



**The National Long-Term Care
Ombudsman Resource Center**

Long-Term Care Ombudsman Program Training Standards Report of Workgroup Meetings and Proposals for Standards

March 2017

Final Report



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Acknowledgements

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Amity Overall-Laib
Director, National LTC Ombudsman Resource Center

About the Project

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Long-Term Care Ombudsman Program Training Standards Report of Workgroup Meetings and Proposals for Standards March 2017

BACKGROUND

The National Long-Term Care Ombudsman Resource Center (NORC) received a supplemental grant from the Administration for Community Living, Administration on Aging (ACL/AoA) to submit proposals on model national training standards for long-term care ombudsman programs. The proposals contained in this report were developed by a workgroup comprised of Ombudsmen, Ombudsman program representatives, and other stakeholders. NORC coordinated and facilitated the workgroup meetings and developed this report containing proposals and additional considerations regarding training standards.

PURPOSE

Based on the language in the Older American Act regarding “model standards established by the Director of the Office of Long-Term Care Ombudsman Programs” the primary focus for the workgroup discussions was to develop proposals for a minimum number of initial training hours, content of the training, and a minimum number of hours for annual in-service training for all representatives of the Office [OAA 712 (h)(5)].

REPORT CONTENTS

This report contains the following sections.

- **Process:** A description of the process used to develop the contents of the report.
- **Proposals for Training Standards:** Specific proposals in response to the three areas that are required for training standards and a summary of the discussion.
- **Additional Considerations:** A summary of the discussion related to components/methodology important for initial training, essential content for in-service training, and suggestions to make implementation of standards workable for all states.
- **Appendix:** A list of workgroup members, meeting agendas, and the background and resource materials distributed.

PROCESS

The proposals and comments on additional topics related to the training standards were provided by workgroup members during two meetings convened via webinar. A list of workgroup members is included in the appendix. The scope of work supported the following activities for this project: disseminating key resources and the most recent information on existing state Ombudsman program training requirements to workgroup members prior to the meetings, facilitating discussion during two meeting, gathering input during meetings and by email and online questionnaire, providing some follow-up for workgroup members, and writing reports. Although the meetings did not include presentations related to adult learning, curriculum development, and training processes, the workgroup members had different areas of expertise and experience in those areas. Many of the members had years of experience in teaching and working with volunteers and staff serving in various advocacy roles.

INITIAL WORKGROUP MEETING

The first meeting of the workgroup was held on January 19, 2017. Ten of the thirteen workgroup members participated in the meeting. The three members who did not participate submitted written comments in response to the questions on the agenda, so input was received by all of the members and is included in this report.

Prior to the meeting members received an agenda, background information regarding the Ombudsman program and current training practices, the questions to be discussed for proposals and background information, and a list of resources. Members were encouraged to share the questions with members of their organizations if applicable, and/or with other staff or board members or their peers to gather additional input for the meeting if desired.

Following the meeting, all members were invited to submit additional ideas or input via email or an online query.

SECOND WORKGROUP MEETING

The second meeting of the workgroup was held on February 22, 2017. Eight of the thirteen workgroup members participated in the meeting. The five who did not contacted NORC and shared any comments they had related to the additional agenda items. The input from all members is reflected in this report.

Prior to the February meeting members received a draft report of the proposals and key statements from the January meeting. Members were asked to review the draft report and to comment on any errors or inaccuracies. An agenda was also distributed with the topics for additional discussion during the meeting.

During the meeting, participants were encouraged to send NORC examples of forms or tools that they think are effective related to training, such as agendas, learning exercises, self-study instructions, tests, internship or job shadowing guidelines and assessments.

PROPOSALS AND DISCUSSION

This report contains proposals to address each of the three areas required for the development of model training standards for all Ombudsman program representatives. The three areas are:

1. A minimum number of initial training hours,
2. Content of initial training,
3. A minimum number of hours for annual in-service training.

The proposals were developed via polling on ranges of hours during the meeting and discussion of each result and potential proposal. A summary of the discussion for each area follows the proposals.

