

The following statement is offered for Ombudsman representatives who find themselves in court or other hearings and have been requested to reveal confidential information.

**Statement of Obligation to Protect
Confidential Information**

The Older American's Act [42 U.S.C. § 3058g(d)] and Welfare and Institutions Code section 9725 require that LTC Ombudsman complaint files and the identity of any complainant, witness or resident of a LTC facility not be disclosed unless such complainant, witness, or resident, or the individual's legal representative, consents in writing to such disclosure; or such disclosure is required by court order.

Welfare and Institutions Code section 9715(d) further states:

“Any representative of the office shall be exempt from being required to testify in court as to any confidential matters, except as the court may deem necessary to enforce the provisions of this chapter.”

Because I do not have written consent to disclose the respective identities of the resident and/or complainant, the Ombudsman representative respectfully requests the court to decide whether to order the Ombudsman representative to disclose the identity(ies) in this case.