

**MONITORING TOOL FOR OMBUDSMAN PROGRAM SERVICE PROVIDERS  
(TITLE III-B/VII-A) AND ELDER ABUSE PREVENTION PROGRAMS (TITLE VII-B)**

Area Agency on Aging (AAA):	PSA:
Local Long-Term Care Ombudsman Program (LTCOP):	
Date of Monitoring Visit: / /	Location:
California Department of Aging (CDA), Office of the State Long-Term Care Ombudsman (OSLTCO) Analyst:	
OSLTCO Analyst Telephone Number: 916- -	
AAA Staff in Attendance:	
AAA Sub-Contractor Staff and Local LTCOP Staff in Attendance:	

**Section A is completed by the AAA when the LTCOP services are contracted to an outside agency. Proceed to Section B if the LTCOP is a direct service of the AAA. Please use the Description/Comments box to record your answers.**

ITEM	YES	NO	DESCRIPTION/COMMENTS
<b>SECTION A – AAA MANAGEMENT OF THE LTCOP</b>			<b><i>DIRECTIONS AND OSLTCO COMMENTS IN ITALICS</i></b>
1. Does the AAA provide technical assistance to and coordinate with the local LTCOP? [22 CCR §7252(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the types of technical assistance provided.</i>
2. Does the AAA conduct efforts to facilitate the community awareness of and involvement in addressing the needs of residents in long-term care facilities? [22 CCR §7252(c)(3)(C); 42 USC 3027]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe efforts.</i>
3. Does the AAA maintain the minimum funding requirements for the LTCOP? [42 USC 3026(a)(9)]	<input type="checkbox"/>	<input type="checkbox"/>	
4. Does the AAA regularly procure the LTCOP? [22 CCR §7352(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the procurement process and frequency.</i>
5. Does the AAA have an existing contract for the LTCOP? [22 CCR §7364]	<input type="checkbox"/>	<input type="checkbox"/>	
6. Does the AAA conduct regular monitoring of the LTCOP? [Area Plan (AP) Contract, Exhibit A]	<input type="checkbox"/>	<input type="checkbox"/>	
7. Does the AAA regularly meet with the LTCOP? How often? [AP Contract, Exhibit A]	<input type="checkbox"/>	<input type="checkbox"/>	

ITEM	YES	NO	DESCRIPTION/COMMENTS
8. Does the AAA submit required financial reports on time, as specified in the AP contract? [AP Contract, Exhibit B]	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the AAA involve the LTCOP in the development of Area Plan Goals, Objectives, and Units of Service? [CFR 1321.61(b)(4); Area Plan Guidance 2009-2012 Part II Section 11; 42 USC 3026(a)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	
10. Is the contractor aware that they must assure that a LTCOP Program will be available to carry out the responsibilities of the Program in the event that an existing LTCOP Program is terminated? [AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	

**Section B is completed by the local LTCOP Coordinator. This section is for both contracted services and direct service programs.**

SECTION B -- PROGRAM MANAGEMENT	YES	NO	DESCRIPTION/COMMENTS
1. Does the LTCOP provide services to assist residents of long-term care (LTC) facilities in protecting their health, safety, welfare, and rights? [42 USC 3058g(a)(5)(B)(i); W&I Code §9701(a) and 9720]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe services provided.</i>
2. Does the LTCOP inform residents of LTC facilities about the means of obtaining services from the Program and other agencies? [42 USC 3058g(a)(3)(C)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe how the LTCOP conducts outreach.</i>
3. Does the LTCOP Coordinator ensure that residents of LTC facilities have regular and timely access to the services provided by the Program? On average, how long does it take for the LTCOP to respond to a complaint? <i>The CDA OSLTCO Analyst will select and review a minimum sample of five case files.</i> [42 USC 3058g(a)(3)(D); W&I Code §9720(b)]	<input type="checkbox"/>	<input type="checkbox"/>	
4. Does the LTCOP have a primary and secondary contact for taking CRISISline calls after-hours? [W&I Code §9726(a)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	
5. Does the LTCOP represent the interests of residents of LTC facilities before governmental agencies and seek administrative, legal, and other remedies to protect the health, safety, welfare, and rights of residents? [42 USC 3058g(a)(5)(B)(iv); W&I Code §9721 (a)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your activities in this area.</i>
6. Does the LTCOP provide training for representatives of the local Office? [42 USC 3058g(a)(3)(H)(i); W&I Code §9719]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please discuss the frequency and content of training provided.</i>

