

# The National Long-Term Care Ombudsman Resource Center

# NATIONAL OMBUDSMAN REPORTING SYSTEM (NORS) TRAINING PART I:

CASE, COMPLAINT, COMPLAINANT, INFORMATION AND ASSISTANCE

# Agenda

- Brief NORS Overview
- Part I Training Materials
  - Basic Principles
  - Quiz
  - Quiz Answer Sheet
- Resource Table 1 NORS Parts A, B, and C Case and complaint codes, values and definitions
- Take Quiz
- Questions and Answers
- Resources



# **ACL's Perspective**

### **Louise Ryan**

Ombudsman Program Specialist

Administration on Aging /Administration for Community Living

## National Ombudsman Reporting System (NORS)

In fiscal year 1995, AoA implemented an Ombudsman data collection tool called the National Ombudsman Reporting System (NORS).

NORS fulfills the Older American's Act requirements to:

- ✓ collect and analyze data relating to complaints and conditions in long-term care facilities and
- ✓ requires Ombudsman programs to submit the data, on a regular basis, to ACL and other entities.

## National Ombudsman Reporting System (NORS)

- ACL, in coordination with Stakeholders, revised NORS in order to achieve the following goals:
  - simplify codes and number of data elements,
  - increase reliability and accuracy of the data,
  - improve our understanding of the problems experienced by residents.
  - Parallel to the NORS changes was the development of a new software reporting systems called the Older Americans Act Performance System (OAAPS)

# National Ombudsman Reporting System (NORS)

NORS data is used in a variety of ways:

- Inform policy at that state, local and federal level
- Budget justification
- Program management
- Educate the public

### **Most Important:**

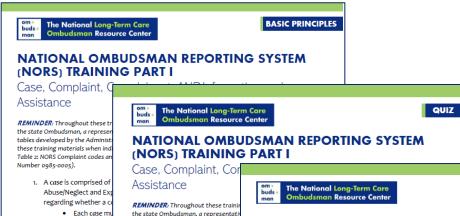
NORS is the only data collected that represents the concerns and problems experienced by residents and we thank you for your work!

### NORS Training Part 1: Case, Complaint, Complainant, and Information and Assistance

The three documents for the revised Part I NORS training materials are:

- Basic Principles
- Quiz
- Quiz Answer Sheet

rt/nors/revised-nors-data-collection



tables developed by the Administration

these training materials when indicate

Table 2: NORS Complaint codes and de

When reviewing each scenario belo

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· Providing information and/or

and working to resolve a com

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Use NORS Table 1: NORS Parts A

Directions: For each scenario, indic

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· how many complaints

· who is the complainar

NOTE: Assume you have the o

If it is a case,

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#### NATIONAL OMBUDSMAN REPORTING SYSTEM (NORS) TRAINING PART I

**QUIZ ANSWER SHEET** 

Case, Complaint, Complainant AND Information and Assistance

REMINDER: Throughout these training materials "Ombudsman" is used as a generic term that may mean the state Ombudsman, a representative of the Office, or the Ombudsman program. Additionally, NORS tables developed by the Administration for Community Living/Administration on Aging are to be used with these training materials when indicated (Table 1: NORS Case and complaint codes, values and definitions: Table 2: NORS Complaint codes and definitions; and Table 3 State Program Information, OMB Control Number 0985-0005).

When reviewing each scenario below, remember:

- . A case must have one or more complaints brought to or initiated by the Ombudsman
  - The complaints must be made by or on behalf of one or more residents and the complaint(s) must be related to the health, safety, welfare, or rights of the residents.
  - o Each complaint requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility. States that have expanded their Ombudsman program services to other settings may choose to report complaints as "other setting."
- Providing information and/or assistance to access services does not equal opening a case and working to resolve a complaint. Count Information and Assistance as an activity. See the "Basic Principles" for more information.
- Use NORS Table 1: NORS Parts A. B. and C Case and complaint codes, values and definitions, as you answer the quiz questions

Directions: For each scenario, indicate the following:

- . Is it a case or an information and assistance?
- If it is a case,
- how many complaints are there?
- who is the complainant?