Minimum Number of Hours Required for Initial Training: Proposals and Discussion

Proposal: Require a minimum of 40 hours of training.

Discussion: Almost half of State Ombudsman programs are currently requiring 19 – 35 hours of initial training for staff and volunteers.¹ More than half of the states are currently requiring 36 to more than 100 hours of initial training for staff. During the meeting, workgroup members were polled regarding the number of hours they would propose for initial training. ***Two-thirds of the participants voted for the 36 – 56 range of hours.***

Key points made during the discussion and in the follow-up input are listed.

- Several members indicated that 40 hours would be sufficient for basic training covering key concepts. Some of the comments were based on experience with training in other programs and finding a number of hours that was adequate to prepare someone to begin serving in the desired role.
- One member's organization supported the 19 – 35 hour requirement but cautioned against requiring more than 35 hours as a minimum number since most states currently fall within the 19 – 35 hour range.
- Another member proposed a minimum of 40 – 56 hours with the majority of training time spent in a classroom style setting with other representatives of the Office. Ten to sixteen hours could be comprised of webinars and online/self-study and an additional 8 – 20 hours of onsite training in a variety of long-term care facilities.
- Some members stated that staff ombudsmen who served in other roles such as ombudsman program managers or managers of volunteers receive additional training specific to their responsibilities (in addition to initial training hours).

¹ Information obtained from State Ombudsmen for the LTCOP Management Highlights chart by NORC (updated in July 2016).

- The value of including field work such as facility visits or supervised internships and shadowing an experienced representative was mentioned as important during initial training.
 - Several members proposed stating that the required hours can include various experiences beyond content hours in a classroom setting such as on-the-job learning and alternative methods of training other than in a classroom setting.
 - Some members expressed the importance of including specific proposals regarding supervision in conjunction with the number of minimum training hours.
- Some states require fewer hours for the initial training of volunteers than for staff and some have different requirements regarding the role of volunteers with complaint investigation. The practice of differentiating roles between volunteers and staff, training hours, and the requirements of the Ombudsman Program Rule were not addressed in this meeting.
- Several members stated that it is important that states are able to require more hours of initial training than the national standard and that this flexibility is clearly communicated when standards are developed.
- One member suggested identifying the essential content and then determine the minimum hours required to teach the content.
- The minimum hours required and any requirements regarding how the training is to be conducted need to consider the differences among states in terms of funding and geographic distances to be covered.
- One member expressed strong concern that requiring 40 hours of initial training would be a deterrent to recruiting and retaining volunteer representatives as well as posing an implementation challenge.

Content Required for Initial Training: Proposals and Discussion

Proposal: There are required topics stipulated in the Older Americans Act and other topics that are implied by the range of responsibilities for ombudsman representatives in the Act and in the Rule. The Act requires that training include content related to: Federal, State, and local laws, regulations and policies, with respect to long-term care facilities in the State; investigative techniques; and such other matters as the State determines to be appropriate². In addition to the aforementioned, the initial content should include the following topics:

- Being resident-centered/directed as an Ombudsman program representative: what this is and how to apply the principles in a range of complaint investigation and resolution scenarios, including being able to discern family dynamics to ensure that the resident is supported and is the focus of ombudsman advocacy,

² Older Americans Act, Title VII Chapter 2, §712(h)5(B). [OAA Official Compilation](#)

- The Ombudsman program's authority and advocacy orientation,
- Confidentiality, consent, and disclosure requirements and procedures,
- The Ombudsman program philosophy, role, approaches, and how these factors differ from those of non-ombudsmen, including their role in the system of services and government agencies, including the policy, legal, and regulatory environment in which they operate,
- The Precedence Protocol for rights and how to apply that in ombudsman advocacy, such as getting informed consent, then surrogate decision-making, then best interest, always putting the resident first,
- The conflict implications of being a rights-based resident advocate,
- Problem-solving and resolution through fair bargaining, negotiation, fair argumentation, and persuasion,
- The Ombudsman program representative's role when dealing with a resident who has a guardian,
- The Ombudsman program representative's role with abuse, neglect, and exploitation,
- Documentation,
- Other entities that may be helpful to consumers and when it is appropriate to make a referral to one of these for complaint resolution, and
- Initial training for volunteers needs to include an understanding of how they fit into the overall structure of the program and their rights.

