

# **Long-Term Care Ombudsman Program**

**(Adapted from the Georgia Program)**

## **NORS Training Part II**

### **Complaint Categories Quiz**

## Residents' Rights

### A. Abuse, Gross Neglect, Exploitation

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**A1: Abuse, physical (including corporal punishment)**

**A2: Abuse, sexual**

**A3: Abuse, verbal/psychological (including punishment, seclusion)**

**A4: Financial exploitation (use categories in Section E for less severe financial complaints)**

**A5: Gross neglect (use categories under Care, Sections F & G for non-willful forms of neglect)**

**A6: Resident-to-resident physical or sexual abuse**

- \_\_\_\_\_ 1) A nursing home staff person regularly cashes checks for large amounts of money from the account of a well-known bank customer who is a resident at the same nursing home.
- \_\_\_\_\_ 2) A visitor witnesses a staff person slapping a resident who lives in another room across the hall.
- \_\_\_\_\_ 3) Resident A hits Resident B because Resident B will not turn down the television volume.
- \_\_\_\_\_ 4) A resident is found at a facility who is bedridden, non-communicative, extremely thin with limbs contracted, and has visible bedsores on his head and elbows.
- \_\_\_\_\_ 5) The wife of a resident complains that nursing home staff tells her husband (resident) that she won't come to visit unless he behaves.
- \_\_\_\_\_ 6) An Ombudsman observes a nurse leaving the room of a non-communicative resident on a hall not assigned to the nurse. The resident's undergarments had been removed and there was blood on the bed linens.

## B. Access to Information by Resident or Resident's Representative

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**B8: Access to own records**

**B9: Access by or to ombudsman/visitors**

**B10: Access to survey/staffing reports/license**

**B11: Information regarding advance directive**

**B12: Information regarding medical condition, treatment and any changes**

**B13: Information regarding rights, benefits, services, the resident's right to complain**

**B14: Information communicated in understandable language**

- \_\_\_\_\_ 1) A family member is not allowed to visit her relative unless she calls first.
- \_\_\_\_\_ 2) A resident has not received any information about the facility's services, billing charges, or resident's rights in German, though it is the resident's primary language.
- \_\_\_\_\_ 3) The facility social worker did not provide information on a living will form when asked by a resident's family.
- \_\_\_\_\_ 4) The nursing home administrator did not give a resident copies of his records as requested 2 weeks ago.
- \_\_\_\_\_ 5) The personal care home did not give the resident information on residents' rights when he came to the home.
- \_\_\_\_\_ 6) An Ombudsman observes that the nursing home survey is found encased in a glass cabinet which has been painted shut.
- \_\_\_\_\_ 7) A charge nurse home will not tell the resident what kinds of pills he takes at night and why.

## C. Admission, Transfer, Discharge, Eviction

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**C16: Admission contract and/or procedure**

**C17: Appeal process - absent, not followed**

**C18: Bed hold - written notice, refusal to readmit**

**C19: Discharge/eviction- planning, notice, procedure, implementation**

**C20: Discrimination in admission due to condition, disability**

**C21: Discrimination in admission due to Medicaid status**

**C22: Room assignment/room change/intrafacility transfer**

- \_\_\_\_\_ 1) A nursing home forces a resident to change rooms and roommates without telling her in advance.
- \_\_\_\_\_ 2) A Medicaid certified nursing home will not admit residents unless they guarantee that they will not apply for Medicaid for one year and can prove that they have at least \$100,000 in liquid assets.
- \_\_\_\_\_ 3) A nursing home refuses to readmit a resident although the return is within 5 days of the 7-day bed hold period.
- \_\_\_\_\_ 4) A nursing home sent a resident to another facility while she awaited her discharge appeal hearing.
- \_\_\_\_\_ 5) A nursing home refuses to admit a person who is HIV-positive.
- \_\_\_\_\_ 6) A personal care home dropped off a resident at the local emergency room (ER); the ER could find no acute medical illness and wanted to return the resident to the facility. The provider tells the hospital they will have to find another home for the resident and refuses to pick up the resident.
- \_\_\_\_\_ 7) When she moved into the personal care home, the home required the resident to sign a document stating that she would have to move out immediately if she does not get approved for the county aid program.