NOTE: Assume you have the consent of the resident, or their representative as applicable, to

https://ltcombudsman.org/omb\_suppo

 Basic Principles document includes important explanations and reminders.

 In these materials, "Ombudsman" is used as a generic term that may mean the state Ombudsman, a representative of the Office, or the Ombudsman program.



BASIC PRINCIPLES

### NATIONAL OMBUDSMAN REPORTING SYSTEM (NORS) TRAINING PART I

Case, Complaint, Complainant AND Information and Assistance

REMINDER: Throughout these training materials "Ombudsman" is used as a generic term that may mean the state Ombudsman, a representative of the Office, or the Ombudsman program. Additionally, NORS tables developed by the Administration for Community Living/Administration on Aging are to be used with these training materials when indicated (Table 1: NORS Case and complaint codes, values and definitions; Table 2: NORS Complaint codes and definitions; and Table 3 State Program Information, OMB Control Number 0985-0005).

- A case is comprised of a complainant, complaint code(s), a perpetrator for A-Abuse/Neglect and Exploitation codes, a setting, verification, resolution, and information regarding whether a complaint was referred to another agency.
  - Each case must have a minimum of one complaint.
  - A complaint is an expression of dissatisfaction or concern brought to, or initiated by, the Ombudsman program which requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility.
  - A complainant is an individual (i.e., resident, resident representative/friend/family, facility staff) who requests Ombudsman program complaint investigation services regarding one or more complaints made by, or on behalf of, residents.
- Information and assistance is providing information to an individual or facility staff about issues impacting residents (e.g., resident rights, care issues, services) and/or sharing information about accessing services without opening a case and working to resolve a complaint.
  - Information and assistance may be provided through various means, including but not limited to telephone, by written correspondence such as e-mail, or in person.
  - It does not involve investigating and working to resolve complaints. The resident (or resident representative, where applicable) has not provided direction and consent to investigate a complaint.
  - Directing an individual to contact another agency for assistance does not constitute a case.

February 2019 1

A <u>case</u> is comprised of a:

- complainant,
- complaint(s),
- perpetrator for abuse/neglect/exploitation complaints (A codes),
- setting,
- verification,
- resolution, and
- information regarding whether a complaint was referred to another agency.

Each case must have a minimum of one complaint.

A <u>complaint</u> is an expression of dissatisfaction or concern brought to, or initiated by, the Ombudsman program which requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility.

A <u>complainant</u> is an individual (i.e., resident, resident representative\*/family/friend, facility staff) who requests Ombudsman program complaint investigation services regarding one or more complaints made by, or on behalf of, residents.

<sup>\*</sup>resident representative as defined in 45 CFR 1324.1

### **Key Changes:**

- Consultation is now called <u>Information and Assistance</u>.
- NORS no longer requires the top three topics for information and assistance.

<u>Information and Assistance</u> is providing information to an individual or facility staff about issues impacting residents (e.g., resident rights, care issues, services) and/or sharing information about accessing services without opening a case and working to resolve a complaint.

- Information and assistance may be provided through various means, including but not limited to telephone, by written correspondence such as e-mail, or in person.
- It does not involve investigating and working to resolve complaints. The resident (or resident representative, where applicable) has not provided direction and consent to investigate a complaint.
- Directing an individual to contact another agency for assistance does not constitute a case.

### Case & Complaint vs Information & Assistance

#### Case and Complaint Versus Information and Assistance

NORS Definition- Case/Complaint	Versus	NORS Definition – Information and Assistance
A case is comprised of a complainant, complaint code(s), a setting, verification, resolution, and information regarding whether a complaint was referred to another agency. Each case must have a minimum of one complaint.  A complaint is an expression of dissatisfaction or concern brought to, or initiated by, the Ombudsman program which requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility.	<u>Definition</u>	Information and assistance is providing information about issues impacting residents (e.g. resident rights, care issues, services) and/or sharing information about accessing services without opening a case and working to resolve a complaint.  Information and assistance may be provided through various means including but not limited to telephone, by written correspondence such as e-mail, or in person.
LTCOP Rule §1324.19 (b) Complaint Processing	Versus	Information and Assistance Practice
(1) With respect to identifying, investigating and resolving complaints, and regardless of the source of the complaint (i.e. complainant), the Ombudsman and the representatives of the Office serve the resident of a long-term care facility. The Ombudsman or representative of the Office shall investigate a complaint, including but not limited to a complaint related to abuse, neglect, or exploitation, for the purposes of resolving the complaint to the resident's satisfaction and of protecting the health, welfare, and rights of the resident. The Ombudsman or representative of the Office may identify, investigate and resolve a complaint impacting multiple residents or all residents of a facility.	<u>Purpose</u>	The purpose of providing information and assistance is to inform the public, residents, facility staff, family of residents, and others. The Ombudsman program provides an answer, resources, and/or suggests other agencies or programs to contact.

