

INSTRUCTOR ANSWER SHEET

Appropriate or Not?

Pass out the Appropriate or Not worksheet. Explain that they should decide in each situation whether the behavior is appropriate (YES) or not appropriate (NO) for an Ombudsman.

If someone is uncertain whether to choose yes or no for a situation, ask them to think about whether the scenario feels more appropriate as an Ombudsman or not. If they are “leaning to” it’s ok for the Ombudsman in the situation, choose yes, or vice versa, choose no. If they can’t decide, they can jot a few notes in the comment section of the question.

Be sure they know this is NOT a test but will be used for discussion later in the session. Give them about 10 minutes to complete the worksheet. If they do not complete it in that time, reassure them it will be reviewed together.

***Review their answers AFTER the flip chart activity during the recertification process.*

Discuss each situation. Why did they choose the answer they did? If it is a behavior NOT appropriate for an Ombudsman, discuss what WOULD be an appropriate Ombudsman role in the situation.

REMIND THE GROUP that regular, on-going communication between the Ombudsman and the Program Director is CRITICAL to the Ombudsman Program: It enables us to protect the resident and their rights, protect the Ombudsman and, critically, ensures the integrity of the Ombudsman Program is preserved.

1. A resident in a wheelchair wants to talk to Joe the Ombudsman. But they are in a very noisy community room, so Joe pushes the resident to a quiet corner so he can hear the resident.

ANSWER: NO. It is not appropriate. Pushing a wheelchair is providing care. Discuss other issues of providing care situations. Also talk about ways to appropriately deal with this situation.

2. Mrs. O'Reilly, a resident, tells the Ombudsman she would like to go to church in town each week for mass. The resident states that she heard “The Ride” program takes two fellow residents, but she needs assistance to fill out the application and submit it. The Ombudsman asks the social worker to help the resident complete the application.

ANSWER: Yes, it is appropriate. The Ombudsman is acting at resident direction. An Ombudsman could NOT drive the resident to church or arrange for a fellow church member to bring the resident to church. Nor could the Ombudsman be the one to complete the application herself for the resident and submit it.

3. Sean's wife works with a group of women making shawls for charity. They often bring them to the Activity Directors at long-term care homes for distribution. Her group asks Sean to bring them to the home he visits as the Ombudsman.

ANSWER: No. Not appropriate. There is a perception of conflict here. The Ombudsman program is focused on Resident Rights, not providing other services to the home. In addition, there could be a conflict for the Ombudsman program not providing delivery of shawls to all residents. It would weaken our primary role as independent resident advocates. The perception of a conflict can be just as damaging as a real conflict.

4. Kate, an Ombudsman, visits Joan Connelly, a resident, four weeks in a row, to follow up with her on an issue about her dentures.

ANSWER: Yes, it is appropriate. Take some time to discuss frequency of visits, and what is appropriate or not.

5. During a routine visit, an Ombudsman meets a family member who has a lot of questions regarding their mother's care. The family member is the invoked healthcare proxy. Because there is a lot of details, the Ombudsman gives the family member their personal email address to provide all the details.

ANSWER: NO, it is not appropriate. The family member is taking a lot of time to explain things, which is preventing the Ombudsman from visiting residents. It may be necessary to suggest the family member call the Program Director and provide the details via the Program Director's contact information. If it is a family member the Ombudsman has worked with before, it may be appropriate to suggest the family member write a letter to the Ombudsman Program detailing their concerns and provide the family member with the Program's mailing address. It is NOT APPROPRIATE for an Ombudsman to ever give out a personal email address. While the intent may be to resolve an issue quickly, there are issues regarding privacy of the resident and family member's identifying information in the email. There is also a lack of control over what happens to the information in the letter. For instance, who the family member shares the Ombudsman's response with.

6. The Eternal Long Term Care Home has some younger long-term residents. One of them, Margie, has told Trisha, the Ombudsman that her DVD player no longer works, and she really misses watching her collection of movies. She does not have the funds to replace it. Next week, Trisha brings her an old DVD player that her own son no longer uses.