ITEM	YES	NO	DESCRIPTION/COMMENTS
7. Does the LTCOP review, and if necessary, comment on any existing and proposed laws, regulations, and other governmental policies and actions, that pertain to the rights and well-being of residents? [42 USC 3058g(a)(5)(B)(v)(I)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your activities in this area and any limitations you may have in this area as a result of your organizational structure.</i>
8. Does the LTCOP facilitate the ability of the public to comment on laws, regulations, policies, and actions? [42 USC 3058g(a)(5)(B)(v)(II)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your activities in this area and any limitations you may have in this area as a result of your organizational structure.</i>
9. Does the LTCOP promote the development of citizen organizations to participate in the Program (e.g., citizen advocacy groups)? [42 USC 3058g(a)(3)(H)(ii)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your activities in this area.</i>
10. Is the LTCOP involved in the development and support of resident and family councils? [42 USC 3058g(a)(5)(B)(vi); W&I Code §9726.1(c)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your activities in this area, e.g., the number of resident and family council meetings attended on an annual basis.</i>
11. Do representatives of the LTCOP conduct all interviews and investigations in a confidential manner? <i>The CDA OSLTCO Analyst will select and review a minimum of five case files.</i> [42 USC 3058g(d) et seq.; W&I Code §9725]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe how interviews are conducted and the phone and voice mail systems used.</i>
12. Is the LTCOP Coordinator exercising responsibility for the management of daily operations of the Program? [W&I Code §9701 (e)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please provide a copy of the LTCOP Coordinator's duty statement or job description.</i>
13. Is the approved agency and its representatives free from conflicts of interest and unable to gain financially through an action or potential action initiated on behalf of individuals the Ombudsman serves? <i>The CDA OSLTCO Analyst will select and review a minimum of five signed conflict of interest statements from staff and/or volunteer personnel files.</i> [42 USC 3058g(a)(5)(C)(ii)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the methods used to remove potential or actual conflicts of interest.</i>
14. Does the LTCOP coordinate services with other agencies in the community? [42 USC 3058g(h)(6) et seq.; W&I Code §9717, et seq.]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please discuss the agencies with which the LTCOP coordinates activities, and the objective of the association.</i>
15. Does the LTCOP have a Memorandum of Understanding in place with the Title III Legal Services Provider? [42 USC 3058g(h)(7); W&I Code §9717 (c)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please discuss the relationship between the two organizations.</i>