### Case & Complaint vs Information & Assistance

LTCOP Rule §1324.19 (b) Complaint Processing	Versus	Information and Assistance Practice
(2) Regardless of the source of the complaint (i.e. the complainant), including when the source is the Ombudsman or representative of the Office, the Ombudsman or representative of the Office must support and maximize resident participation in the process of resolving the complaint as follows:	Resident Participation	Resident participation is not required when the person making the inquiry is not a resident.
(i) The Ombudsman or representative of Office <u>shall offer</u> <u>privacy</u> to the resident for the purpose of confidentially providing information and hearing, investigating and resolving complaints.	<u>Privacy</u>	The content of the discussion or other form of communication is confidential and subject to Ombudsman program disclosure requirements. The discussion may be less sensitive and privacy may be less essential to offer. Many times the person making the inquiry may provide information by telephone or an in-person contact in a public area, by email, or from a resident's room.
(ii) The Ombudsman or representative of the Office shall personally discuss the complaint with the resident (and, if the resident is unable to communicate informed consent, the resident's representative) in order to:	<u>Discussion with</u> <u>Resident</u>	Discussion with the resident is not required when the person making the inquiry is not the resident.
<ul> <li>(A) <u>Determine the perspective of the resident</u> (or resident representative, where applicable) of the complaint;</li> </ul>	Resident <u>Perspective</u>	Obtaining the resident's perspective is not required in order to provide information and assistance.
(B) Request the resident (or resident representative, where applicable) to communicate informed consent in order to investigate the complaint;	Informed <u>Consent</u>	There is no informed consent because there is no request for further action.

### Case & Complaint vs Information & Assistance

LTCOP Rule §1324.19 (b) Complaint Processing	Versus	Information and Assistance Practice
<ul><li>(D) Advise the resident (and resident representative, where applicable) of the resident's rights;</li></ul>	Rights	Provide information on applicable rights, laws, etc. if appropriate.
(E) Work with the resident (or resident representative, where applicable) to develop a plan of action for resolution of the complaint;	<u>Plan of Action</u>	No action for complaint resolution is requested. Therefore, the Ombudsman program does not develop a plan of action.
<ul> <li>(F) Investigate the complaint to determine whether the complaint can be verified; and</li> </ul>	Investigation	No investigation occurs by the Ombudsman program.
(G) <u>Determine whether the complaint is resolved</u> to the satisfaction of the resident (or resident representative, where applicable).	Follow-up	Follow-up may not be required, depending on the nature of the inquiry, and there is no requirement to determine level of satisfaction.
Case notes are documented within the case, not as an information and assistance activity. If information and assistance is offered related to the complaint during the complaint process, these actions are documented in the case notes.	Documentation	Information and assistance are documented as Ombudsman program activities. Document each instance according to the type of person who made the request (individual or facility staff — nursing facility or residential care community).  Note: NORS no longer requires an information and assistance topic.

### **Table 1 – Case Data Components**

### Parts A, B, and C – Case and Complaint Codes, Values and Definitions

Administration for Community Living/Administration on Aging- Office of Long-Term Care Ombudsman Programs

National Ombudsman Reporting System (NORS)

Table 1: NORS Parts A, B and C - Case and complaint codes, values and definitions

OMB Control Number 0985-0005 Expiration Date: 04/30/2021

#### Table 1: Part A-Case Data Components

Each case must contain a complainant, complaint code (s), a setting, verification, resolution, and information regarding whether a complaint was referred to another agency. Case and complaint data reported is only for those cases and complaints that were closed within the fiscal year.