Discussion: The workgroup consensus was that the initial training needs to include an emphasis on the ombudsman role as being resident-centered/directed and how to apply that attitude and philosophy in different aspects of their responsibilities.

Key points made during the discussion and in the follow-up input are listed.

- Content such as specific laws, regulations, other agencies, and resources can be acquired as individuals work as ombudsman representatives and via supervision, technical assistance, and ongoing training. During initial training the amount of emphasis on these areas can be trimmed, instead teaching how to look up the regulations or laws and focusing on providing a grounding in the ombudsman advocacy orientation.
- The most critical component for initial training is being grounded in the role, philosophy, and approach to advocacy as an ombudsman representative.
- Communication skills and active listening are important to gain during initial training because they are core to fulfilling the advocacy role.

- Knowing that enforcement includes understanding oversight boards and agencies in addition to understanding the role of the surveyor and their focus during a survey is important.
- Skills-building exercises, such as role play, are critical for teaching negotiation and investigation.
- An understanding of dementia and related resources is important because of the increasing numbers of individuals impacted as well as its effect on care and communication.
- The content needs to include a knowledge base as well as a skill building component.
- States need to have sufficient flexibility and the ability to implement focused and effective training content. A minimum standard for hours of training requirement does not guarantee effective professional development.

Minimum Number of Hours Required for In-Service Training: Proposals and Discussion

Proposal: Require a minimum of 19 hours of in-service training.

Discussion: The workgroup was polled on the range of hours the members would propose to be required for all representatives of the Office. ***Sixty percent supported requiring 19 – 35 hours, while 40 percent supported requiring 4 – 18 hours.*** During the discussion, 19 hours was the number referred to as the proposal since some members wanted fewer hours and others wanted more to be required, with the majority indicating that the higher range was desirable.

Key points made during the discussion and the follow-up input are listed.

- Some members proposed the 4 – 18 hour range because they think that volunteers and staff representatives need different requirements. They think that requiring too many hours of in-service training will be a deterrent to volunteers and that staff need more ongoing training than volunteers. The hours of in-service training that states require for staff may exceed eighteen hours.
 - One member stated that volunteers and staff need to have the same training requirements for initial training and for in-service training. The expectations need to be the same.
- A couple of workgroup members voiced support for requiring 10 hours of in-service training for volunteers. The concern is that requiring more hours will be a deterrent to attracting and retaining volunteers. Providing more than 10 hours of in-service training for volunteers may be a resource burden for some states.
- A few of the members who supported requiring 19 – 35 hours suggested 25 hours as the minimum number to be required.

- Some programs are conducting training remotely because they cannot manage to convene in-person training sessions.
- Training standards need to include some direction regarding how the training is conducted, i.e. face-to-face and/or virtual, as well as the number of required hours. Otherwise, training may be conducted by the easiest method which may not necessarily be the best method for learning or for keeping individuals connected to the program and to the Ombudsman program philosophy. The direction regarding methods/training components also needs to support flexibility for states in determining the combination of methods that will be used.
- Allow some flexibility regarding who provides the training. Someone from the Alzheimer's Association or another service or agency may have expertise that would help representatives better serve residents.
- A few members expressed strong support for ensuring that whenever individuals outside of the Ombudsman program are providing training content (e.g. guest speaker about dementia care, state surveyor, adult protective services worker, etc.), that someone from the Ombudsman program also discuss the role of the representative and how to apply the information that is presented. One member stated a long-standing concern about other agencies providing training for representatives is due to presenters outside of the program often not having the resident-centered perspective of the Ombudsman program. Members encouraged exercising caution when inviting others to present training. An appropriate role for someone outside of the program would be sharing information and providing training regarding what they, e.g. survey agency, are doing and their role. Non-Ombudsman program presenters would not include instructions for representatives' actions.
- The content needs to be a mix of skill-building and specific content/knowledge applied to the role.
- Prioritize content on laws or regulatory changes that impact residents' rights and protections or access to services.

