

MODEL MONITORING TOOL FOR TITLE III-B/TITLE VII-A OMBUDSMAN PROGRAM

Area Agency on Aging (AAA):	PSA:
Ombudsman Program:	
Date of Monitoring Visit: / /	Location:
AAA Staff in Attendance:	
Ombudsman Program Staff in Attendance:	

ITEM	YES	NO	COMMENTS
SECTION A - PROGRAM MANAGEMENT			
1. Does the Ombudsman Program provide services to assist residents of long-term care (LTC) facilities in protecting their health, safety, welfare, and rights? [OAA §712(a)(5)(B)(i); W&I Code §9726.1]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe services provided.</i>
2. Does the Ombudsman Program inform residents of LTC facilities about the means of obtaining services from the Program and other agencies? [OAA §712(a)(3)(C); W&I Code §9712.5(c)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe how you conduct outreach to LTC residents.</i>
3. Does the Ombudsman Program have an up-to-date Facility Coverage Plan? [PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
4. Does the Ombudsman Program Coordinator ensure that residents of LTC facilities have regular and timely access to the services provided by the Ombudsman Program? [OAA §712(a)(5)(B)(ii); W&I Code §9712.5 (d)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe how you ensure access to Ombudsman services?</i>
5. Does the Ombudsman Program ensure that residents and complainants receive timely responses to complaints from representatives of the Office? On average, how long does it take for the Ombudsman Program to respond to a complaint? [OAA § 712(a)(5)(D)(ii); W&I Code §9712.5 (d)(1)]	<input type="checkbox"/>	<input type="checkbox"/>	
6. Does the Ombudsman Program answer telephone calls in person throughout the day, during business hours Monday through Friday? [PM 13-05]	<input type="checkbox"/>	<input type="checkbox"/>	
7. Does the Ombudsman Program have a primary and secondary contact for taking CRISISline calls after hours? [W&I Code §9726(a)(2); PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	

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8. Does the Ombudsman Program 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? [OAA §712(a)(5)(B)(iv); W&I Code §9712.5(e)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your activities in this area.</i>
9. Does the Ombudsman Program provide training for representatives of the local program? [OAA §712(a)(3)(H)(i); W&I Code §9719(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the frequency and content of training provided.</i>
10. Does the Ombudsman Program 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? [OAA §712(a)(5)(B)(v)(I); W&I Code §9712.5(g),(i)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your activities in this area and any limitations you may have in this area because of your organizational structure.</i>
11. Does the Ombudsman Program facilitate the ability of the public to comment on laws, regulations, policies, and actions? [OAA §712(a)(5)(B)(v)(II); W&I Code §9712.5(h)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your activities in this area and any limitations you may have in this area because of your organizational structure.</i>
12. Does the Ombudsman Program promote the development of citizen organizations, e.g., elder abuse coalitions, to participate in the Program? [OAA §712(a)(3)(H)(ii); W&I Code §9712.5(l)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your activities in this area.</i>
13. Is the Ombudsman Program involved in the development/support of resident and family councils? [OAA §712(a)(5)(B)(vi); W&I Code §9726.1(a)(3)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your activities in this area, e.g., the number of resident and family council meetings attended on an annual basis.</i>
14. Do representatives of the Program conduct all interviews and investigations in a confidential manner? [OAA §712(d); W&I Code §9725]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe how representatives conduct interviews and the phone and voicemail systems used.</i>
15. Does the Ombudsman Program Coordinator exercise responsibility for the management of daily operations of the Program? [W&I Code §9701(d)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Provide a copy of the Ombudsman Program Coordinator's duty statement or job description.</i>

ITEM	YES	NO	COMMENTS
16. Are the Ombudsman Program 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 AAA staff member will review a random sample of signed conflict of interest statements from five staff and/or volunteer personnel files.</i> [OAA §712(a)(5)(C)(ii)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe the methods used to remove potential or actual conflicts of interest.</i>
17. Does the Program coordinate services with other agencies in the community? [OAA §712(h)(6),(7); W&I Code §9717]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the agencies with which the Ombudsman Program coordinates activities, and the objective of the association.</i>
18. Does the Ombudsman Program have a Memorandum of Understanding or contract in place with the Title III Legal Services Provider? [OAA §712(h)(7); W&I Code §9717(c); AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the relationship between the two organizations.</i>
19. Does the Ombudsman Program 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>Describe the process used.</i>
20. Does the Ombudsman Program make appropriate referrals of complaints? [W&I Code §9721]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the referral process, the types of referrals made, to whom, and whether the Ombudsman Program follows up on complaints referred.</i>
21. Do representatives of the Program have the right of entry to LTC facilities, access to facility rosters, access to resident records with consent, and the ability to speak confidentially with residents? What does the representative do if facility staff deny access? [OAA §712(b)(1)(A); W&I Code §9722; AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	
22. Does the Ombudsman Program 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(b); AP Contract, Exhibit E]	<input type="checkbox"/>	<input type="checkbox"/>	

