentations with a viewer if you do not have the PowerPoint program, and
- the narrative content that is the basis for this teaching module.

OPTIONS FOR TEACHING

There are various ways to cover this content. The recommended options are either self-study or applied to other modules which includes self-study.

- Self-study: Because much of the content is factual information, it can be introduced or covered as a self-study exercise to avoid a lecture methodology. For self-study, give the students a copy of the narrative material, “The History and Role of the Long-Term Care Ombudsman Program,” the video, the handouts included in the teaching guide, and the PowerPoint presentations. Ask the students to read the materials, view the video and complete the handout, “Advocates for Residents’ Rights,” read the other handouts, then view the PowerPoint presentations as a review of key aspects of the unit.

When this has been completed, the students can discuss key aspects of the program with the State Long-Term Care Ombudsman (SLTCO) or with the person(s) designated to orient the students to the LTCOP. A “Self-Study Instruction” handout which can be given to the student is included in this module.

- Classroom: The Teaching Outline is designed for use in a classroom setting. If individuals are given the narrative content to read prior to this session, the methodology can be more interactive and application oriented. The teaching outline can also be used to introduce individuals to the LTCOP before they commit to a full course of training to become ombudsmen. Programs might use sections of the content to provide an overview of the LTCOP to groups of potential volunteers or when speaking about the program.
- Combination of self-study and classroom: Individuals complete the self-study portion, then attend a classroom session to discuss questions they have and the LTCO responsibilities in more detail and to gain more information about state specific provisions. The Teaching Outline can be used for ideas to guide this review.

Applied to other modules in classroom: Individuals complete the self-study and have an opportunity for their questions to be answered. Their understanding of the key concepts in this module is applied and, if necessary, corrected through the discussion and exercises in other curriculum modules such as investigating and resolving problems. There is not a formal classroom session on this topic as a stand alone module.

TEACHING TIPS

Adapt

- ⓪ Adapt the teaching outline to fit the needs of your program and the individuals you will be teaching.
- ⓪ Adapt the content to apply to your state. You might add handouts that are state specific and/or discuss aspects of the video that are not consistent with your program structure such as the use of volunteer ombudsmen.
- ⓪ If you cannot use a PowerPoint presentation, print the individual slides and use them as handouts and/or overhead transparencies.
- ⓪ Adapt the self-study instructions to fit your training process and to reflect any state specific information you add.


Preparation

- ⓪ Read the included narrative resource materials, “ History and Overview of the Long-Term Care Ombudsman Program.”
- ⓪ Read the Teaching Outline, making your notes and adding to the list of supplies in the following section.
- ⓪ View the video and walk through the PowerPoint presentations to spot areas you want to adapt or want to supplement. Decide which ones you will use, how you will use these, how much discussion you want to generate or other teaching points you want to add to have an estimate about the time each presentation will take.

Notes are included for each slide with presentation ideas or additional information about the slide’s content. If you print slide handouts for the students, you will not want to print the notes unless you change the content to delete the presentation ideas. The *Code of Ethics for Ombudsmen* presentation does not have notes because it is simply lists the provisions in the code.

- ⓐ Adjust the time frames according to variables such as the number of students, the pre-class knowledge of students about the LTCOP, amount of discussion or questions you expect, and the teaching points you want to make during this program overview.
- ⓐ Invite one to two experienced ombudsmen to participate in part of the day as suggested in the Teaching Outline. Give them the questions and the amount of time they will have to speak prior to the training to allow preparation time.

Supplies you will need:

- ⓐ The *Advocates for Residents' Rights: The Older Americans Act Long Term Care Ombudsman Program* video
- ⓐ PowerPoint presentations and presentation notes, *Responsibilities of Long-Term Care Ombudsmen*, the *Code of Ethics for Ombudsmen*, and the *Unique Characteristics of the Long-Term Care Ombudsman Program*
- ⓐ Copies of handouts : 
 - Advocates for Residents' Rights: The Older Americans Act Long-Term Care Ombudsman Program
 - Code of Ethics for Long Term Care Ombudsmen
 - The Long-Term Care Ombudsman Program
 - The Long-Term Care Ombudsman Program: Views Of Local Ombudsmen And Others
 - Brochure or flier about the LTCOP in your state (you provide)
- ⓐ Flip chart and markers, chalk board, or blank transparencies and pens
- ⓐ Equipment to show the video, PowerPoint presentations, and/or overhead projector and screen.

The ♣ symbol in the teaching outline denotes key teaching concepts.

