



STATE OF WISCONSIN
BOARD ON AGING AND LONG TERM CARE

OFFICE OF THE
STATE LONG TERM CARE OMBUDSMAN

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**State of Wisconsin Board on Aging and Long Term Care
The Long Term Care Ombudsman Program Fact Sheet**

What is an "Ombudsman?"

The word *Ombudsman* (Om-budz-man) is Scandinavian. In North America this has come to mean "helper," advocate or "voice of the people." Recognizing the importance of quality of life and quality of care, a Long Term Care Ombudsman works with individuals and their families to protect and promote the rights of long-term care consumers, while also working with long-term care service providers to define and achieve the highest standards possible.

What is the Long Term Care Ombudsman Program?

Federal law requires (45 CFR 1324) each state to have a Long-Term Care Ombudsman Program headed by a State Long Term Care Ombudsman. As defined by the Older Americans Act, the mission of the Long Term Care Ombudsman Program is to seek resolution of problems and advocate for the rights of clients with the goal of enhancing quality of life and quality of care. The Long Term Care Ombudsman Program is also enabled by Wisconsin Statute at § 16.009, *stats* and is administered by the State of Wisconsin Board on Aging and Long Term Care.

Advocacy services are provided at no cost. There is no connection with any long-term care provider, and ombudsmen do not endorse or recommend any specific long-term care provider or program.

Who do Ombudsmen serve?

Ombudsmen have unrestricted authority to advocate on behalf of persons age 60 and older who receive their long-term care services as residents or tenants of a licensed or certified long-term care settings such as a nursing home, community-based residential facility (CBRF), adult family home (AFH), or residential care apartment complex (RCAC). Ombudsmen also advocate for persons who receive home and community-based services through one of the state's managed long-term care or self-directed supports programs, (Family Care, Family Care Partnership, PACE or IRIS). Ombudsmen do not have authority to advocate on behalf of persons who are younger than 60 years of age, persons receiving services in residential or acute mental health treatment settings, persons receiving services in a hospital or persons living in independent or unlicensed settings, unless their concerns are about their managed long-term care services specifically.

Who may call an ombudsman, and can complaints be placed anonymously?

An ombudsman's clients are limited to individuals who are residents of a long-term care setting, a recipient of managed long-term care services or a participant in self-directed supports. Ombudsmen are not advocates for family members or long-term care providers. Anyone with a concern or complaint about the long-term care services described above may call an ombudsman. It is important to note, however, the Ombudsman Program is not an emergency response organization, and ombudsmen are not regulators.

Calls placed to the Ombudsman Program's toll-free line or complaints addressed to the Board on Aging and Long Term Care's website are received and triaged Monday through Friday between the hours of 8:00 am and 4:30 pm (state holidays excepted). Calls placed before or after office hours go to a confidential voice mail system and are sent the next business day to the appropriate ombudsman. Contact information may be found at the end of this fact sheet.

Complaints can be made anonymously by or on behalf of a resident or managed care enrollee. Specific complaint information is shared with others only with the consent of the resident or enrollee.

What types of complaints do ombudsmen respond to?

Ombudsmen respond to complaints and concerns including but not limited to:

Resident or enrollee rights violations

- Concerns about care and treatment in a nursing home, assisted living community or related to a managed care or self-directed supports provider
- Questions about guardianship or advance directives
- Concerns about substitute decision-makers, such as agents under powers of attorney, guardians or supporters named in supported decision-making documents.
- Alternatives to nursing homes, choosing a residential care setting
- Accessing Family Care, PACE, Partnership or IRIS
- Accessing local resources such as Aging and Disability Resource Centers or Adult Protective Services agencies
- Accessing other advocacy or community supports

Do Ombudsmen investigate allegations of abuse?

In Wisconsin, ombudsmen are not the investigators of allegations of abuse, neglect or exploitation, but are often the first source with whom a person will confide. Ombudsmen will, with the consent of the resident or enrollee, assist in reporting the allegation, and ensure that rights are fully respected throughout the process of investigation. An ombudsman's focus is directed to assuring that the person alleged to have been abused is granted her or his right to due process, receives the appropriate supports and resources toward resolution, and is free from fear of retaliation for having reported the alleged abuse.

What can I do if I feel I have been retaliated against for making a complaint?

Persons have a legal right to express concerns or make a complaint without the fear of retaliation. Ombudsmen can help to ensure that all rights are protected throughout the complaint process.

I am a long-term care provider? How can an Ombudsman work with me to make sure that I'm giving the best care and respecting the rights of residents?

Providers of long-term care services may call the Ombudsman Program to discuss approaches to specific challenges, to request information about community resources that benefit their residents or members, or to receive staff education on specific topics related to rights, quality of care and quality of life. Ombudsmen are also frequent presenters at local and statewide conferences and workshops, speaking on a variety of topics relative to long-term care services.

Does the Ombudsman Program have written materials available?

There are a variety of materials available to residents, enrollees, providers and the general community. These materials cover a variety of topics and are in several languages other than English. Reference materials are also available on the website of the Board on Aging and Long Term Care, at: <http://longtermcare.wi.gov>. For printed materials call **1-800-815-0015**, and the intake specialist will be happy to send these materials directly to you.

How do I contact an Ombudsman?

Ombudsmen provide services over the phone, by e-mail or in-person. For non-English speaking calls, the Ombudsman Program utilizes language line services. Ombudsmen are assigned to various parts of the state by regions and can most easily be reached by calling the Board on Aging and Long Term Care's toll-free intake number at **1-800-815-0015**. Individuals may also contact an ombudsman or file a complaint online on the Board on Aging and Long Term Care's website at: http://longtermcare.wi.gov/complaint_form.asp.