## D. Autonomy, Choice, Preference, Exercise of Rights, Privacy

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

- D24: Choose personal physician/pharmacy/hospice**
- D25: Confinement in facility against will (illegally)**
- D26: Dignity, respect - staff attitudes**
- D27: Exercise preference/choice and/or civil/religious rights, individual's right to smoke**
- D28: Exercise right to refuse care/treatment**
- D29: Language barrier in daily routine**
- D30: Participate in care planning by resident and/or designated surrogate**
- D31: Privacy - telephone, visitors, couples, mail**
- D32: Privacy in treatment, confidentiality**
- D33: Response to complaints**
- D34: Reprisal, retaliation**

- \_\_\_\_\_ 1) A resident is from the Ukraine and speaks limited English. No one on staff can communicate with her in her native language.
- \_\_\_\_\_ 2) The Assistant Administrator of the assisted living facility threatened a resident with discharge from the home if he complained to the Ombudsman.
- \_\_\_\_\_ 3) Staff gives residents showers in the shower room without the curtains being drawn while other residents are wheeled in and out of the room.
- \_\_\_\_\_ 4) Staff does not knock on residents' doors before entering, including closed doors.
- \_\_\_\_\_ 5) A resident continues to tell the staff that he does not want to take a shower, but they say that he is required to shower at least once a week.
- \_\_\_\_\_ 6) A resident is not allowed to go out after 6:00 pm because he often returns intoxicated.
- \_\_\_\_\_ 7) The husband of a nursing home resident is no longer invited to care plan meetings now that HIPAA has taken effect.
- \_\_\_\_\_ 8) Residents on Medicaid have their mail routinely opened by the facility billing staff in case they are sent cash or checks because all money must go to pay for the nursing home except for their personal needs allowance.
- \_\_\_\_\_ 9) Residents are not allowed to smoke after 5:00 pm because no staff is available to monitor them on the front porch.
- \_\_\_\_\_ 10) Several reports have been made to the nursing home administrator that there are ants in residents' bedrooms, but nothing appears to have been done about it.
- \_\_\_\_\_ 11) The adult family home provider requires all residents to use the same pharmacy because they will deliver the medications to the facility.

## **E. Financial, Property (Except for Exploitation)**

**Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.**

- E36: Billing/charges - notice, approval, questionable, accounting wrong or denied (includes overcharge of private pay residents)**  
**E37: Personal funds - mismanaged, access/information denied, deposits and other money not returned (report criminal level misuse of personal funds under A.4)**  
**E38: Personal property - lost, stolen, used by others, destroyed**

- \_\_\_\_\_ 1) The home will not give a resident his personal needs allowance when he wants because they say he spends it all in the first week of the month.
- \_\_\_\_\_ 2) A resident reports that someone has broken the lock on his foot-locker and stolen his spending money and headphones.
- \_\_\_\_\_ 3) The assisted living administrator informed a resident that the cost for care will increase, but he did not provide written information as to how much and when the new charges will take effect.

## F. Care

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

- F40: Accident or injury of unknown origin; falls; improper handling**
- F41: Failure to respond to requests for assistance**
- F42: Care plan/resident assessment - inadequate, failure to follow plan or physician orders (put lack of resident/surrogate involvement under D.30)**
- F43: Contracture**
- F44: Medications - administration, organization**
- F45: Personal hygiene (includes nail care and oral hygiene) and adequacy of dressing & grooming**
- F46: Physician services, including podiatrist**
- F47: Pressure sores, not turned**
- F48: Symptoms unattended, no notice to others of changes in condition**
- F49: Toileting, incontinent care**
- F50: Tubes - neglect of catheter, gastric, NG tube (use D.28 for inappropriate/forced use)**
- F51: Wandering, failure to accommodate/monitor exit seeking behavior**

- \_\_\_\_\_ 1) A resident was admitted to the hospital with two developing bedsores.
  
- \_\_\_\_\_ 2) Several male residents are observed to be unshaven, female residents have long facial hair, and numerous residents have dirty, jagged fingernails.
  
- \_\_\_\_\_ 3) Nursing assistants do not help a resident walk with a walker 4 times a day like the physician has ordered.
  
- \_\_\_\_\_ 4) A resident has two bruises on the side of her face but the nursing staff does not seem to know what caused them
  
- \_\_\_\_\_ 5) Staff does not respond to residents' call lights unless they yell for help.
  
- \_\_\_\_\_ 6) A resident's family was not notified after an apparent allergic reaction to food or medication.
  
- \_\_\_\_\_ 7) The personal care home did not keep track of when medications were given to the resident and the resident believes that he is not receiving all of his medications as prescribed by his physician.
  
- \_\_\_\_\_ 8) A resident's gastric tube has fallen out three times in the last two weeks.
  
- \_\_\_\_\_ 9) A resident was not sent to the hospital for ex-rays after falling in the dining room, although she complained several times that her wrist was hurting.