Element Number	Data Element	Definition	Quantifier	Туре	Codes and Values	Examples and Reporting Tips
CA-01	Case Number	The unique identifier used for each case.	Single	Alpha- numeric	Not Applicable (NA ) (not a coded element)	This is auto-created by the state software program.
CA-02	Date Case Opened	Month, day, and year that the case was opened.	Single	Date	NA (not a coded element)	Each case must have a minimum of one complaint.  Each case must have only one case open date.  The case opened date must be on or before the case closed date.
CA-03	Date Case Closed	Month, day, and year that the case was closed.	Single	Date	NA (not a coded element)	The year of case closure must be in the associated reporting period.  Each case must have only one case closed date.  The case closed date must be on or after the case open date.

# **Table 1 Highlights**

- Case Data Components:
  - Date case & complaint opened and closed
  - Facility or setting
  - Complainant
  - Complaints (one or more)
  - Perpetrator
  - Referral agency
  - Verification
  - Disposition

### **Part I Quiz**

- A case must have one or more complaints brought to or initiated by the LTCOP made by or on behalf of one or more residents.
- Each complaint requires LTCOP investigation and resolution on behalf of one or more residents of a long-term care facility.
- States that have expanded their Ombudsman program services to other settings may choose to report complaints as "other setting."



QUIZ

### NATIONAL OMBUDSMAN REPORTING SYSTEM (NORS) TRAINING PART I

Case, Complaint, Complainant AND Information and Assistance

REMINDER: Throughout these training materials "Ombudsman" is used as a generic term that may mean the state Ombudsman, a representative of the Office, or the Ombudsman program, Additionally, NORS

the state ombuasman, a representative of the Off tables developed by the Administration for Comm these training materials when indicated (Table 1: N Table 2: NORS Complaint codes and definitions; an Number 0985-0005).

#### Tips

When reviewing each scenario below, rememb

• A case must have one or more complaints

- The complaints must be made by or of the complaint(s) must be related to the residents.
- Each complaint requires Ombudsmar on behalf of one or more residents of have expanded their Ombudsman pr choose to report complaints as "other
- Providing information and/or assistance to and working to resolve a complaint. Count the "Basic Principles" for more information
- Use NORS Table 1: NORS Parts A, B, and C as you answer the quiz questions.

Directions: For each scenario, indicate the follo

- Is it a case or an information and assistance
   If it is a case,
  - how many complaints are there?
  - who is the complainant?

NOTE: Assume you have the consent of th take action.



**QUIZ ANSWER SHEET** 

#### NATIONAL OMBUDSMAN REPORTING SYSTEM (NORS) TRAINING PART I

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#### Tips

When reviewing each scenario below, remember:

- A case must have one or more complaints brought to or initiated by the Ombudsman program.
  - The complaints must be made by or on behalf of one or more residents and the complaint(s) must be related to the health, safety, welfare, or rights of the residents.
  - Each complaint requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility. States that have expanded their Ombudsman program services to other settings may choose to report complaints as "other setting."
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- Use NORS Table 1: NORS Parts A, B, and C Case and complaint codes, values and definitions, as
  you answer the quiz questions.

Directions: For each scenario, indicate the following:

- Is it a case or an information and assistance?
  - If it is a case,
    - · how many complaints are there?
  - · who is the complainant?

NOTE: Assume you have the consent of the resident, or their representative as applicable, to take action.

### **Part I Quiz Directions**

For the following scenarios ask:

- Is it a case or an information & assistance?
- If it is a case,
  - how many complaints are there?
  - who is the complainant?

NOTE: Assume you have the consent of the resident, or the resident's representative as applicable, to take action.

A woman calls asking for information on care planning and how to select a nursing home for her mother. She discusses specific concerns regarding care. The Ombudsman spends an hour talking with the woman and sends additional followup information.

Choose the correct answer.

