



STRATEGIES FOR ADDRESSING CONCERNS IN LONG-TERM CARE FACILITIES

Approaches to Problem Solving

Listed below are some approaches that you can take to address concerns in long-term care facilities. If possible, it is always a good idea to try to resolve the problem by speaking with the facility administration and staff first. *The steps below do not have to be followed in this order.*

Speak with your loved one first to make sure she wants action to be taken regarding your concerns. Respect her preferences and wishes.

1. Discuss the problem with facility staff.
 - Speak with staff supervisors or department managers.
 - Request a special meeting with the administrator.
2. Raise your concerns during the next care plan conference or request a special care plan conference.
3. Use the facility's grievance procedure.
4. Go up the ladder. Everyone has a boss. In a for-profit corporation, that may be a regional manager. In a non-profit facility, the administrator usually reports to the board of directors.
5. Raise the concern during a family council meeting or with the president of the family council.

Seek Assistance from an Entity Outside of the Facility

If using one or a combination of the approaches listed above does not resolve the problem, there are organizations, agencies and programs you can turn to for help outside the long-term care facility.

Long-Term Care Ombudsman Program (LTCOP)

Long-term care ombudsmen serve as advocates for residents in long-term care facilities (e.g. nursing home and assisted living facilities/board and care homes). Some state LTCOPs advocate for consumers of home and community based services. Ombudsman services are free and confidential. Ombudsmen:

- Investigate complaints, concerns or problems voiced by residents or their legal representatives;
- Provide information about residents' rights and facility responsibilities; and
- Advocate for improvements in the long-term care system.

To locate an ombudsman visit the National Long-Term Care Ombudsman Resource Center (NORC) at the link below and click "Locate an Ombudsman."

<http://www.ltcombudsman.org>

State Survey and Enforcement Agency

The survey and enforcement agency (also known as licensure and certification) investigates complaints about care, treatment, rights, staffing, food and other conditions and services for which the provider is responsible. However, the agency only investigates problems that relate to the federal and/or state regulations governing the long-term care facility. In many states, the survey agency is primarily responsible for investigating reports of abuse, neglect, or exploitation in long-term care facilities.

You can address your concern by:

- Speaking with the agency surveyors (inspectors) when they are inspecting the facility. You will know they are in the building because signs will be posted. You can ask to speak to the surveyors in private and share your concerns.
- Filing a complaint with the agency. Include detailed information in your complaint. Follow the guidelines in the **Documentation Tips for Family Members** information sheet.

To find the contact information for your state survey and enforcement agency visit the NORC website, click “Locate an Ombudsman” and the state agency information will be listed on the same page as the state ombudsman information.

<http://www.ltombudsman.org>

Other Agencies

A number of other agencies may also be involved in assuring quality long-term care.

Adult Protective Services (APS)

Adult Protective Services investigators investigate reports of abuse, neglect or exploitation of endangered adults. However, in some states, APS does not conduct investigations in nursing homes.

To find the contact information for your state Adult Protective Services agency visit the NORC website, click “Locate an Ombudsman” and the state agency information will be listed on the same page as the state ombudsman information.

<http://www.ltombudsman.org>

Medicaid Fraud Control Unit

The duties of this unit include investigation of abuse and neglect of residents of long-term care facilities and theft of residents’ personal funds.

To find the contact information for your state Medicaid Fraud Control Unit visit the NORC website, click “Locate an Ombudsman” and the state agency information will be listed on the same page as the state ombudsman information.

<http://www.ltombudsman.org>.

Law Enforcement Agencies

Local law enforcement agencies are responsible for investigating crimes *wherever* they occur. Should you believe that your loved one has been the victim of a crime in a long-term care facility, contact a local law enforcement agency immediately.

Protection and Advocacy Services (also known as Disability Rights Networks)

This agency works to address concerns about care, treatment and rights of residents who are developmentally disabled and/or mentally ill.

To find the contact information for your state protection and advocacy services agency visit the NORC website, click “Locate an Ombudsman” and the state agency information will be listed on the same page as the state ombudsman information.

<http://www.ltombudsman.org>

Licensing Boards

There are a variety of boards that license health professionals such as nursing home administrators, doctors, and nurses. These boards also investigate complaints filed against these health care professionals.

To find the contact information for your state survey agency visit the NORC website, click “Locate an Ombudsman” and the state agency information will be listed on the same page as the state ombudsman information.

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