- \_\_\_\_\_ 10) A resident has not been able to straighten out his legs ever since the nursing home staff stopped putting him in his wheelchair each day.
- \_\_\_\_\_ 11) Mr. Jones regularly wanders into other residents' bedrooms during the day as if he is looking for someone; this upsets some residents who say the staff are not keeping an eye on him.
- \_\_\_\_\_ 12) The nursing home always smells like urine and family members have complained to the ombudsmen that their relative is often found to be in a urine soaked incontinence brief.

## G. Rehabilitation or Maintenance of Function

**Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.**

- G53: Assistive devices or equipment**  
**G54: Bowel and bladder training**  
**G55: Dental services**  
**G56: Mental health, psychosocial services**  
**G57: Range of motion/ambulation**  
**G58: Therapies: physical, occupational, speech**  
**G59: Vision and hearing**

- \_\_\_\_\_ 1) The resident suspects that her hearing is diminished and requests that the facility schedule an evaluation, but the facility says that it is up to her to make an appointment.
- \_\_\_\_\_ 2) A resident complains of chronic tooth pain and sensitivity, but a dental appointment has not been arranged.
- \_\_\_\_\_ 3) Residents have complained that there is no exercise program. The nursing home says that they cannot afford a special instructor and that they are not a fitness center.
- \_\_\_\_\_ 4) The facility has not followed through with making an appointment with a speech therapist for an evaluation.
- \_\_\_\_\_ 5) The personal care home is not assisting a resident in making and keeping his psychiatric appointments.
- \_\_\_\_\_ 6) A section of the nursing home's wall-mounted handrails is missing from the hallway near the dining room.
- \_\_\_\_\_ 7) Residents are not toileted on a regular basis, as per the training schedule.



## H. Restraints - Chemical and Physical

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**H61:** Physical restraint - assessment, use, monitoring

**H62:** Psychoactive drugs - assessment, use, evaluation

- \_\_\_\_\_ 1) New medications given to a resident since moving into the nursing home have made her lethargic and less responsive.
- \_\_\_\_\_ 2) A resident was found attempting to climb over her bed rail.

## Quality of Life

### I. Activities and Social Services

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**I64:** Activities - choice and appropriateness

**I65:** Community interaction, transportation

**I66:** Resident conflict, including roommates

**I67:** Social services - availability, appropriateness (use G.56 for mental health, psychosocial counseling/service)

- \_\_\_\_\_ 1) Personal care home staff will only take residents to medical appointments but will not provide or arrange for transportation to church or other community events unless it is an activity for the whole group.
- \_\_\_\_\_ 2) A resident complains that there is nothing to do at the home except play Bingo; he has talked to the Activity Director (AD) about offering other activities but the AD is not following through.
- \_\_\_\_\_ 3) A resident's daughter has died, she asked the social worker for assistance to arrange a time and a room to meet with her family but nothing was arranged.
- \_\_\_\_\_ 4) Some members of the nursing home residents' council do not want a particular resident to be allowed to attend resident council meetings because he talks too much and disrupts the meetings.

## J. Dietary

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**J69: Assistance in eating or assistive devices**

**J70: Fluid availability, hydration**

**J71: Food service- quantity, quality, variation, choice, condiments, utensils, menu**

**J72: Snacks, time span between meals, late/missed meals**

**J73: Temperature**

**J74: Therapeutic diet**

**J75: Weight loss due to inadequate nutrition**

- \_\_\_\_\_ 1) Several residents are observed in the dining room not being assisted with opening their food packaging, cutting their food, and seasoning their food.
- \_\_\_\_\_ 2) The food served in residents' rooms is cold and ice in drinks is melted.
- \_\_\_\_\_ 3) Residents complain that they do not get enough to eat at breakfast.
- \_\_\_\_\_ 4) A nursing home resident is continuing to lose weight even though she is supposed to be receiving extra snacks throughout the day.
- \_\_\_\_\_ 5) Some residents' bedrooms are without bedside pitchers, some pitchers do not have water, and some pitchers have mold growing in them.
- \_\_\_\_\_ 6) The personal care home provider does not regularly provide for diabetic dietary needs.
- \_\_\_\_\_ 7) Residents report that they do not get snacks on the weekends and that they feel hungry between meals.

