Commonwealth of Pennsylvania DEPARTMENT OF AGING

Office of the State Long-Term Care Ombudsman Program

FY 2008-09 Annual Report This page left blank.

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PA Office of the State LTC Ombudsman

The Pennsylvania Office of the State Long-Term Care Ombudsman (State Office) is comprised of the State Ombudsman, a division chief, aging services specialists and include regional ombudsmen coordinators (ROCs). The state office supports and assists Pennsylvania's local ombudsmen and volunteers in partnership with 52 area agencies on aging (AAA).

Wilmarie González, **State Ombudsman** Robert McNamara, **Chief** Theresa Campisi, **Specialist** Tamea Beers-Franklin, **Specialist** Office of the State LTC Ombudsman 555 Walnut Street, 5th Floor Harrisburg, PA 17101-1919 Telephone (717) 783-8975

Regional Ombudsmen Coordinators (ROCs)

Jan Brown - Northwest & North Central

Telephone (814) 544-7562 Email: jbrownroc@verizon.net

(Counties: Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Jefferson,

Lycoming, McKean, Mercer, Potter, Snyder, Union, Venango, Warren)

Kim Shetler - South Central & Southeast

Telephone (570) 784-4420 Email: ksroc@verizon.net

(Counties: Adams, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lancaster,

Lebanon, Montgomery, Perry, Philadelphia, York)

Dorrie Taylor - Southwest & South Central

Telephone (717) 697-4846

Email: dorrietaylor@comcast.net

(Counties: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Lawrence, Somerset, Washington, Westmoreland)

Carolyn Tenaglia - Northeast & North Central

Telephone: (570) 628-3931, ext. 3305

Email: ctenaglia@midpenn.org

(Counties: Bradford, Carbon, Columbia, Juniata, Lackawanna, Lehigh, Luzerne, Mifflin, Monroe,

Montour, Northampton, Northumberland, Pike, Schuylkill, Sullivan, Susquehanna, Tioga,

Wayne, Wyoming))

List of local ombudsman programs by county is located at the end of this report.

Executive Summary

The purpose of this report is to summarize the activities outcomes of Pennsylvania's State Long-Term Care Ombudsman program for the time period of July 1, 2008 through June 30, 2009.

The term "ombudsman" originated in Sweden and translates into English as "citizen representative." The State Long-Term Care Ombudsman program advocates for individuals who receive long-term care (LTC) services. The state program also monitors local agency operations, conducts numerous statewide training sessions for staff and volunteers, and provides ongoing technical assistance to local agencies. The Long-Term Care Ombudsman program, as authorized under the Older Americans Act, is an integral part of the Pennsylvania Department of Aging (PDA). The Ombudsman program operates in close partnership with 52 local Area Agencies on Aging (AAA) covering all 67 counties in the Commonwealth. The Department strives to improve the delivery of services to older adults by developing strong working relationships with other state and community agencies and care providers. This program provides free and confidential assistance to older adults who express concerns about their long-term care services. Ombudsman services are used by older residents of approximately 2,800 long-term care facilities with approximately 160,114 beds.

Pennsylvania's Long-Term Care Ombudsman program represents a public and private network of dedicated employees and volunteers at the local, regional and state levels. These well-trained, certified ombudsmen visit facilities that provide long-term care services, and advocate for those who cannot do so on their own behalf. Their role is to provide residents with information on their rights as consumers, assist them in exercising those rights, pursue remedies to their problems, and advocate for the enforcement of quality standards in the delivery of services. Pennsylvania ombudsmen also serve older consumers who receive home-and-community-based services. This program is accessible to families and friends of older adults, facility staff and providers of long-term care services, legislators and government agencies.

The program continually strives to be proactive and have a visible presence at all facilities at the local level, and be accessible to consumers who receive long-term care services. In Pennsylvania, our vision is simple... "advocate for those who can't, support those who can, and ensure all long-term care consumers live with dignity and respect."

Program Highlights — FY 2008-09 (Compared to fiscal year 2007-08)

- ➤ 11.3% decrease in the number of cases opened (1,291 to 1,145)
- ➤ 5.4% decrease in complaints received (2,389 to 2,260)
- ➤ 22.3% **increase** in participation in facility surveys (1,218 to 1,490)
- ➤ 22.6% increase in work with resident and family councils (737 to 904)
- ➤ 23.7% increase in training for facility staff (307 to 380)
- ➤ 33.5% **increase** in community education (696 to 929)
- > 35.1% increase in training sessions for ombudsman staff/volunteers (877 to 1,185)

Purpose & Organization

The ombudsman program responds to complaints received from older adults who receive long-term living services in a licensed/certified facility, a community setting, or in a private home. The program is located within the Pennsylvania Department of Aging.

The Older Americans Act established the ombudsman program in every state and is required to do the following:

- Investigate and resolve LTC resident and consumer complaints.
- Monitor the development and implement actions for federal, state and local LTC laws and policies.
- Provide information to public agencies on issues and concerns of older residents in LTC facilities.
- Provide volunteer training, development and recruitment for the ombudsman program.
- Maintain a statewide reporting system for complaints in LTC facilities.
- Protect the confidentiality of residents' records, complainants' identities and ombudsmen files.

While the program's sole purpose is to advocate, support, educate and empower consumers, the ombudsman program assumes a unique advocacy role that is unlike any other service in long-term living. Ombudsmen are resident directed, confidential supporters who are committed to advocating on behalf of recipients living in our state.