ADDITIONAL CONSIDERATIONS

Training Components and Methodology for Initial Training

To focus the discussion, workgroup members were polled on the components or methodology that are most important to utilize during the initial training. They were asked to select three from the following list which also indicates the responses.

- Classroom training: More than 80%
- Shadowing experienced representatives: More than 80%
- Internship/Supervised visits: 70%
- Role Play: 57%

- Self-Study, e.g. online training, homework: 25%

Discussion: *There was consensus that a combination of training methods and components are important for imparting content and developing skills for serving as a representative.* Key points from the discussion are summarized in the following list. Input submitted via webinar chat messages and email are also included.

Individual Training, Distance/On-line Learning

- Self-study offers opportunities for reflection and working at your own pace. Thinking independently is a big part of how representatives work so self-study allows the new person to work independently. It also allows introverts to think and learn in their best environment.
- Self-study can be beneficial for smaller states. However, it is very important to use a format that provides some interaction with trainers (e.g., questions for trainee to discuss with trainer after self-study review).
- Self-study has value but needs to be utilized in combination with other methods or components of an initial training program.
- Webinars and interactive on-line training modules would be a good addition to self-study or training that can be done on an individual basis.
- Virtual training is useful and may be important to use in many Ombudsman programs. The existing NORC online modules need to be updated, modernized, and revised to include some ways to interact with the screen.

Classroom Training

- Role play is a valuable technique for modeling the desired approaches, skill-building, and for assessing how individuals are learning and applying the content. One member stated that role play can be helpful but proposes that this method not be a required element of training.
- Inviting leaders from other state agencies to explain their role and how they interact with Ombudsman representatives or the Ombudsman is helpful. Following the presentation(s), Ombudsman representatives can discuss what they heard, how and when they can work with the other agency, and the Ombudsman program process for connecting with the other agency. It is helpful to provide a list of regional contact information for the other state agencies during training so that the representatives know who to contact before going to the state level.
- Combine classroom training with some field training.

Additional Components

- Visiting facilities with an experienced representative is a training component used by some programs. Ombudsman programs structure this in different ways but feel that it is

helpful in demonstrating the role and introducing trainees to the types of facilities that will be served.

- Require content components of training that are the same for all states such as the basics of what Ombudsman programs and representatives do, investigation techniques, ethics, and other topics. Also, require states to include training on state specific content.

Objective Measurement or Assessment

Workgroup members were asked two questions related to an objective measurement or assessment as a component of the initial training.

- Should Ombudsman programs have an objective measure of knowledge and competency, such as a test, prior to designation?
 - Yes: 100%
 - No: 1 member who was not present answered via email.
- What is your preferred way to ensure competency prior to designation?
 - Written Test: 14%
 - Field Observation: 0%
 - Both (written and observation): 71%
 - Other: 14%

Discussion: Participants discussed methods that they think are effective in assessing knowledge, skills, and readiness to serve in the role for which they have been trained.

Key points discussed illustrate the variety of methods that can be used to assess different areas of competence.

- Ombudsman work involves people skills and knowledge. Any objective measure should measure both components, didactic knowledge and skills.
 - Tests need to be based on something more than just “book knowledge.”
 - Knowledge is the easiest to teach and test. It provides a good baseline. Attitude is the next most difficult and requires a more nuanced assessment. Behavior is the most difficult to teach and the most difficult to assess as it requires some form of observation.
- One of the stakeholders said that their program administers a test after the individual has been serving in the role for a year. The tests are designed to measure situational responses.

- Behavioral based interviewing is helpful. Scenarios can be presented and the individual is asked to discuss their approach or thoughts. The response indicates an ability to see more than one approach and/or ability to apply Ombudsman program approaches.
- A case study analysis assesses critical thinking as well as the candidate's role orientation and values. This is a useful tool for assessment.
- Going out into the field with the person and letting the new person guide the visit is also useful in assessing readiness to serve.
- A combination of written/objective assessment and field experience assessments or case scenarios to work are useful tools.