## K. Environment/Safety

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**K77:** Air/environment: temperature & quality (heating, cooling, ventilation, water), noise

**K78:** Cleanliness, pests, general housekeeping

**K79:** Equipment/Buildings - disrepair, hazard, poor lighting, not secure

**K80:** Furnishings, storage for residents

**K81:** Infection control

**K82:** Laundry - lost, condition

**K83:** Odors

**K84:** Space for activities, dining

**K85:** Supplies and linens

**K86:** Americans with Disabilities Act (ADA) accessibility

- \_\_\_\_\_ 1) Some of the residents must use TV trays and sit in the living room for their meals because there is not enough room to eat at the dining table with other residents.
- \_\_\_\_\_ 2) A resident's two new housecoats that were sent to the laundry are missing.
- \_\_\_\_\_ 3) A resident requests a more comfortable chair for his room.
- \_\_\_\_\_ 4) The smoke alarm beeps constantly, indicating that the battery is low.
- \_\_\_\_\_ 5) The ombudsman observed the caregiver going from room to room to provide personal care without washing her hands in between care and not changing her gloves
- \_\_\_\_\_ 6) Several residents have complained and want to move to a different part of the facility because the staff smokes in the nearby break-room.
- \_\_\_\_\_ 7) There is no soap or toilet paper in the bathrooms because the adult foster home provider wants to control the amount of supplies used.
- \_\_\_\_\_ 8) The main entrance doesn't have a wheelchair ramp.
- \_\_\_\_\_ 9) Flies are present in the facility because the back door to the laundry building is always propped open and there is no screen door.
- \_\_\_\_\_ 10) The entire facility smells like bleach.

## Administration

### L. Policies, Procedures, Attitudes, Resources

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

- L87: Abuse investigation/reporting, including failure to report**
- L88: Administrator(s) unresponsive, unavailable**
- L89: Grievance procedure (use C for transfer, discharge appeals)**
- L90: Inappropriate or illegal policies, practices, record keeping**
- L91: Insufficient funds to operate**
- L92: Operator inadequately trained**
- L93: Offering inappropriate level of care (for B&C/similar)**
- L94: Resident or family council/committee interfered with, not supported**

- \_\_\_\_\_ 1) The NH administrator is the son-in-law of the owner and does not have an administrator's license; he was the maintenance person at the facility and has no relevant management experience.
- \_\_\_\_\_ 2) Staff did not report suspected abuse because they did not want to lose their jobs.
- \_\_\_\_\_ 3) Additional residents were found in a personal care home on Saturday. The residents said they were from the owner's second home and had to come over because the owner was saving on caregiver costs. The total number of residents present exceeded the home's license limit.
- \_\_\_\_\_ 4) The assisted living facility does not have a policy for handling complaints, other than giving out the Ombudsman's phone number.
- \_\_\_\_\_ 5) The personal care home is advertising that they provide wound care to residents although they do not have the required credentials to provide for this level of care.
- \_\_\_\_\_ 6) Facility electricity has been cut off due to unpaid bills.
- \_\_\_\_\_ 7) The nursing facility will not post the announcement for the next resident council meeting and will not include it in the activity calendar.
- \_\_\_\_\_ 8) The adult family home owner went on vacation and did not leave her emergency contact information at the home

## M. Staffing

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**M96: Communication, language barrier (use D.29 if problem involves resident inability to communicate)**

**M97: Shortage of staff**

**M98: Staff training**

**M99: Staff turn-over, over-use of nursing pools**

**M100: Staff unresponsive, unavailable**

**M101: Supervision**

**M102: Feeding assistants**

- \_\_\_\_\_ 1) Residents cannot go to bed when requested because the staff are busy assisting other residents.
- \_\_\_\_\_ 2) Residents complain that caregiving staff is unable to communicate with them because of language barrier.
- \_\_\_\_\_ 3) There is a different staff person caring for residents each time family visits.
- \_\_\_\_\_ 4) The newly hired “feeding assistant” is assigned to help residents by providing direct assistance with eating but has not had the required training.
- \_\_\_\_\_ 5) A resident requested assistance in the restroom but the aide responded that she was not assigned to assist her and would not help.
- \_\_\_\_\_ 6) Facility staff expressed frustration in assisting residents with mental health needs that they have not been trained to handle.
- \_\_\_\_\_ 7) Residents are left by themselves while the home provider picks up her daughter from school.