ITEM	YES	NO	DESCRIPTION/COMMENTS
16. Does the LTCOP ensure that every LTC facility posts a copy of the Ombudsman Poster (one in RCFEs and four in SNFs)? [W&I Code §9718; H&S Code 1422.6]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the process used.</i>
17. Does the LTCOP make appropriate referrals of complaints? [W&I Code, Section 9721 et seq.; W&I Code §15630(a)(A)(i) et seq.]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please discuss the referral process, the types of referrals made, to whom, and if the LTCOP follows up on complaints referred.</i>
18. Do representatives of the LTCOP have the right of entry to LTC facilities? What does the representative do if access is denied? [42 USC 3058g(b)(1)(A); W&I Code §9722 (a)]	<input type="checkbox"/>	<input type="checkbox"/>	
19. Does the LTCOP follow the procedures established for after-hours entry into a LTC facility? Under what circumstances does an Ombudsman enter a facility after-hours? [22 CCR §8020]	<input type="checkbox"/>	<input type="checkbox"/>	
20. Does the LTCOP follow the prescribed method of gaining access to the medical or personal records of residents? [W&I Code §9724, et seq.]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the process used.</i>
21. Does the LTCOP have a Board of Directors or Advisory Council? Does the Board or Council meet on a regular basis? Are there any vacancies on the Board or Council? Are Board or Council members free from conflicts of interest? <i>The CDA OSLTCO analyst will review the minutes from the last two meetings of the Advisory Council and/or Board of Directors.</i> [PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	
22. Does the LTCOP have job descriptions for all staff (paid and volunteer)? [PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	
23. Does the LTCOP regularly recognize volunteers working in the Program? [PM 03-13]	<input type="checkbox"/>	<input type="checkbox"/>	
24. Does the LTCOP have up-to-date printed materials to increase public awareness about the Program? How are the printed materials distributed? [Program Guide, Section 301]	<input type="checkbox"/>	<input type="checkbox"/>	
25. Does the LTCOP conduct educational activities in the community? Please discuss the type and number of training sessions provided, where and to whom the activities were provided. [W&I Code §9726.1; PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	

ITEM	YES	NO	DESCRIPTION/COMMENTS
26. Does the LTCOP provide training for LTC facility staff? Please describe the type and number of training sessions provided. [PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	
27. Does the LTCOP witness AHCDs and Property Transfers? <i>The CDA OSLTCO analyst will select and review a minimum of five AHCDs and Property Transfers.</i> [Probate Code §4675; H&S Code §1289]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the process used.</i>
28. Does the LTCOP have access to all relevant laws, regulations, etc., i.e., Legislative web site? [42 USC 3058g(a)(5)(B)(v)]	<input type="checkbox"/>	<input type="checkbox"/>	
29. Are representatives certified by the State Ombudsman before assuming their responsibilities and working in facilities? [W&I Code §9719.(a)2; Program Guide, Section 305]	<input type="checkbox"/>	<input type="checkbox"/>	
30. Is the LTCOP Coordinator submitting requests for the decertification of representatives to the State as soon as the volunteer or paid staff member resigns or is terminated? [PM 07-17; PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	
31. Are there grievance procedures in place to address complaints against the LTCOP from Ombudsman representatives? [Program Guide, Section 308]	<input type="checkbox"/>	<input type="checkbox"/>	
32. Are there grievance procedures in place to address complaints against the LTCOP from consumers? [22 CCR §7400 et seq.]	<input type="checkbox"/>	<input type="checkbox"/>	
33. Does the LTCOP follow State background clearance procedures? [W&I Code 9719; PM 07-17]	<input type="checkbox"/>	<input type="checkbox"/>	
34. Does the LTCOP have a copy of the LTC Ombudsman Core Elements and related tools? How does the program use the core elements? [California LTC Ombudsman Core Elements]	<input type="checkbox"/>	<input type="checkbox"/>	
35. Has the LTCOP used the Core Elements Self-Assessment Tool? [California LTC Ombudsman Core Elements]	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Section C is completed by the local LTCOP Coordinator and the program's fiscal officer.</b>			
SECTION C -- FISCAL & ADMINISTRATIVE SUPPORT	YES	NO	DESCRIPTION/COMMENTS
1. Is the LTCOP Coordinator responsible for establishing and monitoring the budget for the Program? [AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe how the LTCOP Coordinator establishes the budget and monitors expenditures.</i>

ITEM	YES	NO	DESCRIPTION/COMMENTS
2. Does the approved organization maintain a separate budget and expenditure accounting for the LTCOP that supports monitoring of the minimum-funding requirement for the Program? [42 USC 3026(a)(9)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your agency's accounting procedures.</i>
3. Does the approved organization maintain a separate budget and tracking system for expenditures under the Volunteer Recruitment Initiative? [PM 03-13; PM 04-01]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your system.</i>
4. Is there a cost allocation method used by the LTCOP? [PM 03-13; PM 04-01]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe which method is used.</i>
5. Does the LTCOP have the office space and telecommunication equipment necessary to protect the confidentiality of all complaint-related communications and records? [PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your system.</i>