HISTORY AND ROLE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM

AGENDA

15 minutes	Introductions and Purpose of the Training
1 hour	Orientation to the Long-Term Care Ombudsman Program
1 hour	Primary Responsibilities of Long-Term Care Ombudsmen
15 minutes	Break
45 minutes	Unique Characteristics of the Long-Term Care Ombudsman Program
30 minutes	Code of Ethics for Long Term Care Ombudsmen
15 minutes	National Network
<hr/>	
4 hours	Total time including a short break
<hr/>	

TEACHING OUTLINE FOR CONTENT

Teaching Notes


Purpose This module provides an understanding of the Long-Term Care Ombudsman Program (LTCOP), its unique aspects, and the responsibilities of individual ombudsmen.

Learning Objectives At the conclusion of this module individuals will know:

- why the LTCOP was developed,
- the primary responsibilities of long-term care ombudsmen (LTCO), and
- the unique aspects of the LTCOP.


I. Orientation to the Long-Term Care Ombudsman Program

(One hour, depending upon the amount of pre-class LTCOP knowledge by students, number of students, and issues raised.)

- A. Use the video, *Advocates for Residents' Rights: The Older Americans Act Long-Term Care Ombudsman Program* (16 minutes) to provide an overview of the scope, background, and work of ombudsmen.
- B.  Prior to viewing the video distribute the handout, "Advocates for Residents' Rights: The Older Americans Act Long-Term Care Ombudsman Program." Allow time to look over the key points participants will be focusing on after the video.
- C. Introduce the video by providing a quick background about Dr. Flemming who introduces the video. He was "a noted champion of the elderly and health care issues. His many contributions as a public servant included a tireless commitment to improving the lives of older Americans. His distinguished career included serving under presidents from Roosevelt to Reagan. He served as Secretary of the Department of Health, Education, and Welfare from 1958-1961 and was Chairman of the Civil Rights Commission from 1972-1981."¹ It was his vision, passion, and leadership that created and nurtured the LTCOP.
- D. Play the video and provide time for students to complete the handout. (30 minutes)
- E. Discuss key aspects of the handout and other points from the video. (30 minutes)

Your Notes

Teaching Notes

1. Point out any differences between the video portrayal of the LTCOP and the program in your state.
2. Discuss any differences between the video content and the LTCO role the students will be fulfilling.
3.  Handout any pertinent LTCOP information from your state.
4. Discuss questions the students have.
5. Asking what the residents in the video said about the ombudsmen is a way to summarize the discussion and link it to serving individual residents.
Tip: Write down some of the quotes to use in leading the discussion.

✦ During the discussion interject teaching points such as the LTCO role including using an empowerment or advocacy approach. Point out ethical dimensions even if further discussion and ways to deal with such issues is deferred until later.

II. Primary Responsibilities of Long-Term Care Ombudsmen

(One hour, depending upon the amount of state specific information you add and the questions that arise.)

- A. Use the PowerPoint presentation, *Responsibilities of Long-Term Care Ombudsmen*, to briefly review the need for LTCO and to discuss the primary responsibilities included in the federal Older Americans Act. If necessary supplement the content with state specific information by adding slides or handouts.
- B. Questions you might ask to reinforce the content and to connect it to other sections of the training.
 1. How is the focus of the LTCOP different from that of other agencies, systems, or even facilities? (*LTCO focus on individuals, then might tackle facility-wide or systems issues. Others look for compliance or how to effectively serve the needs of groups of individuals or address individual needs related to a specific program or issue such as Medicaid benefits. The failures of these other systems to ensure care and safety led to the development of the LTCOP. By design, the LTCOP is outside the regulatory, enforcement, and care provider systems.*)

Your Notes

Teaching Notes

2. How do the responsibilities of the LTCO in the Older Americans Act relate to the skills and responsibilities we discussed after viewing the video, “Advocates for Residents’ Rights?”
- C. Discuss the history of the LTCOP in your state and any other details that are needed to follow the focus on the federal mandate.
- D. Invite 1 – 2 experienced ombudsmen to share about their work with the students and to answer questions. Topics you might ask them to briefly discuss include: why they became ombudsmen, why they continue to be LTCO, the aspect of the job they find most fulfilling, how they dealt with a difficult situation, and tips for getting started in the role. (20 – 30 minutes of the hour for this discussion)

III. Unique Characteristics of the Long-Term Care Ombudsman Program

(45 minutes, add more time if you will cover several state specific elements that are not part of this presentation.)

