

Texas Department On Aging Administrative Policy On "Required Content of Regional Volunteer Ombudsman Program Complaint Resolution Procedures"

Background:

In order to maintain a healthy atmosphere in which a volunteer can speak freely and have frank discussions of problems with the Regional Ombudsman, each Regional Ombudsman must ensure that written complaint resolution procedures are in place, contain the required content, and are accessible by each Certified Volunteer Ombudsman.

To ensure compliance with the Texas Department On Aging Administrative Policy on Certified Volunteer Ombudsman Dismissal Review, the Regional Ombudsman must ensure that the regional complaint resolution policy incorporates the Responsibilities of the Regional Staff Ombudsman as specified in the above policy. The requirements are outlined below. Refer to the above policy for explanation or clarification.

These requirements are specific to the Ombudsman Volunteer Program. The existing regional complaint resolution procedures should allow the inclusion of these specifics or should require only minimal adaptation. These requirements should not require the development of an entirely new regional policy.

Minimum Policy Requirements for Complaint Resolution:

Regional Volunteer Ombudsman Program Complaint Resolution Procedures must, at a minimum:

- a) Be in writing;
- b) Provide all Certified Volunteer Ombudsman the opportunity and the means to communicate to the Regional Ombudsman concerns regarding aspects of the program which have a negative impact on them;
- c) Specify the methods to be used to inform each Certified Volunteer Ombudsman of the ability to air concerns or make complaints, and to provide each Certified Volunteer Ombudsman a written copy of the procedures for discussing concerns and filing complaints;
- d) Provide the Regional Ombudsman the opportunity and the means to

communicate to the Certified Volunteer Ombudsman concerns regarding aspects of their performance which may have a negative impact on the program;

e) State that certification, service and re-certification are at the mutual agreement of the Regional and State Long-Term Care Ombudsman;

f) Contain and specify the Regional Appeal procedures available to the Certified Volunteer Ombudsmen;

g) Include systems of notice to the State Long-Term Care Ombudsman and the Certified Volunteer Ombudsman in compliance with the Texas Department On Aging Administrative Policy on Certified Volunteer Ombudsman Dismissal Review;

h) Ensure the Regional Ombudsman is responsible for the timely enactment and oversight of the Regional Complaint Resolution Procedure;

i) Include a statement regarding non-retaliation for accessing the complaint, appeal, or review processes;

j) Include provisions for records maintenance of each incident filed, the action taken, the reasons therefore, and the resolution enacted;

k) Specify the active or inactive status of the Certified Volunteer Ombudsman while in any particular stage of the resolution process.

**In the Case of Dismissals the Regional Volunteer Ombudsman Program
Complaint Resolution Procedures must, at a minimum:**

l) Specify that utilization of the Regional Appeal procedure is required before a dismissed Certified Volunteer Ombudsman dismissed by the Regional Ombudsman is eligible to request a dismissal Review by the State Long-Term Care Ombudsman;

m) Specify the contents and method of delivery of dismissal letters in compliance with the Texas Department On Aging Administrative Policy on Certified Volunteer Ombudsman Dismissal Review;

n) Contain specifics of how and when notice of dismissal will be provided to staff and clients with a need to know;

o) Provide notice that, in the case of dismissal by the Regional Ombudsman, there is a procedure available to request the Review of the State Long-Term Care Ombudsman;

p) Specify the status of the Certified Volunteer Ombudsman while in the Dismissal Review stage of the resolution process, in compliance with the Texas Department on Aging Administrative Policy on Certified Volunteer Ombudsman

Dismissal Review;

q) Specify the required participation of the Certified Volunteer Ombudsman in an Assignment Plan Meeting prior to resuming their duties, after receiving a favorable finding through the Texas Department On Aging Administrative Policy on Certified Volunteer Ombudsman Dismissal Review procedure.

Effective Date:

This Administrative Policy takes effect on September 1, 1997.