



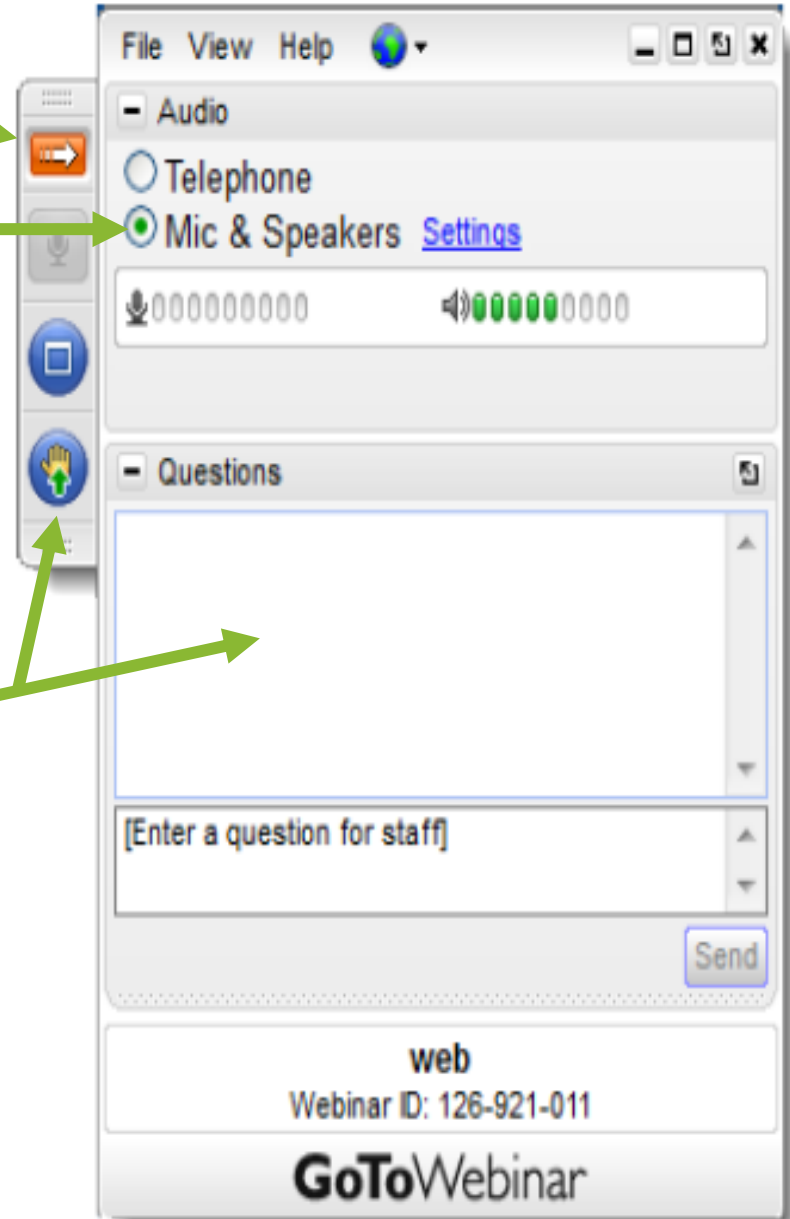
The National Long-Term Care Ombudsman Resource Center

Effective Training, Oversight, and Communication:

Key Practices to Support Volunteer LTCO
and Minimize Risk

Tuesday, May 31, 2016

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LTCOP Rule

- **Definition of “*Representatives of the Office of the State Long-Term Care Ombudsman*”**
 - as used in sections 711 and 712 of the Act, means the employees or volunteers designated by the Ombudsman to fulfill the duties set forth in § 1327.19(a), whether personnel supervision is provided by the Ombudsman or his or her designees or by an agency hosting a local Ombudsman entity designated by the Ombudsman pursuant to section 712(a)(5) of the Act.
- **1327.11 (e) *Policies and procedures***
 - (7) *Grievance Process*. Policies and procedures related to grievances must establish a grievance process for the receipt and review of grievances regarding the determinations or actions of the Ombudsman and representatives of the Office.
 - Must include opportunity for reconsideration of the Ombudsman decision to refuse, suspend, or remove designation of a local Ombudsman entity or representative of the Office. Notwithstanding the grievance process, the Ombudsman shall make the final determination.