Essential Content for In-Service Training

Topics that were suggested as important for in-service training, especially during the first year as a representative are listed. Some of these may be included in the initial training with more in-depth training on the topic being provided as an in-service session. One member cautioned against being too rigid with a list of mandated topics. Some states have a list of topics that are covered annually or every other year. Another member said that a suggested list of topics would be more helpful than a prescribed list for national standards or guidance.

Topics

- Residents' rights could be covered every year and would include protections from abuse and neglect.
- Working with challenging personalities (e.g., families, staff, residents, and others).
- How to diffuse tension in interactions.
- Locating resources.
- Conflicts of interest.
- Frequently asked questions and/or technical assistance responses provided by the Ombudsman that can be useful to all representatives.
- Decision-making capacity, surrogate decision-making authority, guardianship, and tools, need to be covered during the initial training and on an on-going, annual basis.
- Methods for providing in-service training were suggested.
 - Allow some flexibility for states but require that some of the hours be conducted in-person.
 - In-person training is an opportunity for important conversations among representatives, peer learning, and engagement.
 - In-person training could include viewing a webinar or video with discussion and/or other types of learning exercises.

- Some self-study or other ways to learn the required content could also be included.

Additional Suggestions to Make Implementation of Training Standards Workable for All States

How to make national training standards workable for all states was an on-going point of discussion during both workgroup meetings. Members acknowledged that Ombudsman program capacity is affected by differences in budgets, Ombudsman program staffing, geographic distances, and program structure, as well as other factors.

Discussion: Key points from the discussion are summarized. The points include information shared via chat messages and email.

- ACL/AoA needs to support the capacity of states to implement the standards. Suggested ways to support states were identified.
 - Allow flexibility for states to use a combination of components and methods such as technology and in-person training.
 - Develop national training materials or templates that meet the standards that can be used by all states.
 - Fund the national resource center to develop an online learning center that provides free online training programs, updated curriculum, and regular training webinars, similar to that of other resource and support centers.
 - Fund states to implement training protocols that favor in-person opportunities.
- Concerns were expressed regarding compliance with national training standards.
 - Complying with the national training standards will require a huge organizational change for some states without additional funding or national support to assist states in implementing the standards.
 - Some states have Ombudsman program training requirements in state statutes which may need to be amended to be consistent with the national standards.
 - States will need sufficient time for implementation because there will be major changes for some states. Time will be needed to plan, develop the necessary processes and tools, and implement the training.

APPENDIX



**OMBUDSMAN PROGRAM TRAINING STANDARDS
WORKGROUP MEMBERS**

Bill Bogdanovich	Owner, Liberty Commons and a home health agency and assisted living, MA	billbogdanovich@libertycommons.org
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The National Long-Term Care Ombudsman Resource Center

TRAINING STANDARDS WORKGROUP MEETING

JANUARY 19, 2017

AGENDA

- 1:00 – 1:15 Introductions, Project Overview and Agenda Review

- 1:15 – 1:35 Discussion: Minimum Hours of Initial Training

- 1:35 – 1:55 Discussion: Content to Be Included in Initial Training

- 1:55 – 2:10 Discussion: Minimum Number of Hours for In-Service Training

- 2:10 – 2:15 Summary and Next Steps

Next Meeting: February 22, 3:00 – 4:15 ET

Training Standards Workgroup
Questions for the January 19, 2017 Meeting

Requirements for Training Standards

The Older Americans Act requires the Director of the Office of Long-Term Care Ombudsman Programs to establish standards applicable to the training required for representatives of the Office of Ombudsman in each state. The standards are to: (A) specify a minimum number of hours of initial training; (B) specify the content of the training, including training relating to— (i) Federal, State, and local laws, regulations, and policies, with respect to long-term care facilities in the State; (ii) investigative techniques; and (iii) such other matters as the State determines to be appropriate; and (C) specify an annual number of hours of in-service training for all designated representatives. §201(2)(L) and §712(h)(5)

<https://legcounsel.house.gov/Comps/Older%20Americans%20Act%20Of%201965.pdf>

The Long-Term Care Ombudsman Programs Rule contains the same requirements in Functions and Responsibilities of the State Long-Term Care Ombudsman. §1324.13(c)(2)

<http://ltcombudsman.org/uploads/files/library/2015-01914.pdf>

Questions for the Meeting

Please refer to the background information and the resources provided as you consider the following questions. During the meeting the following three questions will be discussed to gather ideas, identify areas of consensus, and discuss proposals for the report to the Administration on Community Living, Administration on Aging.