## Problems with Outside Agency, System, or People (Not Against the Facility)

### N. Certification/Licensing Agency

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**N103: Access to information (including survey)**

**N104: Complaint, response to**

**N105: Decertification/closure**

**N106: Sanction, including Intermediate**

**N107: Survey process**

**N108: Survey process - Ombudsman participation**

**N109: Transfer or eviction hearing**

- \_\_\_ 1) A facility was not surveyed within the required time frame.
- \_\_\_ 2) The survey agency will only provide survey results that have been posted to the [www.medicare.gov](http://www.medicare.gov) website, even though the latest results are not on the site.
- \_\_\_ 3) The hearing officer fails to conduct a discharge appeal hearing in a timely manner.
- \_\_\_ 4) Community members and businesses complain that a personal care home, believed to house drug dealers and other criminals, has not been closed by the state licensing agency.
- \_\_\_ 5) Family members are dissatisfied that their substantiated complaints did not result in higher fines against the facility.
- \_\_\_ 6) Several residents reported numerous care complaints to the state licensing agency but the surveyors only talked to the staff and did not interview the residents.
- \_\_\_ 7) Surveyors failed to notify the ombudsman of the exit conference.

## O. State Medicaid Agency

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

**O111: Access to information, application**

**O112: Denial of eligibility**

**O113: Non-covered services**

**O114: Personal Needs Allowance**

**O115: Services**

- \_\_\_\_\_ 1) A personal care home resident no longer has access to Medicaid funded adult day health because of state budget cuts
- \_\_\_\_\_ 2) Families are upset because residents who receive Veterans benefits are being denied Medicaid because a portion of the pension is being included (incorrectly) in the calculation of their monthly income.
- \_\_\_\_\_ 3) Repeated requests to the Medicaid intake worker have been made for a status on a resident's Medicaid application, but a status has not been given.
- \_\_\_\_\_ 4) A resident is upset that he only gets \$20 a month from the personal care home for purchasing his cigarettes and other items.
- \_\_\_\_\_ 5) A resident complains after being denied a motorized wheelchair because it is not covered by Medicaid.

## P. System/Others

Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.

- P117: Abuse/ neglect/ abandonment by family member/ friend/ guardian or, while on visit out of facility, any other person**
- P118: Bed shortage - placement**
- P119: Facilities operating without a license**
- P120: Family conflict; interference**
- P121: Financial exploitation or neglect by family or other not affiliated with facility**
- P122: Legal - guardianship, conservatorship, power of attorney, wills**
- P123: Medicare**
- P124: Mental Health, Developmental Disabilities, including PASARR**
- P125: Problems with resident's physician**
- P126: Protective service agency**
- P127: SSA, SSI, VA, other benefits/agencies**
- P128: Request for less restrictive placement**

- \_\_\_ 1) A nursing home resident would like to revoke the guardianship ordered during his illness.
  
- \_\_\_ 2) Residents are receiving personal care services in an unlicensed facility.
  
- \_\_\_ 3) A resident of a nursing home returns to the facility with bad skin tears and bruises after weekend visits with her husband.
  
- \_\_\_ 4) A confused nursing home resident's participation is not being paid because her granddaughter is keeping her social security check.
  
- \_\_\_ 5) Family members are upset that their relatives must move to other facilities up to 4 counties away now that the nursing home has closed.
  
- \_\_\_ 6) The daughter of a nursing home resident cancelled a psychiatric appointment that the son had made for the resident, because the daughter disagrees with the diagnosis.
  
- \_\_\_ 7) A veteran wants to change his assigned Veteran's Administration social worker because the social worker seems to side with the facility rather than him.
  
- \_\_\_ 8) A resident's family is dissatisfied with the number of days Medicare paid for physical therapy.
  
- \_\_\_ 9) A resident has not received a screening regarding his chronic mental illness since being admitted to the nursing home four months ago.



- \_\_\_ 10) A nursing home resident wants to move into his own apartment, but does not know how to access services.
- \_\_\_ 11) The county adult protective services staff say that they do not investigate allegations of exploitation by family members.
- \_\_\_ 12) A resident has requested several times to see the doctor when she comes to the facility. The doctor only chats with the resident for a few minutes and then leaves, promising to return to conduct an exam and does not follow through.

### **Q. Complaints About Services in Settings Other Than Long-Term Care Facilities or By Outside Provider**

**Choose one complaint category from the list below which best represents the issue given. Enter the category letter and number in the space provided.**

**Q129: Home care**

**Q130: Hospital or hospice**

**Q131: Public or other congregate housing not providing personal care**

**Q132: Services from outside provider**

- \_\_\_ 1) A wife calls to complain about the poor care her husband received in the hospital. He is now out of the hospital and in his own home.
- \_\_\_ 2) A facility complains that the regional non-emergency transportation agency has lost residents' reservations for transportation to appointments.
- \_\_\_ 3) A home care client calls to complain about the unreliable service provided by the home care agency staff. The caller lives in subsidized, independent housing.
- \_\_\_ 4) Several residents from an independent retirement community call to complain about the lack of notice of a rent increase.