LTCOP Rule

- ***1327.17 Responsibilities of agencies hosting local Ombudsman entities***
 - **(a)** The agency in which a local Ombudsman entity is organizationally located shall be responsible for the personnel management, but not the programmatic oversight, of representatives, including employee and volunteer representatives, of the Office.
- ***1327.19 Duties of representatives of the Office***
 - In carrying out the duties of the Office, the Ombudsman may designate an entity as a local Ombudsman entity and may designate an employee or volunteer of the local Ombudsman entity as a representative of the Office. Representatives of the Office may also be designated employees or volunteers within the Office.
- ***More information: http://ltcombudsman.org/library/fed_laws/ltcop-final-rule***
- ***Questions about implementation? Contact your State LTCO***

Risk Management- It Never Ends!

Risk: anything that threatens the ability of a nonprofit to accomplish its mission.

Risk management: a discipline that enables people and organizations to cope with uncertainty by taking steps to protect its vital assets and resources.



Areas of Risk

- **Volunteer LTCO...**

- Have access to residents, facilities, and others.
- Obtain personal, confidential information.
- Represent the state LTCOP and local ombudsman entity, if applicable.
- Directly impact program performance and outcomes.
- Have a significant degree of independence.
- Actions could harm the LTCOP and the individuals it serves (e.g., inappropriate disclosure of information, provide misinformation).
- May act outside of their role and responsibilities.
- Drive to their assigned facilities and other LTCOP activities.
- Are often personally impacted by their LTCO work, both positively and negatively (e.g., burnout/compassion fatigue).

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**The Unexpected Happened.
Now What?**

QUESTIONS?

RESOURCES

- Risk Assessment Tools
- Training and Oversight
- Communication

Risk Management Considerations Worksheet

http://ltcombudsman.org/omb_support/volunteer/program-management



Volunteer Risk Management Considerations for Long-Term Care Ombudsman Programs (LTCOPs) Worksheet

Volunteer LTCO increase resident access to the LTCOP, expand LTCO program services, bring a variety of skills and experiences to the LTCO role, strengthen the connection between LTCO programs and the local community where they serve, and enhance the quality of life and care for LTC residents and consumers. Volunteer LTCO are invaluable, but due to the unique role and responsibilities of the LTCO program there are potential risks that need to be addressed.

This worksheet provides key points to consider regarding risk management for LTCOPs. The chart highlights areas of risk and tips to reducing risk to help LTCOPs evaluate their programs to identify potential risk, review current program practices, and develop recommendations for improvements. The information below is from the *Supporting Volunteer LTC Ombudsmen and Minimizing Risk* webinar provided by the National Long-Term Care Ombudsman Resource Center (NORC) and is meant to be provide a brief overview so it is not all inclusive, see footnotes for links to more information and resources.¹

What is Risk?²

Risk: anything that threatens the ability of a nonprofit to accomplish its mission.

Risk management: a discipline that enables people and organizations to cope with uncertainty by taking steps to protect its vital assets and resources.