1. What is the minimum number of hours of initial training necessary to equip an individual to be designated as a representative of the Office?
2. What content must be included in the initial training for all representatives of the Office?
3. What is the minimum number of hours of in-service training required for all designated representatives?

In discussing curriculum and training development with State Long-Term Care Ombudsmen, Dr. Susan Wehry³ listed three key elements of content. The elements are: need to know, good to know, and fun to know. Adults learn best when they feel the content will be useful. She said that basic training content needs to focus on the first element and that the other elements can be incorporated after individuals are grounded in what they need to know to begin to function in their new role.

During the workgroup meeting, Questions 1 and 2 will focus on *need to know* content. Question 3 can incorporate some *good to know* and *fun to know* considerations as required hours of training are discussed.

³ Susan Wehry, MD, Consultant and Adjunct Clinical Associate Professor of Psychiatry, University of New England College of Osteopathic Medicine.

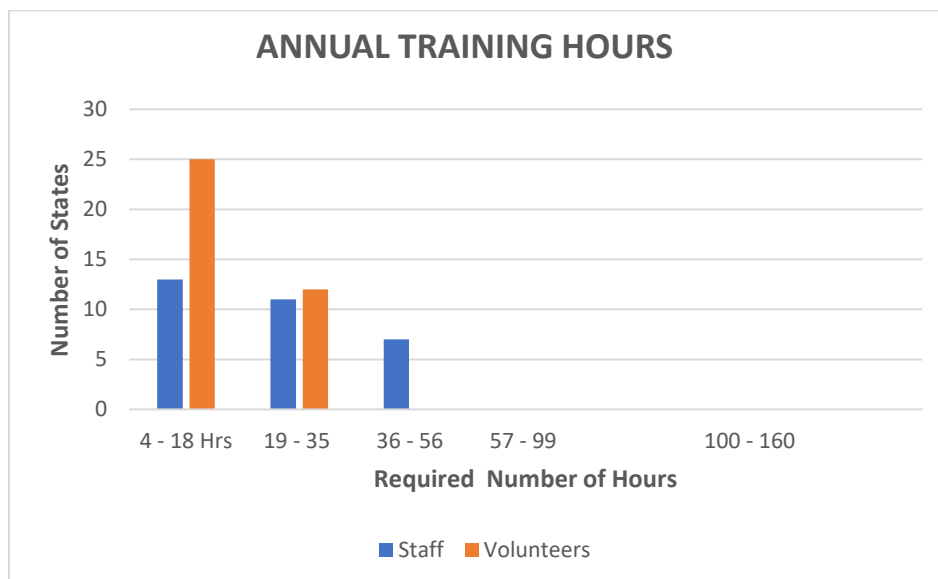
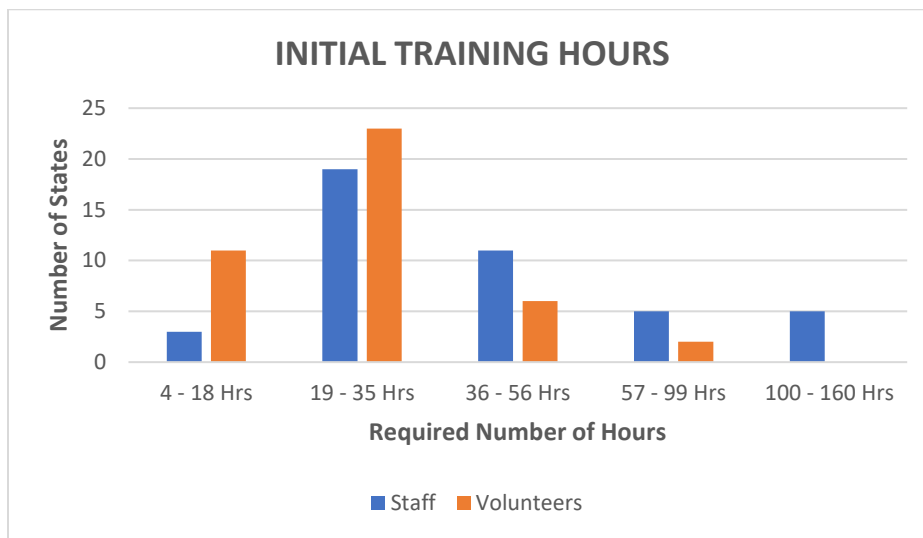