**Section D is completed by the local LTCOP Coordinator.**

SECTION D – DATA	YES	NO	DESCRIPTION/COMMENTS
1. Has the LTCOP submitted to the Office of the State Long-Term Care Ombudsman the required quarterly and annual reports by each due date as specified in the contract? [PM 08-29; AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	
2. If applicable, has the LTCOP submitted a written explanation to the Office of the State Long-Term Care Ombudsman whenever they anticipated delays in the submission of the required data? This must include the reasons for the delay and the approximate date the report will be delivered. [PM 08-29]	<input type="checkbox"/>	<input type="checkbox"/>	
3. Are the proper NORS categories being assigned to complaints? Are complaint dispositions appropriately coded? <i>The CDA OSLTCO Analyst will select and review a minimum of five case files.</i> [PM 01-17]	<input type="checkbox"/>	<input type="checkbox"/>	

**SECTION E– INTERVIEWS WITH OMBUDSMAN VOLUNTEERS**

***The CDA OSLTCO Analyst shall conduct an interview with a minimum of three volunteer Ombudsman representatives to discuss their perspectives and experiences with the LTCOP Program. The analyst will record his or her observations in the section below.***

**SECTION F – SITE VISITS TO FACILITIES**

**The CDA OSLTCO Analyst shall arrange a visit to one long-term care facility accompanied by a local Ombudsman representative. The CDA OSLTCO Analyst will record observations in the section below.**

**The requirements of the Older Americans Act state that Elder Abuse Prevention funds shall be used for activities to develop, strengthen, and carry out programs for the prevention, detection, assessment, and treatment of elder abuse, neglect, and exploitation.**

**Sections G, H, and I are completed by the AAA when Elder Abuse Prevention funds are used by an agency other than the local LTCOP.**

ITEM	YES	NO	DESCRIPTION/COMMENTS
<b>SECTION G -- PROGRAM MANAGEMENT ELDER ABUSE PREVENTION PROGRAM</b>			
1. Does the AAA provide Title VII-B services directly? [AP Contract, Exhibit A]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the services provided.</i>
2. Does the AAA provide Title VII-B services through a contract with a service provider? <i>The CDA OSLTCO Analyst shall review any existing contracts with service providers.</i> [AP Contract, Exhibit A]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe the services provided.</i>
<b>SECTION H -- FISCAL SUPPORT ELDER ABUSE PREVENTION PROGRAM</b>			
	<b>YES</b>	<b>NO</b>	<b>DESCRIPTION/COMMENTS</b>
1. Does the AAA maintain a separate budget and expenditure accounting for the Program? [AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Please describe your agency's accounting procedures.</i>
2. Does the AAA submit required financial reports to CDA on time, as specified in the AP contract? [AP Contract, Exhibit B]	<input type="checkbox"/>	<input type="checkbox"/>	
<b>SECTION I -- DATA ELDER ABUSE PREVENTION PROGRAM</b>			
	<b>YES</b>	<b>NO</b>	<b>DESCRIPTION/COMMENTS</b>
1. Does the AAA submit the required data reports to CDA on time, as specified in the AP contract? [AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	
2. If applicable, has the AAA submitted a written explanation to CDA whenever they anticipated delays in the submission of the required reports? This must include the reasons for the delay and the approximate date the report will be delivered. [AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	

**SECTION J – CONCLUDING OBSERVATIONS, BEST PRACTICES, RECOMMENDATIONS, & CORRECTIVE ACTION REQUIRED**

***The CDA OSLTCO Analyst will record observations, best practices, recommendations, and required corrective actions in the section below.***

**Observations:**

**Best Practices Identified:**

**Recommendations:**

**Corrective Action Required:**