Minimizing Risk	Current Practice (e.g., screening, training, forms, policies and procedures)	Recommendation
<i>Areas of Risk</i>		
<i>As representatives of the LTCOP, volunteer LTCO:</i>		
Have access to residents, facilities, and others.		
Obtain personal, confidential information.		
Represent the state LTCOP and local ombudsman entity (if applicable).		
Directly impact program performance and outcomes.		
Have a significant degree of independence.		
Actions could harm the LTCOP and individuals it serves (e.g., inappropriate disclosure of		

<i>To Reduce Risk Establish Connection, Communication, and Control</i>		
Establish Connection		
Provide a warm welcome with staff and peers.		
Regular, personal contact improves trust and solidifies shared values.		
Mentoring and shadowing.		
Enhance Communication		
Reduce isolation in order to prevent an "us vs. them" attitude and a fear that they are "missing out."		
Provide prompt responses.		
Find communication method that works best for individual volunteers (e.g., ask in application or training if they prefer email vs. phone).		
Improve Control		
Set priorities and share them (e.g., priorities for the LTCOP and expectations for volunteers).		
Establish clear responsibilities for results.		
Risk Management Plans Include:		
Clear Policies and Procedures		
a. Volunteer handbook		
b. Grievance policy		
c. Process for volunteers not adhering to policies and procedures or not performing their duties.		

Risk Assessment Example (MN LTCOP)

Liability and the Certified Ombudsman Volunteer Program

This comes from "Supporting Volunteer LTC Ombudsmen and Minimizing Risk" from NORC.

http://tombudsman.org/omb_support/volunteer/calls-webinars

Risk: anything that threatens the ability of a nonprofit to accomplish its mission.

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These risk factors are identified in the webinar.

Minimizing Risk	Current Practice	Recommendation
COVs:		
Have access to residents (Vulnerable Adults)	Annual Data Privacy Course	Signing annual Disclosure of Criminal Background Information
Obtain personal, confidential information	Annual Data Privacy Course	Policy on destroying information, case notes etc.
Represent the local and state LTCOP	We review these expectations at orientation. After that it is an expectation.	<ul style="list-style-type: none"> Annual review of Code of Ethics Annual review of Position Description Policy on if COV goes outside of expectations
Directly impact program performance and outcomes	We have a reporting expectation.	Checking in with RO requirement
Have a significant degree of independence	Again, our reporting expectation is in place.	Checking in with RO requirement
Actions could harm the LTCOP and the individuals it serves	We orientate and train them.	Reporting Requirement Annual Code of Ethics Review Annual Position description Review Other annual training here addressing this specifically or maybe added to annual data privacy training? Get classroom orientation instituted.

Minimizing Risk	Current Practice	Recommendation
Find communication method that works best for individual volunteers	We do not do this formally.	Ask in application
Control		
Set priorities	We currently do not have this in place.	Role for Committee to assist and make recommendations
Establish clear responsibilities for results	We do not have this in place.	Establish committee of stakeholders and ask for them to make recommendations
Designate checkpoints for follow-up	We do not have this in place.	Establish committee of stakeholders and ask for them to make recommendations
Risk Management Plans Include:		
Clear Policies and Procedures	We have these. They need to be reviewed and updated.	Establish committee of stakeholders and ask for them to make recommendations
1. Volunteer handbook	We have this. We call it a COV Resource Manual. It needs to be reviewed and updated.	Review and make additions/changes as necessary.
2. Grievance policy	We do not have this in place.	Role for Committee to develop and put in to policy.
3. Process for volunteers not adhering to LTCOP policies and procedures or not performing their duties	We state an expectation of adhering to ethical standards of conduct (code of Ethics)	Role for Committee to develop a minimum competence standard and make a recommendation on annual reviews/remedies.
Written Materials with Volunteer Signatures		
1. Acknowledgment Form 2. Code of Ethics	This is in draft form. Plan on using starting December 2015.	Implement Acknowledgement form and add Code of Ethics to annual data privacy training.
System for Tracking Volunteers and Documentation	This system is in place. Tracking recently became more user friendly with an excel spreadsheet that gives you 'at a glance' information with e files where the documentation is stored.	No recommendations here.