- A. Use the PowerPoint presentation, *Unique Characteristics of the Long-Term Care Ombudsman Program*, to briefly point out some differences in this program and others established by the Older Americans Act. This presentation can be used as a way to review what is “special” about the LTCOP and how to explain or discuss misunderstandings that might be encountered about the role of the ombudsman.
1. Focus on the points that are most likely to be experienced by the students.
 2. Include examples of how some of the differences in definitions might arise in the students’ work and tips on how to deal with these. Detailed discussion about what to do might be deferred to a later point in the training.
 3. Consider asking the experienced ombudsmen to stay and share a few examples relevant to some of the key teaching points in this presentation.

✦ Focus on confidentiality and the purpose of a LTCO investigation. Begin introducing LTCOP policies regarding confidentiality. Help students see themselves as distinct from others such as care managers, adult protective services, facility

Your Notes

Teaching Notes

Your Notes

social workers or nurses, or assessment coordinators. These individuals may be allies but do not share the LTCO role and the same limitations on confidentiality.

IV. Code of Ethics for Long-Term Care Ombudsmen

(20 – 30 minutes)

- A. Distribute the handout, “Code of Ethics for Long Term Care Ombudsmen.” Use the PowerPoint presentation, *Code of Ethics for Long-Term Care Ombudsmen*, to review and briefly discuss this code. If you do not use the PowerPoint presentation, allow some time for the students to read the handout or go around the room asking each person to read one or more aloud.
- B. Invite questions.
- C. Point out and briefly discuss any that might pose, or have posed, problems in implementation such as acting on behalf of a resident regardless of personal values or beliefs.

V. National Network

(15 minutes)

- A. Close the session by reminding students that individual LTCO are part of a statewide network of ombudsmen and are also part of a nationwide network. The LTCOP has a rich history and still fills a unique niche for residents. The program withstood the scrutiny of many studies and continually seeks better ways to serve residents and remain true to its federal mandate.
- B. Use the handouts, “Long-Term Care Ombudsman Program” and “The Long-Term Care Ombudsman Program: Views Of Local Ombudsmen And Others,” to conclude with some inspiration and connectedness to a widespread program.
1. Briefly look at the nationwide statistics to show the scope and accomplishments of the program. Add information from your state and/or your annual report if appropriate.
 2. Read a few of the ombudsman quotes.
 3. Share the Ombudsman Resource Center’s web site as a resource for laws, best practices, and linking to LTCOPs nationwide, ltcombudsman.org.

References

- 1 Trainer's Notes, Module 1, Introduction to Ombudsman Program. *Ombudsman Certification Training Manual*. Texas Long-Term Care Ombudsman Program, Texas Department on Aging. 11-98, p. 2.
- 2 In the Code of Ethics, *client* refers to the range of consumers served by LTCO such as residents, their families members, and individuals who are seeking information about long-term care facilities.
- * The National Ombudsman Reporting System data, Fiscal Year 2002, Administration on Aging, Office of Elder Rights Protection, U.S. Department of Health and Human Services.

APPENDIX

Advocates for Residents' Rights:

The Older Americans Act Long Term Care Ombudsman Program

After watching the video, *Advocates for Residents' Rights: The Older Americans Act Long Term Care Ombudsman Program*, use your own words to briefly describe what you learned regarding the following points.

1. The role of the Long Term Care Ombudsman (LTCO)

2. The purpose of the Long Term Care Ombudsman Program (LTCOP)

3. Five skills ombudsmen need

1.

2.

3.

4.

5.

4. Characteristics of LTCO

5. Your questions about being an ombudsman

Code of Ethics for Long Term Care Ombudsmen

The National Association of State Long Term Care Ombudsman Programs

1. The ombudsman provides services with respect for human dignity and the individuality of the client², unrestricted by considerations of age, social or economic status, personal characteristics, or lifestyle choices.
2. The ombudsman respects and promotes the client's right to self-determination
3. The ombudsman makes every reasonable effort to ascertain and act in accordance with the client's wishes.
4. The ombudsman acts to protect vulnerable individuals from abuse and neglect.
5. The ombudsman safeguards the client's right to privacy by protecting confidential information.
6. The ombudsman remains knowledgeable in areas relevant to the long term care system, especially regulatory and legislative information, and long term care service options.
7. The ombudsman acts in accordance with the standards and practices of the Long Term Care Ombudsman Program, and with respect for the policies of the sponsoring organization.
8. The ombudsman will provide professional advocacy services unrestricted by his/her personal belief or opinion.
9. The ombudsman participates in efforts to promote a quality, long term care system.
10. The ombudsman participates in efforts to maintain and promote the integrity of the Long Term Care Ombudsman Program.
11. The ombudsman supports a strict conflict of interest standard that prohibits any financial interest in the delivery or provision of nursing home, board and care services, or other long term care services that are within their scope of involvement.
12. The ombudsman shall conduct himself/herself in a manner that will strengthen the statewide and national ombudsman network.