LONG-TERM CARE OMBUDSMAN PROGRAM TRAINING STANDARDS SELECTED RESOURCES

Hours of Training

Hours of Training Required: The following two charts show the number of hours of initial training and annual training (continuing education) required by ombudsman programs for staff and for volunteers as of July 2016.

Data below is based upon information collected from State Ombudsmen in 2016.



Training Content

Equipping Long-Term Care Ombudsmen for Effective Advocacy: A Basic Curriculum was developed and distributed by the National Long-Term Care Ombudsman Resource Center. The curriculum modules and teaching guides were published beginning in 2007. They are also available in an online format. Many states have used this curriculum and adapted it to be state specific and added additional content modules to better equip individuals to serve residents. The curriculum content was based upon the core training available for ombudsmen since the early days of the program. It incorporates ethical principles and resident-direction throughout the modules. To learn more about the curriculum development, content, and view proposed training components and suggested hours for each, refer to the Curriculum Overview by clicking [here](#). You may also access the curriculum and/or the online modules on this [page](#) of the NORC website (NORC homepage/Support/Training/NORC Curriculum).

Other Training Curriculum and Resources: There are numerous other training resources available on the NORC site under Support, Training. The curriculum training manuals from some states are also available on that page by scrolling down and selecting *State Ombudsman Training/Certification Manuals*. This [link](#) will open the training page.

Long-Term Care Ombudsman Program Strategy Session: In 2011 a strategy session of stakeholders was convened to develop proposals for the Administration on Community Living, Administration on Aging, on issues impacting state ombudsman programs. Ombudsman training and certification was one of the six issues discussed. The proposals related to training are on pages 16 and 17 in the final report. The issue brief on training which contains excerpts from key documents can be found in Appendix D6. You can access that report [here](#).

The Long-Term Care Ombudsman Program: Rethinking and Retooling For the Future, NASOP Retreat: In 2003, the National Association of State Long-Term Care Ombudsman Programs (NASOP) convened a stakeholder retreat to review the past of the program, reflect on the present, and consider its future. White papers were commissioned on key areas of program operation and the retreat participants made recommendations for strengthening the program in each of the areas discussed. One of the white papers focused on training and qualifications of ombudsmen. The report is available on the NASOP website, under the Helen Bader Report, via this [link](#). The Executive Summary discusses training and qualifications on page 7, proposals related to training are on pages 23 – 25, the white paper by Dr. Wayne Nelson is in Appendix VI. Many of the curriculum content recommendations were incorporated into the NORC curriculum for basic ombudsman training.



The National Long-Term Care Ombudsman Resource Center

TRAINING STANDARDS WORKGROUP MEETING

FEBRUARY 22, 2017

AGENDA

- 3:00 – 3:10 Welcome and Agenda Review
- 3:15 – 3:30 Discussion: Corrections to the Draft Report of the January Meeting
- 3:30 – 3:50 Discussion: Components/Methodology Important for Initial Training
- 3:50 – 4:00 Discussion: Essential Content for In-Service Training, *Keep in mind the minimum number of hours proposed.*
- 4:00 – 4:10 Additional Suggestions to Make Implementation of the Proposals Workable for All States
- 4:10 – 4:15 Summary and Next Steps