Risk Assessment

Nonprofit Risk Management Center

- No Surprises Volunteer Risk Management Tutorial
- Free, 30 minute tutorial
- Free, downloadable resources

<http://www.nonprofitrisk.org/tools/volunteer/volunteer.shtml>



Training and Management Tools

http://ltcombudsman.org/omb_support/volunteer/program-management

Annual Shadow Visit and Evaluation Form (TX LTCOP)

Annual Shadow Visit and CO Evaluation Form SFY _____

Volunteer: _____ Facility: _____

Date: _____ Time: _____

		YES	NO
Was the CO screened for any conflicts of interest in the last year?		<input type="checkbox"/>	<input type="checkbox"/>
CO demonstrates knowledge on:		YES	NO
• Confidentiality and consent requirements		<input type="checkbox"/>	<input type="checkbox"/>
• When and how to access medical or other records		<input type="checkbox"/>	<input type="checkbox"/>
• The facility grievance process		<input type="checkbox"/>	<input type="checkbox"/>
• Survey participation		<input type="checkbox"/>	<input type="checkbox"/>
• Abuse, neglect, and exploitation procedures		<input type="checkbox"/>	<input type="checkbox"/>
• Monthly reporting		<input type="checkbox"/>	<input type="checkbox"/>
During annual shadow visit, CO:	N/A	YES	NO
• Seemed to know and interacted with residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Stayed resident-centered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Knocked and received permission to enter residents' rooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Had a cooperative working relationship with facility staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Actively listened to residents and others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Spoke to hard-to-reach and isolated residents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Annual Volunteer LTCOP Evaluation (Bexar and Alamo AAA, TX LTCOP)

Annual Alamo and Bexar AAA

Volunteer Ombudsman Program Evaluation 2015

As a Volunteer Ombudsman, you are an essential component to the success of the Ombudsman Program. Your responses to the following questions will help us to make our program more effective. Please be as complete and honest as you can. All of the information collected will be kept strictly confidential.

Name _____ Date _____

1) What do you find most rewarding about your Ombudsman work? (Check all that apply)

- ☐ Case Resolution ☐ Interacting with Facility Staff
☐ Interacting with Residents ☐ Interacting with Program Staff and Volunteers
☐ Interacting with Families of Residents ☐ Inservices on Long-term Care
☐ Reporting Monthly Activities ☐ Interacting with Resident/Family Councils

Other (Please Specify) _____

2) What do you find least rewarding about your Ombudsman work? (Check all that apply)

- ☐ Case Resolution ☐ Interaction with Facility Staff
☐ Interacting with Residents ☐ Interacting with Program Staff and Volunteers
☐ Interacting with Families of Residents ☐ Inservices on Long-term Care
☐ Reporting Monthly Activities ☐ Interacting with Resident/Family Councils

Other (Please Specify) _____

3) To what extent do you, as a volunteer, believe you are effective at the facility you serve:

With the Residents? (Circle one) Not Effective Somewhat Effective Very Effective

With Family Members? (Circle one) Not Effective Somewhat Effective Very Effective

With Staff and Administration? (Circle one) Not Effective Somewhat Effective Very Effective

If Not Effective, Please explain

4) What do you believe to be the most difficult part of your Ombudsman duties?

Training and Management Tool (NH LTCOP)

http://ltcombudsman.org/omb_support/volunteer/program-management

	<p>NORS CODES</p> <p>Certified Ombudsman Volunteer Representative Guide</p>	
Volunteer can manage independently	Volunteer must consult with OLTCO staff prior to involvement	Volunteer must notify OLTCO staff - Regional Ombudsman Only
B. ACCESS TO INFORMATION	B. ACCESS TO INFORMATION	B. ACCESS TO INFORMATION
<p>Access to own records</p> <p>Access to facility survey/staffing reports/license</p> <p>Information communicated in understandable language</p>	<p>Access to Ombudsman/visitors</p> <p>Information regarding medical condition, treatment and any changes</p> <p>Information regarding rights/benefits/services</p>	<p>Information regarding advance directives</p>
C. ADMISSION, TRANSFER, DISCHARGES, EVICTION	C. ADMISSION, TRANSFER, DISCHARGES, EVICTION	C. ADMISSION, TRANSFER, DISCHARGES, EVICTION
	<p>Room assignment/room change/intrafacility transfer</p>	<p>Admission contract and/or procedure</p> <p>Appeal process - absent, not followed</p> <p>Bed hold- written notice, refusal to readmit</p> <p>Discharge/eviction - planning, notice, procedure, implementation, abandonment</p> <p>Discrimination in admission due to condition, disability</p> <p>Discrimination on admission due to Medicaid status</p>