² In the Code of Ethics, *client* refers to the range of consumers served by LTCO such as residents, their families members, and individuals who are seeking information about long-term care facilities.

THE LONG-TERM CARE OMBUDSMAN PROGRAM

What is the Long-Term Care Ombudsman Program?

The Long-Term Care Ombudsman Program resolves the problems of individual residents in long-term care facilities, provides information and referral about facility selection and quality of care, assists resident and family councils, promotes residents' rights and represents residents' needs and interests to public officials. Long-term care ombudsmen visit nursing homes and board and care homes.

Why was the program created and when?

Increasing and widespread public concern about the quality of care in nursing homes and a Presidential initiative prompted the Department of Health, Education and Welfare to award five contracts for ombudsman demonstration programs in 1972. By 1978 the federal Older Americans Act required all states to establish a program.

Where is the program today?

The Administration on Aging, U.S. Department of Health and Human Services, is responsible for the national program. Each state has a Long-Term Care Ombudsman Program operated through, or by, the state's Agency on Aging. Thus there are some differences in the program between the states. Today all 50 states, the District of Columbia, Puerto Rico, and Guam have an Office of the State Long-Term Care Ombudsman.

Who serves residents as long-term care ombudsmen?

Each state program is headed by a State Long-Term Care Ombudsman. Throughout the state, paid staff and volunteer ombudsmen serve residents. There were more than 1,000 paid program staff, more than 8,700 certified volunteers, and more than 2,600 other ombudsman volunteers in 2002.

What specific services do long-term care ombudsmen provide?*

- Provide information to individuals: 282,964 contacts
- Investigate complaints: 261,257 complaints made by 158,413 individual complainants
- Work with resident councils: 15,692 events
- Work with family councils: 5,509 events
- Conduct training for: # of sessions
 - Ombudsmen: 9,585
 - Facility staff: 7,622
 - The local community: 10,109

* 2002 NORS Data, Administration on Aging (most recent information available)

THE LONG-TERM CARE OMBUDSMAN PROGRAM: VIEWS OF LOCAL OMBUDSMEN AND OTHERS

From Demonstration Projects to a Nationwide Program

A. Created to Serve Long-Term Care Residents

The Long-Term Care Ombudsman Program is unique in its statutory responsibility to serve residents. Ombudsmen resolve problems for individuals, assist resident and family councils and citizen organizations, and represent residents' needs and interests to public officials. The ombudsman role is often described as one of getting service providers, regulators, and others to fulfill their responsibilities to residents.

B. What Ombudsmen Say About Their Role

"I strive to help residents restore and/or maintain their dignity. For I've learned that without dignity, even the absolute best care doesn't matter—life doesn't matter."

Valerie Hopson-Bell, Virginia Ombudsman

"I was pleasantly surprised when I got the job that I finally had time to listen to residents and help them resolve their problems and make their own decisions...The greatest experiences I have had working as an ombudsman are listening to people and treating them as a valued human being, working with citizens to become volunteer ombudsmen, and facilitating staff, residents, and families to communicate with each other."

Vivian Omaghemi, Maryland Ombudsman

"My responsibility is to make sure the residents have their rights. I don't do anything the nursing home should be doing. I'm there for the residents."

Pat Litzen, Washington State Long Term Care Ombudsman Volunteer

"We discovered that there was satisfaction in taking on the challenge of 'making a difference' in other people's lives. One tangible benefit was discovering our ability to become better listeners and to be more interested in hearing about the other person."

Beverly and Saul Padwo, Maryland Long Term Care Ombudsman Volunteers

"I enjoy the opportunity to use my skills as a creative problem solver. I derive pleasure from knowing that I am making a real and often immediate difference in people's lives. Serving residents brings me personal satisfaction."

Ruth Morgan, Kentucky Long Term Care Ombudsman

"It is a tremendous honor to be an ombudsman and be a part of the lives of nursing home residents and their families, even if for only a short while..."

Janet Chap, Maryland Long Term Care Ombudsman Volunteer

"By serving residents I am able to make a difference. The long-term care ombudsman role is never the same thing from day to day."