- a) Case
- Information and Assistance
  - c) Neither

You visit Mrs. Jones, who tells you they are still bringing her pureed food, even though her doctor said she could start eating regular food. You notice her call bell is broken. She indicates she would appreciate your assistance in resolving these problems. You speak to the Director of Nursing (DON) about the call bell, and she promptly fixes the bell. You attempt to talk to the dietician about the pureed food, but she is not available until the next morning. You leave Mrs. Jones but tell her that you will check back with the dietician and will follow-up with her on the results and to ensure that the call bell is still functional.

Choose the correct answer.

- a) Case
- b) Information and Assistance
- c) Neither

How many complaints are in this case? Choose the correct answer.

- a) One
- b) Two
- c) Three

How many complaints are in this case? Choose the correct answer.

- a) One
- b) Two
- c) Three

A certified nurse assistant (CNA) approaches you about the new Director of Nursing (DON). She says that the DON does not listen to staff and is very patronizing when she gives instructions. The staff do not like working with her, several of them are looking for jobs somewhere else. She asks you to intervene with management on behalf of the staff.

Choose the correct answer.

- a) Case
- b) Information and Assistance
- c) Neither

One morning, you receive five notices of discharge from four different nursing homes. The homes are complying with the federal requirement to send copies of these notices to the Ombudsman program.

Choose the correct answer.

- a) Case
- b) Information and Assistance
- c) Neither

# Scenario 4 – Training Tips

- If you follow-up with the residents who received the notices or if one of them or their representative contacts you, you may have a case or an information and assistance.
- If the resident or their representative asks you for information or suggestions on how to proceed with the discharge or with an appeal, this would be an information and assistance.
- If the resident or their representative asks you to investigate, identify options, and help them either stay in the facility or find another solution, it would be a case with one complaint.

NORS Definition- Case/Complaint	Versus	NORS Definition – Information and Assistance
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LTCOP Rule §1324.19 (b) Complaint Processing	Versus	Information and Assistance Practice
(1) With respect to identifying, investigating and resolving complaints, and regardless of the source of the complaint (i.e. complainant), the Ombudsman and the representatives of the Office serve the resident of a long-term care facility. The Ombudsman or representative of the Office shall investigate a complaint, including but not limited to a complaint related to abuse, neglect, or exploitation, for the purposes of resolving the complaint to the resident's satisfaction and of protecting the health, welfare, and rights of the resident. The Ombudsman or representative of the Office may identify, investigate and resolve a complaint impacting multiple residents or all residents of a facility.	Purpose	The purpose of providing information and assistance is to inform the publi residents, facility staff, family of residents, and others. The Ombudsman program provides an answer, resources, and/or suggests other agencies or programs to contact.

Case and Complaint Versus Information and Assistance

https://ltcombudsman.org/uploads/files/support/NORS\_Training\_Part\_I\_Quiz\_w\_Answers\_2019\_FINAL.pdf

https://ltcombudsman.org/uploads/files/support/NORS\_Training\_Part\_1\_Basic\_Principles\_2019\_FINAL.pdf

Mrs. Oliver asks you to help her obtain the medical records for her mother, who lives in a nursing home. Mrs. Oliver asked the facility for the records seven days ago and the facility has not responded. She is her mother's health care durable power of attorney and responsible party.

Choose the correct answer.

- a) Case
- b) Information and Assistance
- c) Depends

A facility staff person tells you that Mrs. Smith's son, who has power of attorney for his mother, is verbally abusing Mrs. Smith, using her income for his own purposes, and has not paid her bill for three months. The staff person requests your involvement in resolving the nonpayment issue.

Choose the correct answer.

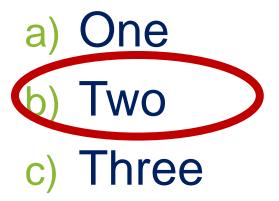


- b) Information and Assistance
- c) Neither

How many complaints are in this case? Choose the correct answer.

- a) One
- b) Two
- c) Three

How many complaints are in this case? Choose the correct answer.



Mr. Jones calls the Ombudsman program, complaining that his mother has a black eye and the facility can give no explanation for it. He asks you to check on her and cautions you that his mother has Alzheimer's and does not remember things accurately. You visit his mother and notice light bruises on her face and arms but cannot verify that she had a black eye.