Communication Tips

“Scripts for Crucial Conversations with Volunteers”

- **PA Department of Aging Volunteer Engagement Toolkit**

- Management, Program Basics, Recruitment, Supervision, Managing Risk, Retention

- **Prompts for conversations about:**

- Performance Coaching
- Disciplinary Warnings
- Re-assignment
- Termination

- **Performance scripts (Chapter 6):**

- *“If you have a minute, I’d like to talk with you about a program issue. This is an uncomfortable but necessary part of my job. We value your work here and want you to be successful. I’ve noticed that you appear to be struggling with [insert description of current performance gap]. [pause to see if they agree or want to explain.]*
- *For your volunteer position, we expect [insert specifics about desired behavior]. What support do you need to meet this expectation? [pause to see if they can arrive at a solution on their own.]*

<http://agingnetworkvolunteercollaborative.org/wp-content/uploads/2013/11/PDA-Volunteer-Engagement-Toolkit-Guide.pdf>

Communication Tips and More...

- **Supporting Volunteer LTC Ombudsmen and Minimizing Risk** (2015 webinar and materials)
http://ltcombudsman.org/omb_support/volunteer/calls-webinars#1
 - Identifying risk, tips to reduce risk in recruiting, screening, and initial training, and communication tips for challenging situations
- **Archived webinar recordings and materials:**
http://ltcombudsman.org/omb_support/volunteer/calls-webinars
 - Create the Good Webinar for LTCO
 - Modernizing Your Program to Attract and Retain Today's Volunteer
 - Tips for Successful Volunteer Recruitment

Additional Resources

Risk Management

- SMP (Senior Medicare Patrol) Volunteer Risk and Program Management Project
http://www.smpresource.org/AM/Template.cfm?Section=Volunteer_Management&Template=/CM/HTMLDisplay.cfm&ContentID=6355
- Nonprofit Risk Management Center (free online tutorial, free e-newsletter and resources) www.nonprofitrisk.org

Volunteer Management

- Aging Network Volunteer Collaborative (ANVC)
<http://agingnetworkvolunteercollaborative.org/>

NORC Resources and Support

- **NORC Resources**

- [http://www.ltombudsman.org/ombudsman-support/volunteer management](http://www.ltombudsman.org/ombudsman-support/volunteer-management)

- Getting Started
- Program Management
- Volunteer Training
- Volunteer Recognition
- Volunteer Management Conference Calls/Webinars
- Volunteers in the News
- Volunteer Opportunities

- **NORC Curriculum**

- <https://sites.google.com/site/nationalombudsmantraining/>

- **NORC Compendium on Recruitment, Training, and Retention**

- <http://ltombudsman.org/library/ombudsman-compendium>

- **Volunteer Management Network**

- Listserv
- Annual webinar



Ombudsman Outlook: **News, Resources, and Tips**

- Resources, Policy to Practice, News from the Network, Technical Assistance (TA) Hot Topic, LTCO Volunteer Management, Quick Tips



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

Contact us

www.ltcombudsman.org
ombudcenter@theconsumervoice.org

Connect with us



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This project was supported, in part, by grant number 90OM002, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201. Grantees undertaking projects under government sponsorship are encouraged to express freely their findings and conclusions. Points of view or opinions do not, therefore, necessarily represent official Administration for Community Living policy.