

## Complaint Coding

**NEW Q:** After several attempts to connect with facility staff, they are not returning my calls or emails. What complaint code do I use?

**A:** Use complaint code **B03 – Willful interference** when a facility does not return calls or emails (after multiple attempts) made by an Ombudsman program. The [ACL NORS Table 2](#) Examples and Reporting Tips for B03 says this code, “Includes.....interferes with the Ombudsman program having immediate access.....to meet with a resident in person, in private, or by phone”.

**NEW Q:** The facility is not returning calls and/or emails to family members of residents. The family contacted my office for assistance, what complaint code do I use?

**A:** Use complaint code **B01 - Access to information and records** when a facility does not return calls to family members of residents. The [ACL NORS Table 2](#) Examples and Reporting Tips for B01 says this complaint code “includes access to the administrative records, policies, and documents, to which the residents have, or the general public has access, of long-term care facilities.”

However, if the family member is attempting to follow-up with the facility staff regarding a concern and the facility is not returning their calls complaint code **D05 – Response to complaints** may be more appropriate. [ACL NORS Table 2](#) defines this code as “facility staff ignores or trivializes a resident complaint or there is no facility grievance process thereby limiting the resident's ability to resolve a problem directly with the administration.”

**NEW Q:** Facility staff are not answering phone calls after multiple attempts. What complaint code do I use?

**A:** Use complaint code **J01 – Administrative oversight** when facility staff are not answering phone calls after multiple attempts. The [ACL NORS Table 2](#) Definition for J01 says, “Mismanagement including but not limited to: administrator is absent, **unresponsive**, inadequately trained or not supervising staff; incomplete, missing or falsified record keeping; background screening not performed; illegal policies/practices and similar complaints.”

**NEW Q:** I received a call from a resident regarding a complaint. The resident asked for my assistance in resolving the complaint. I received consent for all steps in the investigation and resolution process. All communication with the resident and facility staff regarding the complaint was handled by phone. Due to visitation restrictions, I did not meet the resident in-person. Do I document this as a complaint since I was not able to visit with the resident in person?

**A: Yes, document this as a case with one or more complaints.** A case is comprised of a complainant; one or more complaints; documentation of a perpetrator for cases involving abuse, gross neglect, and exploitation; a setting; verification; resolution; and information regarding any referrals to another agency. Refer to *Part I: Case, Complaint, Complainant, and Information and Assistance* [NORS](#)

[Training materials](#) for definitions of case, complaint, and information and assistance and [ACL Table 1](#) for definitions, examples, and reporting tips.

## Information and Assistance

**NEW Q:** How do I count information and assistance (I&A) if I meet with facility staff and a resident at the same time to provide information. For example, I recently provided information about Resident Council leadership to a resident and nursing facility staff member at the same time. If one activity meets the definition of an information and assistance to nursing facility staff and the other is information and assistance to individual, should I document this as two instances of I&A?

**A:** If you have an Information and Assistance (I&A) conversation with both a resident and a nursing facility staff member at the same time, record the conversation as one I&A activity with whichever person (resident or staff) requested the I&A.

If you have I&A conversations separately even if it's the same topic, one with a resident and one with a nursing facility staff person, record the activities as one instance of I&A with a resident and one instance of I&A with nursing facility staff.

## Community Education

**NEW Q:** I host monthly virtual meetings (e.g., Facebook live, Zoom meeting) for family members of individuals living in long-term care facilities and the public to share information and respond to questions about and long-term care issues. How do I document these meetings?

**A:** Document these meetings as **community education (S-68)**. Count each meeting as once instance. Community education is defined as “Total number of instances of community education outreach sessions by Ombudsman program.” Review [NORS Table 3](#), Community Education (S-68) for examples and reporting tips.

**NEW Q:** My program frequently posts information on our website and social media platforms. We also email a monthly e-newsletter to our listserv which includes residents, family members, and our volunteers. Do these activities count as community education or information and assistance?

**A:** Neither of these activities count as community education or information and assistance. There is not a way to verify that recipients received and reviewed the information, so newsletters, blogs, and other forms of media do not count as community education. NORS defines information and assistance as providing individual instances of information to individuals or facility staff, so emailing an e-newsletter and posting information would not be documented as information and assistance. Review [NORS Training](#) Parts I and IV and NORS Tables [1](#) and [3](#) for additional information about information and assistance and community education.

## OAAPS Submission (State Ombudsmen only)

**UPDATED Q:** Does our complaint example or system issue narratives have to be specifically about COVID-19?

**A:** No, it is acceptable for a complaint or systems issue to be about other matters that might or might not include problems associated with COVID-19. It is not an “either or” requirement. However, if

your program is reporting expenditure of COVID-19 funds in the funds expended section of the NORS report, states must submit at least one narrative, either a complaint example or systems issue, that addresses the program response to COVID-19 in the FFY20 OAAPS submission.

## Resident Councils and Family Councils

**NEW Q:** If Resident or Family Councils hold their meetings virtually and invite me to attend and listen to their concerns, share information, and respond to questions, how do I document my participation?

**A:** Document your attendance during virtual council meetings in the appropriate category of **resident council (S-64, S-65) or family council (S-66, S-67) participation**. Count each meeting as one instance. Similarly, if you meet with council leadership or provide training to a resident or family council virtually, document those activities in the appropriate category of resident or family council participation.

## Survey Participation

**NEW Q:** If I speak with surveyors about a survey or complaint at a specific facility over the phone or in a virtual meeting, how do I document that communication?

**A:** Document communication with surveys about a standard survey or complaint investigation in the appropriate category for **survey participation (S-62, S-63)**. Survey participation includes, but is not limited to, sharing pre-survey information with surveyors, sharing complaint summary reports, participation in exit conferences and informal dispute resolution. Count each communication as one instance.