- a) Case
- b) Information and Assistance
- c) Neither

During a facility visit, two residents tell you that they would like to have water available but no one brings it when they ask. They are afraid to ask again and say that it must be an oversight because staff are always rushed. They do not want to complain any more. As you continue your visit, you notice that several other residents who cannot get out of bed do not have water at their bedside tables. Some of the residents cannot communicate with you. You do not see any staff filling containers or distributing water while you are visiting.

- a) Case
- b) Information and Assistance
- c) Neither

Who is the complainant? Choose the correct answer.

- a) Resident
- b) Ombudsman program
- c) Facility staff

Who is the complainant? Choose the correct answer.

- a) Resident
- Ombudsman program
  - c) Facility staff

Mr. Brown's daughter and guardian, Alice, calls the Ombudsman program, concerned that her father is eating all his meals in his room, instead of in the dining room. You visit Mr. Brown, who seems despondent and is unable to express his wishes. You speak with the Director of Nursing (DON) about Alice's concern; the DON says staff should be taking Mr. Brown to the dining room and that she will discuss the problem with two new nursing assistants and will put a note in Mr. Brown's chart. The following week you call Alice, who tells you the nursing assistants are taking her father to the dining room now and he appears much happier.

- a) Case
  - b) Information and Assistance
  - c) Neither

Ms. Miller, a resident of Sunny Valley Assisted Living Facility, stops you in the hall and tells you she has a problem: her son, who lives at home, has just lost his Medicaid benefits and she is concerned he won't be able to pay for his medication. As she rolls away in her wheelchair, you notice that the wheelchair keeps veering to the left and hitting the wall. You ask if she would like your assistance in getting it fixed, or in getting a new chair. She replies, "Yes."

- a) Case
- b) Information and Assistance
- c) Neither

Who is the complainant? Choose the correct answer.

- a) Resident
- b) Ombudsman program
- c) Facility staff

Who is the complainant? Choose the correct answer.

- a) Resident
- b) Ombudsman program
- c) Facility staff

A facility administrator calls you to complain that the volunteer Ombudsman assigned to his home is not doing her job. He explains that he informed her about a problem the facility was having with a resident's behavior, but she refused to address the facility's concern. Instead she visited privately with the resident and refused to tell the administrator or the corporation's lawyer about her visit.

- a) Case
- b) Information and Assistance
- Neither

## Scenario 12 – first part

Mrs. Lee's daughter called you to complain that her mother would like to take a bath more often than once a week. On December 15th you go to Hilltop Haven to visit Mrs. Lee. On your way to Mrs. Lee's room you notice that there is dirty laundry on the floor in the hall and that the hall is dark because several lights are not working. When you visit Mrs. Lee, she says that she wants to be bathed more often than once a week.

## Scenario 12 – second part

After you visit Mrs. Lee, you drop by to see Mrs. James. She tells you that they stopped her physical therapy (PT) and she does not know why. She complains that the sliding track for the privacy curtain is broken, so it does not close all the way. You investigate both complaints. You resolve and close the PT complaint within the week. You learn that the facility has tried to order a new track, but it's on back order. You keep the complaint open until the new track is installed. You go back to visit Mrs. James in January. She tells you that they are installing the track the next day. She also tells you that she just received a notice from the facility saying that she will have to switch to the facility pharmacy even though it may cost more than the pharmacy she has been using for the past three years. You tell her you'll check into it for her.

- a) Case
- b) Information and Assistance
- c) Neither

Who is the complainant for the first case that involved a complaint about additional showers? Choose the correct answer.

- a) Resident
- b) Ombudsman program
- c) Resident's daughter

Who is the complainant for the first case that involved a complaint about additional showers? Choose the correct answer.