ANSWER: NO. This is not appropriate. In this situation, the Ombudsman has overstepped our Ombudsman boundaries. This creates a perception of favoritism with one resident over another; as well as conflicts with our ability to serve as independent advocates for resident rights. There are also issues regarding bringing items to residents. The home is responsible to assist the

resident in finding the items they need. Speak of what the Ombudsman could have done – for instance, with resident permission, bring the issue to staff at the home that could help the resident locate a replacement DVD player. Maybe the home could work with a local organization or school to help the resident as well as others with similar situations.

7. Joan, the Ombudsman, has been visiting her long-term care home for four years and has gotten to know both residents and staff well. In fact, she and one of the aides have become quite friendly. Today, that aide invites Joan to dinner at her home and Joan is delighted to accept the invitation.

ANSWER: NO, it is not appropriate. While the aide and Ombudsman may believe they can keep their personal and professional relationships separate, clearly the issue of conscious or subconscious divided loyalties could arise. The real potential exists around a resident issue involving that aide. The Ombudsman could no longer be acting independent from the influence of her relationship with the aide in attempting to advocate for the residents.

8. Mrs. Smith, a resident, lets the Ombudsman know she is concerned about changes in her medications. The Ombudsman offers to ask the nurse to stop by and explain the changes to the resident, and the resident says that would be great.

ANSWER: Yes, it is appropriate. The Ombudsman is not giving advice, and is acting at the resident's direction. It would not be appropriate for the Ombudsman to advise the resident on the purpose of each medication the resident uses.

9. Lisa, the Ombudsman, chatted for a few minutes with the social worker and asked if she knew where she could find Ms. Jones (a resident) because Ms. Jones had called the Ombudsman program about some issues.

ANSWER: NO, It is also not appropriate to disclose to staff that a resident has issues without the resident's permission. A resident has a right to privacy, which the Ombudsman must respect.

10. The Administrator of a home sends an email to the Ombudsman's personal email requesting advice regarding Joe Callahan, a resident with complex issues. The Ombudsman replies to the administrator via that email.

ANSWER: NO. It is never appropriate for an Ombudsman to respond to an email regarding an issue – especially when the email contains any identifying information. There are ongoing issues regarding the transmission of any identifying information outside a secure system.

11. The resident council is holding a raffle to raise some funds. The top prize is a brand-new television. Judy the Ombudsman buys a few tickets.

ANSWER: NO it is not appropriate. This falls under the arena of accepting gifts, especially if the Ombudsman won. The Ombudsman is there to ensure the HOME is fulfilling the needs of the residents (see # 5, above) versus an Ombudsman supporting the activity financially. The perception of the Ombudsman role is also a conflict here.

12. Carole, the Ombudsman, observes a large bruise on the nose of one of the residents that she visits. When Carole asked where the bruise came from, the resident said that it was from her glasses which are broken and don't fit her very well. She has difficulty seeing without her glasses and wants to know if Carole can help her get them fixed or replaced.

ANSWER: Yes, it is appropriate. As long as the Ombudsman is not fixing/replacing the glasses herself but following up with the facility staff to ensure they are assisting the resident.

13. After working her entire career in hospitals and long-term care, Ana retires and becomes an Ombudsman. About a year later, two of her former co-workers join the staff of the home she visits as the Ombudsman. She is happy to see them and continues her Ombudsman work at that home.

ANSWER: NO. It is not appropriate. The Ombudsman must disclose this new situation to her Program Director. There is a perception that the Ombudsman may/may not act independently in issues that involve her former colleagues. Regardless of the length of time the individual has been an Ombudsman, if there is a situation of a potential conflict like this, the Program Director needs to be informed, so they can make a decision to ensure the integrity of the Ombudsman Program. The Ombudsman may need to cover a different home.

14. Susan has a garden at home, and in the summer, she brings in flowers to the home where she is the Ombudsman. The flowers are placed in the activity room to be enjoyed by all the residents with a small sign acknowledging Susan.

ANSWER: No, it is not appropriate. While the Ombudsman is not bringing in a gift of flowers for an individual resident, they are representing a statewide program and we do not bring any gifts to individual or groups of residents. In addition, there may be allergy issues for residents that we are unaware of. See also #3.

