

From: Brewster, Larry
> Sent: Wednesday, August 04, 2004 9:10 AM
> To: 'herb sanderson'
> Cc: 'diaz, john'
> Subject: Ombudsman Program Information

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> Herb,

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> John Diaz requested that I provide you some information related to our recommendations concerning the Office of the Long Term Care Ombudsman Program.

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> The Arkansas State Long-Term Care Ombudsman as we understand it is supervised by the administrator of the Adult Protective Services Program. The Coordinator of the volunteer component of the Ombudsman Program is not under the direct supervision and oversight of the State Ombudsman.

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The Older Americans Act requires that States establish an Office of the Long-Term Care Ombudsman, headed by the State Long-Term Care Ombudsman.

It is recommended that the volunteer component of the Long-Term Care Ombudsman Program be located within the Office of the Long-Term Care Ombudsman and, thereby, under the direction of the State Long Term Care Ombudsman. This does not mean that the day to day activities of the volunteer ombudsmen would be supervised by the State Ombudsman, rather, that the volunteer component would be under the program direction of the State Ombudsman and be located within the Office of the State Long-Term Care Ombudsman.

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> The requirement for an Office of the Long-Term Care Ombudsman implies that the State Ombudsman should have a significant placement within the agency and have control over all aspects of the program. The placement of the Office of the LTC Ombudsman Program under the supervision of the Administrator of the APS Program may result in conflicts with Ombudsman responsibilities. These potential conflicts are detailed in the attached 1994 Symposium Report that examines the relationship between APS Programs and LTC Ombudsman Programs. The outcome of the Symposium Report is that the two programs have significant differences and should remain administratively separate.

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> Finally, it was recommended that the Office of the LTC Ombudsman be under the supervision of the Division Director or Deputy Division Director. This recommendation is based on the need for upper management's support of the Office of the Ombudsman to effectively carry out its functions set forth in Section 712(a)(3).

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> Let me know if you have any questions or need additional information.

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> Best wishes,

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