Cindy Kincaid, North Carolina Long Term Care Ombudsman

C. Why Ombudsmen Stay with the Program

“In the past 20 years I have stuck with this job because there is a deep satisfaction in becoming ‘expert’ in an area where so much help is needed. Folks really don’t know where to turn and there is so much personal satisfaction in being able to help in a very concrete, useful manner.”

Kathy Gannoe, Kentucky Long Term Care Ombudsman

“As an ombudsman I receive great personal satisfaction when the resident feels they received fair treatment and their voice was heard regarding the problem they asked us to assist them with.”

Carol Keiemelmeyer, Wisconsin Long Term Care Ombudsman

“After 12+ years, the work remains challenging and rewarding in addition to being extremely important to all who require long term care services.”

Alice Sessions, Vermont Long Term Care Ombudsman

“Nothing is more rewarding for me than to go out on a facility visit with one of our volunteers, watch them relate to their residents in their facilities, see the smiles on their faces when the volunteer ombudsman walks in, [and] watching them share personal information with each other that only time, consistency and trust has built that comfort level of sharing.”

Debi Bartlett, California Long Term Care Ombudsman

“I relish the smiles, the sense of relief and the hugs that go with helping older and disabled adults... Their appreciation that I took the time to listen is overwhelming. The diversity in people, in tasks, and in actions make for exciting days and nights.”

Debi Lee, North Carolina Long Term Care Ombudsman and Chair of the National Association of Local Long Term Care Ombudsmen

“It’s the best job in the world.”

Carol Scott, Missouri State Long Term Care Ombudsman, President of the National Association of State Long Term Care Ombudsman Programs

D. What Others Say About Ombudsmen

“I was privileged to know the late Dr. Arthur Flemming, who pioneered the American version of ombudsman to advocate for nursing home residents. I am sure he would be extremely proud of the humanitarian work embodied in today’s nationwide program. He would also support all current efforts to strengthen the network so residents of all long term care facilities gain access to its services. Even though the program’s resources are limited, it is comforting to know that thousands of residents throughout the country benefit greatly from the daily advocacy of ombudsmen, paid and volunteer. Kudos and more power to the program!”

Elma Holder, Founder of the National Citizens’ Coalition for Nursing Home Reform

“The Long Term Care Ombudsman is basically a thankless job, probably the toughest in the aging network...an ombudsman is a ‘professional critic’ and no one likes a critic. The ombudsman speaks beyond particular nursing home problems to address state policies as well.”

Bill Benson, The Benson Consulting Group, formerly the Deputy Assistant Secretary for Aging at the Administration on Aging, excerpt from an interview in the *Older Americans Report*, April 26, 2002, p. 134

“Good Ombudsmen are the most gutsy, caring, committed people I know, doing the hardest job imaginable. It’s a privilege to work on their behalf as they work on behalf of residents, who often have nobody else to stick up for them and protect their interests.”

Sue Wheaton, Ombudsman Program Specialist, Administration on Aging

SELF-STUDY INSTRUCTIONS

THE HISTORY AND ROLE OF

THE LONG-TERM CARE OMBUDSMAN PROGRAM

Understanding the history and role of the Long-Term Care Ombudsman Program (LTCOP) will help you understand how and why the program operates as it does. It will provide a foundation for your daily work as an ombudsman.

This module will cover:

- why the LTCOP was developed,
- the primary responsibilities of long-term care ombudsmen (LTCO), and
- the unique characteristics of the LTCOP.

You need the following materials to complete this module.

- *Advocates for Residents' Rights* video and handout
- “The History and Role of the Long-Term Care Ombudsman Program”
- PowerPoint presentations:
 - Responsibilities of the Long-Term Care Ombudsman Program
 - Unique Characteristics of the Long-Term Care Ombudsman Program
 - Code of Ethics for Long Term Care Ombudsmen
- Handouts
 - “Code of Ethics for Long Term Care Ombudsmen”
 - “The Long Term Care Ombudsman Program”
 - “The Long-Term Care Ombudsman Program: Views Of Local Ombudsmen And Others”

Instructions for completing this module

1. Watch the video, *Advocates for Residents' Rights* and complete the handout.
2. Read “The History and Role of the Long-Term Care Ombudsman Program”
3. Review key concepts about the Long-Term Care Ombudsman Program by watching the PowerPoint slide shows in the preceding list.
4. Read the remaining handouts.
5. Make a list of questions about the Long-Term Care Ombudsman Program or about your role as an ombudsman to discuss with the ombudsman responsible for your training.