15. Ken, the Ombudsman often visits the nursing home at 12 and eats lunch with the residents.

ANSWER: No. It is not appropriate. A perception of receiving gifts – food – from the home exists. This is not acceptable even if an Ombudsman paid for the meal, since the residents may or may not be aware of that. Also, it can not be justified as a way to meet with a resident. While we are friendly in our approach, we are there to advocate with and for residents, not socialize. It would blur the lines of our program's purpose.

16. A resident tells the Ombudsman that when she went into the hospital, she gave her brother power of attorney over her finances. When she came to this home her brother and sister-in-law emptied out her account. She tells you she is almost well enough to go back home but now does not have any savings to pay for rent. She asks the Ombudsman to help get her money back.

ANSWER: No, it is not appropriate to help the resident get her money back. HOWEVER, the Ombudsman could, with the resident's permission, connect them to resources that could help, via the social worker or the program director's guidance, such as elder legal services.

17. A resident's brother tells the Ombudsman he has concerns about how long his sister waits for assistance when he visits and asks for the Ombudsman's phone number so he can call the Ombudsman when it happens. The Ombudsman shares the contact card, with the Ombudsman program contact information on it, explaining this is the best way to reach her. If no one answers, to leave a message – she will be able to follow up.

Answer: YES, this is the correct way for family members, residents, and staff to reach an Ombudsman, through the local program's contact information. This protects the integrity of the Ombudsman program by preventing a violation of resident or complainant privacy and protects the Ombudsman from being contacted on their private phone and emails, intruding on their personal lives.

18. While visiting a resident, the resident asks the Ombudsman to help her put her sweater on because she is chilly, so the Ombudsman assists her.

ANSWER: No, it is not appropriate. This would be considered providing care. We could hurt the resident, or it may not be her sweater. We should, if the resident wanted our assistance, find an aide to help the resident.

19. A resident complains to the Ombudsman that her meals that are served in the room are cold and invites the Ombudsman to sample the food to see if she agrees. The Ombudsman finds a clean fork and takes a sample of the mashed potatoes and meatloaf and agrees with the resident.

ANSWER: No, it is not appropriate. We do NOT need to taste the food, or test the temperature to know it's cold. It is cold to the resident. We could, with their permission, investigate and work to resolve the issue without tasting the food ourselves.

20. Betty the Ombudsman stopped by to drop off a book for her aunt who happened to be a resident of Rays of Sun Home. After dropping off the book and visiting with her aunt for thirty minutes, Betty proceeded to continue her Ombudsman visit of the Rays of Sun Home.

ANSWER: NO. It is not appropriate. When a loved one is a resident of the home we visit as an Ombudsman, it must be disclosed to the Program Director. It could begin to blur the lines of what's the most important role for the Ombudsman at the home, visiting the loved one, or advocating for all residents. In addition, the Ombudsman's relationships with staff may shift as well, and their ability to be independent of the home compromised. Whenever the Ombudsman becomes aware of a neighbor, friend or relative is a resident of the home where they are an Ombudsman; they must contact their Program Director to discuss the situation. It is the Program Director's responsibility to ensure the integrity of the program is not compromised.

21. A resident's daughter sees Chuck, the Ombudsman, in the hall and asks for his help. She says her mother needs to be fed. Since she arrived three months ago, she has lost a lot of weight. The daughter can't be here at meal times and wonders if the staff is feeding her. Every time she visits, her mother complains about being hungry. She asks Chuck what she can do to get help for her mother.

ANSWER: Maybe. The Ombudsman must first check with the resident first before becoming involved or determine if the resident does or does not have the capacity to determine what she would like to do. The Ombudsman can provide guidance and information to the daughter. For instance, is there any information in the resident's care plan regarding her mother's need of assistance at meal times? The daughter could speak to the director of nurses or the social worker regarding her mother's care plan regarding food and her mother's need for assistance. She could also speak to the nurse to ensure her mother's needs are being met. The Ombudsman CANNOT offer to assist the resident at mealtimes himself.