- a) Resident
- b) Ombudsman program
- c) Resident's daughter

## Summary

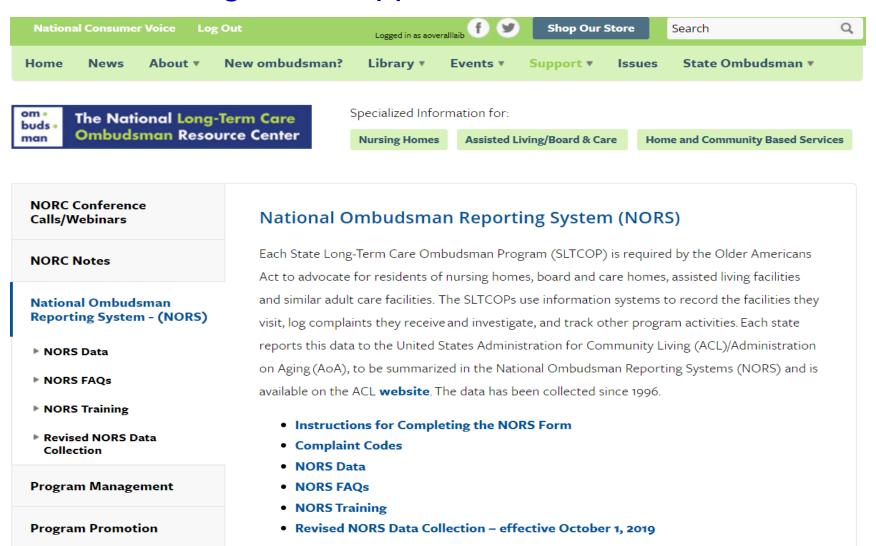
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  - Quiz
  - Quiz Answer Sheet
- Resource Table 1 NORS Parts A, B, and C Case and complaint codes, values and definitions
- Quiz

# QUESTIONS?

# RESOURCES

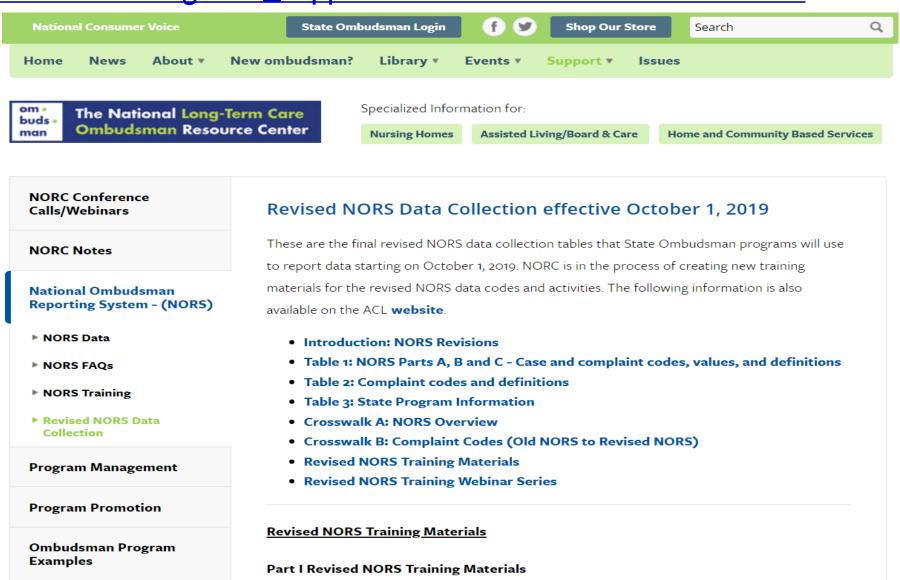
## **NORS Instructions, Training, and Materials**

https://ltcombudsman.org/omb\_support/nors



#### **Revised NORS Data Collection**

https://ltcombudsman.org/omb\_support/nors/revised-nors-data-collection



## Start Using Revised NORS – October 1, 2019



## **NORS Training by NORC**

- Webinars will review the data elements with specific case examples to discuss. Training modules will be released prior to each webinar.
- Register for one webinar you are registered for the entire series.
- Webinar recordings and materials available here -<a href="https://ltcombudsman.org/omb\_support/nors/revised-nors-data-collection">https://ltcombudsman.org/omb\_support/nors/revised-nors-data-collection</a>
- NORS Webinars 2019 3:00 4:30 p.m. ET
  - Part II: Coding Complaints March 19
  - Part III: Closing the Case April 30
  - Part IV: Activities May 29



## **Contact Information**

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# The National Long-Term Care Ombudsman Resource Center

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