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Golden Gazette

SPECIAL EDITION

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SPECIAL EDITION: NOTHERN VIRGINIA LONG-TERM CARE OMBUDSMAN PROGRAM

Ombudsman: Someone in Your Corner

by Laura Nichols, Northern Virginia Long-Term Ombudsman Program

If you or someone you love is living in a nursing facility, assisted living facility, or is receiving long-term care in the community, you should know about the **Northern Virginia Long-Term Care Ombudsman Program**. This special edition of the Golden Gazette will explain the program and how it can help you resolve problems and advocate for your rights. Even if you don't need it now, we hope you keep this issue handy for future reference.

Under the federal **Older Americans Act**, every state is required to have a Long-Term Care Ombudsman Program that addresses concerns and advocates for improvements in the long-term care system. The Northern Virginia Long-Term Care Ombudsman Program serves Arlington, Fairfax, and Loudoun Counties, and the Cities of Alexandria, Fairfax and Falls Church, to advocate for residents of nursing facilities, assisted living facilities, and long-term care services in our communities. Ombudsmen help resolve problems faced by individual residents and they also work to affect change at the local, state, and national levels to improve quality of care. The services are free and confidential.

If you suspect that a resident is not getting proper care or that their rights are not being upheld, call 703-324-5861, TTY 711, to contact the Northern Virginia Long-Term Care Ombudsman Program, or send an email to **NVLTCOP@FairfaxCounty.gov** (please don't include any confidential medical information in your email). You can also learn more online at **FairfaxCounty.gov/LTCOmbudsman**.



What does the Ombudsman Program do?

- **Resolves complaints** made by or for residents of long-term care facilities.
- **Educates** about residents' rights and long-term care issues.
- **Promotes community involvement** through its volunteer program and support for development of family and resident councils.
- **Provides access** to residents, families, and provider staff through our intake line (703-324-5861), on-site visits to facilities, and weekly visits by trained volunteers.
- **Advocates for residents' rights** and improved quality of life, care and services.

Know Your Rights As a Resident

Every resident of a long-term care facility has these rights:

Right to consideration, respect, and dignity:

- Freedom from abuse, neglect, exploitation, and restraints.
- Freedom to exercise rights without interference, coercion, discrimination, or reprisal.
- Access to a "home-like" environment.
- Equal access to quality care.

Right to self-determination:

- Participation in their care planning, treatment, menu options, activities, and expression of individual needs.
- Choice in activities, health care, and accommodations.
- Have a person-centered plan of care.
- Participation in family and/or resident groups.

Right to be fully informed in a language they understand:

- About their care—including options, risks and benefits.
- Changes in their care or medical status.
- Rules and regulations and facility policies.

Right to raise concerns or grievances:

- Ability to present concerns without discrimination or retaliation.
- Prompt efforts by the facility to resolve concerns.
- Ability to file a complaint with the Long-Term Care Ombudsman Program, the facility's licensing agency, or other appropriate agencies.
- Access to contact information for the Long-Term Care Ombudsman Program.
- Access to contact information for the facility's licensing agency and the results of their inspections.



Right to access, and to decide on participation or non-participation:

- The choice to see or refuse visitors.
- Access to personal and medical records.
- Participation in social, religious, and community activities.

Right to information:

- The right to manage and have information about personal financial affairs.
- The right to privacy and confidential information in communication and interaction.
- Access to mail, phone calls, visits, and medical records.

Rights regarding transfers and discharges:

- The right to make decisions during transfer and discharge.
- To be provided a statement of reason for transfer or discharge.
- Given reasonable advance notice of a transfer or discharge.
- Given reasonable assistance to plan a safe and orderly discharge.

What should I do if I have concern or a complaint?

First, we suggest you address your concern to the provider of the long-term care service and try to resolve it with the facility. Often, your expression of concern is the first step toward resolving a problem.

If you are unable to solve the problem yourself, the Ombudsman can help. Remember that if you do call us, your call will be treated confidentially, and you control the extent of our involvement. The Ombudsman acts only at the direction and consent of the resident or their authorized representative.

The Ombudsman Program paves the way for the solutions of problems arising between providers and residents. We work to ensure that long-term care services are provided appropriately and with respect for the resident's rights. Since the Ombudsman does not have enforcement power, it often works toward resolutions that make way for creative solutions to problems that meet both the resident's and the provider's interests.

The Ombudsman handles complaints about long-term care services and serves as a liaison, voicing the needs and concerns of the resident to care providers. The Ombudsman often serves as a negotiator between the resident or their legal representative and the provider to keep little problems from becoming big ones.

The Long-Term Care Ombudsman Program is not a licensing/regulatory agency but may work together with a licensing/regulatory agency to improve the quality of life and care for the residents. Where the enforcement of a state or federal law or rule is necessary, the Ombudsman may work as a liaison with the proper state agency that has enforcement authority.

Interested in Becoming an Ombudsman Volunteer?

Volunteers play a critical role in our Ombudsman Program. If you are looking for an important and rewarding opportunity to help those in need, please consider being a volunteer ombudsman. Find out why so many of our volunteers say, "I receive so much more than I give!"

Call **703-324-5861**, TTY 711 or send an email to **Camden.Doran@FairfaxCounty.gov**.

Due to safety restrictions during the pandemic, federal guidance required a temporary hold on our volunteer program's on-site visits, but we will be accepting and training new volunteers soon.

A volunteer ombudsman advocates for residents on-site at an assigned assisted living or nursing facility between 8 a.m. and 6 p.m. on weekdays. Volunteers may work in Alexandria, Arlington, Fairfax, or Loudoun jurisdictions. The time commitment is a minimum of four hours per week for at least one year. There is an extensive training and certification process which includes a background check. Volunteers must also attend continuing education trainings provided by the Ombudsman Program to maintain certification.



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Core Principles of the Long-Term Care Ombudsman Program

Residents' rights are the basis of the program, and in both federal and state code it states that all facilities must:

- **Promote and protect the rights** of each resident.
- **Provide care and services** necessary for each resident to attain or maintain the highest practicable physical, mental and psycho-social well-being.

These laws place strong emphasis on individual dignity and self-determination. Services provided are free and confidential.

The Long-Term Care Ombudsman Program advocates for highest quality of life and care for residents in long-term care facilities. Ombudsmen work toward resolution of concerns that satisfy the resident or their legal representative through self-empowerment and advocacy, and through negotiation.