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23. Does the Ombudsman Program follow the prescribed method of gaining access to the medical or personal records of residents? [OAA §712(b)(1)(B); W&I Code §9724]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe the process used.</i>
24. Does the Ombudsman Program have an active 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 AAA staff member will review the minutes from the last two meetings of the Advisory Council and/or Board of Directors.</i> [PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
25. Does the Ombudsman Program have job descriptions for all staff (paid and volunteer)? [PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
26. Does the Ombudsman Program regularly recognize volunteers working in the Program? [PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
27. Does the Ombudsman Program have up-to-date printed materials to increase public awareness about the Program? How does the Ombudsman Program distribute printed materials? [PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
28. Does the Ombudsman Program conduct educational activities in the community? [W&I Code §9726.1(a)(5); PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the type and number of educational activities provided, where, and to whom the Program provided activities.</i>
29. Does the Ombudsman Program provide training for LTC facility staff? [W&I Code §9726.1(a)(5); PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe the type and number of training sessions provided.</i>
30. Does the Ombudsman Program witness Advance Health Care Directives (AHCDs) and Property Transfers? [Probate Code §4675; H&S Code §1289; AP Contract, Exhibit A]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe the process used.</i>
31. Does the Ombudsman Program have access to all relevant laws, regulations, etc., i.e., Legislative web site? [OAA §712 (a)(5)(B)(v); W&I Code §9712.5(g)]	<input type="checkbox"/>	<input type="checkbox"/>	
32. Does the Ombudsman Program conduct a customer satisfaction survey?	<input type="checkbox"/>	<input type="checkbox"/>	<i>Provide a copy of and discuss the findings of the survey.</i>

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33. Is the ratio of paid staff to volunteers in the Ombudsman Program consistent with the Institute of Medicine's recommendations of 1 FTE for every 20-40 volunteers? [IOM, Real People, Real Problems, Recommendation 5.8]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Discuss the structure of your program's support for volunteers.</i>
34. Are Ombudsman representatives certified by the State Ombudsman before assuming their responsibilities and working in facilities? [OAA §712(h)(5); W&I Code §9719; PM 12-05]	<input type="checkbox"/>	<input type="checkbox"/>	
35. Does the Program Coordinator submit requests for decertification of Ombudsman representatives to the Office of the State Long-Term Care Ombudsman (OSLTCO) as soon as the volunteer or paid staff member resigns or is terminated? [PM 12-05, 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
36. Are there grievance procedures in place to address complaints against the Program from older individuals? [22 CCR §7400, et seq.]	<input type="checkbox"/>	<input type="checkbox"/>	
37. Are there grievance procedures in place to address complaints against the Ombudsman Program from others?	<input type="checkbox"/>	<input type="checkbox"/>	
38. Has the Ombudsman Program used the LTC Ombudsman Core Elements and related tools, the National Ombudsman Resource Center Continuous Quality Improvement Tool, or other self-assessment tools?	<input type="checkbox"/>	<input type="checkbox"/>	<i>Explain how your program uses self-assessment tools.</i>
39. What are the major strengths the Program Coordinator sees in the local Program?	N/A	N/A	<i>Describe identified strengths.</i>
40. Does the Program Coordinator see any areas for development or technical assistance needs in the local Program?	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe identified areas.</i>
SECTION B - FISCAL & ADMINISTRATIVE SUPPORT			
1. Is the Ombudsman Program Coordinator responsible for establishing and monitoring the budget for the Program? [W&I Code §9701(d)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe how the Ombudsman Program Coordinator establishes the budget and monitors expenditures.</i>
2. Does the approved organization maintain a separate budget and expenditure accounting for the Program that supports monitoring of the minimum-funding requirement for the Ombudsman Program? [OAA §306(a)(9)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your agency's accounting procedures.</i>
3. Is there a cost allocation method used by the Ombudsman Program?	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe method used.</i>

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4. Does the Ombudsman Program have the office space and telecommunication equipment necessary to protect the confidentiality of all complaint-related communications and records? [OAA §712(d); W&I Code §9725]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your methods of maintaining confidentiality.</i>
5. Does the Ombudsman Program have the Information Technology (IT) equipment and software necessary to send and receive confidential e-mail messages to or from the OSLTCO. [OAA §712(c),(d); W&I Code §9725]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your system.</i>
6. Does the Program submit required financial reports to the Area Agency on Aging on time, as specified in the contract? [AP Contract, Exhibit B]	<input type="checkbox"/>	<input type="checkbox"/>	
SECTION C – DATA			
1. Does the Ombudsman Program have the (IT) equipment and software necessary to operate the State-approved database system? [OAA §712(c); W&I Code §9716(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<i>Describe your system.</i>
2. Has the Ombudsman Program submitted to the OSLTCO the required quarterly and annual reports by each due date as specified in the contract? [AP Contract, Exhibit E; PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	
3. If applicable, has the Ombudsman Program submitted a written explanation to the OSLTCO whenever they anticipated delays in the submission of the required reports? This must include the reasons for the delay and the approximate date the Program will deliver the report. [AP Contract, Exhibit E; PM 13-04]	<input type="checkbox"/>	<input type="checkbox"/>	

SECTION D – CONCLUDING OBSERVATIONS, RECOMMENDATIONS, & CORRECTIVE ACTION REQUIRED

The AAA staff member shall conclude this tool with any observations, recommendations and corrective action necessary and record them in the section below.