



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, WA 98504-5600

October 20, 2016

ALTSA: ALF #2016-014
LONG-TERM CARE OMBUDS PROGRAM (LTCOP) FEDERAL REGULATIONS

Dear Assisted Living Facility Administrator:

Residential Care Services is pleased to work in partnership with providers and the State Long-Term Care Ombuds Program (Ombuds Program) in order to promote and protect the rights, security, and well-being of the residents living in Assisted Living Facilities. Starting July 1, 2016 a new Code of Federal Regulations went into effect outlining the duties and expectations of the Ombuds Program, as well as expectations for Long Term Care (LTC) Facilities in working with the Ombuds Program.

The new federal requirements for the LTCOP will be found in 45 CFR 1321 and 45 CFR 1327. The language from the CFR can currently be found in the Federal Register at the follow web address: <https://www.federalregister.gov/articles/2015/02/11/2015-01914/state-long-term-care-ombudsman-programs>.

Facilities are expected to accommodate representatives of the Ombuds Program. Upon request, representatives of the Ombuds Program must present proper identification (that is, a badge and/or identification card). Please keep in mind the following when working with your Ombuds representative:

- Representatives of the Ombuds Program have the right to private access to residents, including for the purpose of asking residents if they want to talk. Residents always have the right to choose whether or not they wish to receive visitors, including visitors from the Ombuds Program.
- The Ombuds has several duties that require active outreach and access to residents and residents' representatives, including the promotion of a family council. The Ombuds is allowed access to information necessary to complete this task, including contact information for resident representatives.
- The Ombuds has the right to access and copy a resident's confidential records under certain conditions.
- The Ombuds has the right to access and copy facility/home records and policies that the residents and the general public have access to review and copy.
- Facilities must not interfere with the Ombuds performance of duties or the Ombuds' private access to residents.
- Residents' representatives, including guardians, family members, and holders of powers of attorney, must not interfere with the Ombuds' private access to residents.

If you have any questions about the Federal Regulations regarding the LTCOP, feel free to contact your Ombuds representative or RCS Field Manager.

Sincerely,

Candace Goehring, Director
Residential Care Services

"Transforming Lives"