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Changes to the FY2020 version of NORS eliminated reporting on policy and media work. NASOP proposes reinstating requirements for reporting on these and two other examples of systems issues by a State Ombudsman.

The Office of the State Long-Term Care Ombudsman (Office) is a unique entity described in Section 712 of the Older Americans Act and Title 45 of the Code of Federal Regulations (CFR), §1324.13. The Administration for Community Living (ACL) adopted the Long-Term Care Ombudsman Program rules in 2015 with intent to clarify complex provisions of the Older Americans Act, especially related to the program's independence, and improve consistency of program operations and compliance by states with the Older Americans Act requirements.

A primer for state agencies that house the Office describes the independence of the Office and its unique aspects, including examples of its necessary independence. Two hallmarks of the independence of the Office are work on law, regulation, and policy and work with the media. And yet, NASOP is aware that many offices lack independence from the agency housing them. Therefore, NASOP strongly recommends that ACL collect more data from states regarding the common ways that a State Long-Term Care Ombudsman performs the systems advocacy functions of the Office and fulfills the requirements of the Older Americans Act.

Recommendation: Add S-14 to Table 3 reporting requirements to collect the scope of systems issues work performed by the State Long-Term Ombudsman. This reporting element provides needed depth and clarity about whether a State Long-Term Care Ombudsman has the necessary independence and resources to perform systems advocacy as required by the Act.

We propose that S-14 collect the total number of instances of systems issue activities performed by the State Long-Term Care Ombudsman. This would include four elements of systems advocacy work:

01. Provided information on a systems issue to a legislator or legislative staff.
02. Recommended changes on a systems issue to laws, regulations, policies or actions through written or oral testimony.
03. Provided information on a systems issue to the media.
04. Provided information on a systems issue to a state agency such as the State Survey Agency or the State Medicaid Agency.

Include the following examples and reporting tips:

- Report a whole number for each code to reflect work performed by the State Long-Term Care Ombudsman. A systems issue is one that the Office identified and addressed during the reporting period. Count the same activity only once, such as if the State Ombudsman sends the same letter to 10 legislators, report as one instance.
- "Provided information" and "recommended" means that the information was independently developed and issued by the Office of the State Long-Term Care Ombudsman.
- Use 01 for written or oral information that was not provided as part of a legislative hearing or in response to a constituent complaint.
- Use 02 for providing testimony to a legislative body or providing testimony at a public hearing or during a comment period.
- Use 03 for interviews with media, editorial opinions, press releases, press conferences, etc. that relate to systems issues. Count multiple press releases about the same issue or multiple interviews on the same news story only once.
- Use 04 for information that was not provided in response to an individual complaint.