Our ombudsmen are federally mandated, legally based and state certified via standardized trainings to actively advocate and give voice to individuas of long-term living services, whether delivered in the community or a facility-based setting. Pennsylvania ombudsmen champion the right of these consumers to achieve the highest quality of life and care wherever they reside. Our ombudsmen are comprised of staff, volunteers and trained resident volunteers who serve through the Pennsylvania Empowered Expert Residents program (PEER). All are united through an impassioned commitment to maintain a visible presence, listen, educate, investigate, mediate and empower LTC service recipients.

What is an Ombudsman?

The word "Ombudsman" is a Swedish term that means "citizen representative." An ombudsman is a trained, state-certified individual who assists recipients of LTC services resolving issues that impact their quality of life. These dedicated individuals advocate for the highest standards of quality of care and promote strict enforcement of those standards. Ombudsmen serve as resources who provide information regarding consumer rights and assistance in exercising those rights. They promote the highest quality of life for care-dependent individuals and are consumer representatives, who work within the legislative and rule-making process, to improve LTC services throughout the commonwealth. Ombudsmen are individuals who are consumer driven and confidential supporters, who assist LTC consumers in pursuing remedies to their problems, while remaining impartial.

Legislative History

Older Americans Act (OAA; Federal Legislation, 1965)

The OAA established the LTC ombudsman program as a focal point for complaints from nursing home facility residents, and includes the following amendments:

1978 States are mandated to have LTC ombudsman for nursing homes to:

- Investigate and resolve complaints on behalf of nursing home residents.
- Monitor the development and implementation of federal, state and local LTC laws and policies.
- Provide information to public agencies on issues and problems for older residents of LTC facilities.
- Provide training, development and recruitment of volunteers for the ombudsman program.

1982 Expansion to include Board and Care (Personal Care & Domiciliary Care homes).

1987 Creation—Office of the State LTC Ombudsman, regional programs:

- Expanding the complaint definition.
- Mandating availability of legal counsel for advice, consultation and representation.
- Mandating training for staff and representatives of the State Office.
- Mandating states to provide immunity to ombudsmen for the good faith performance of their duties.
- Mandating states to make it unlawful to interfere with an ombudsman or to retaliate against a resident or complainant, providing appropriate sanctions for their due protection.
- **1992** Residents must have regular and timely access to an ombudsman and the responsibility when a complaint involves a guardian not acting in the resident's best interest.

2000 Increased funding and required coordination with local law enforcement.

Public Law 1244 (1989 PDA Reauthorization, PA State Legislation)

This law connected the ombudsman program to individuals rather than buildings; thereby expanding the ombudsman's investigative and advocacy roles to non-institutional settings.

Nursing Home Reform Law (1987 OBRA, Federal Legislation)

This law provided new tools and statutory support for the ombudsmen in their daily advocacy work.

- Required facilities to provide all residents the name, address and telephone number of the local ombudsman as part of the notice of appeal rights when a home transferred or discharged a resident.
- Provided the ombudsman program and its representative's immediate and unlimited access to residents and their records as allowed by the resident.
- Required states to notify the ombudsman program of any findings of non-compliance with any requirement of the law.
- Required state surveyors, through federal survey procedures, to confer with ombudsmen on any complaints lodged against the facility in conjunction with their survey preparation, and to invite ombudsmen as observers at on-site exit conferences.

Standards & Responsibilities of the Program

Reporting

- Any person who has a complaint or question about LTC services on behalf of an older person can contact their local LTC ombudsman or the Office of the State LTC Ombudsman.
- Complainants are encouraged to attempt self-resolution. The ombudsman provides information and assistance for consumers to pursue remedies for their problems.
- If the ombudsman finds that the older person may be in jeopardy and may benefit from intervention based on the information presented, the ombudsman may proceed as the complainant.

Investigations

- All complaints are investigated or referred to other agencies, as appropriate.
- Ombudsmen must obtain consent from the consumer, or the consumer's legal representative, before proceeding with an investigation.
- Only individuals who have completed the required ombudsman Tier II training and are designated as representatives of the Pennsylvania State LTC Ombudsman program can conduct investigations.
- A complaint is verified when it has been determined that the complainant has a valid concern and that some resolution to the complaint is needed.
- In instances where a complaint alleges abuse, neglect, exploitation or abandonment, it is referred to the local Adult Protective Services Unit for investigation.

Access to Facilities, Residents & Records

- The ombudsman can enter a facility at any time as necessary to advocate on behalf of a resident. Every ombudsman has completed standardized training from the state ombudsman's office and wears a state-issued identification badge.
- The ombudsman's authority to access facilities and residents is provided in federal law and in regulations issued by the state's licensing and certification agencies of LTC facilities.
- For individuals residing in private homes where access is not specifically provided for in the law and access is denied, such denial may be considered a potential for imminent danger and may be referred to the Adult Protective Services Unit for investigation.

Confidentiality

- Information and records acquired by an ombudsman are kept confidential per federal and state laws.
- The identity of the older person and the complainant is not disclosed by the ombudsman without their consent or by court order.
- Complainants may choose to remain anonymous.
- Individuals filing a complaint with, or providing information to, the ombudsman are protected from retaliation and reprisals.
- Ombudsman files are kept locked and separated from other agency files.

Resolution

- Once a complaint has been verified, the ombudsman, with the resident's consent, works with all parties, such as facility staff, family members and regulatory agencies in seeking a resolution.
- Complaints are considered to be resolved when the circumstances have been remedied to the satisfaction of the consumer.
- Not all complaints are resolved to the satisfaction of all parties.

Enforcement

Ombudsmen do not have direct authority to require action by a facility or other providers of LTC services. Ombudsmen work with licensing agencies for effective enforcement.

Responsibilities of the State LTC Ombudsman Office

Program Monitoring

The Office of the State LTC Ombudsman performs annual on-site visits, interviews and case record reviews that are used to measure the local program's compliance with federal and state requirements. State findings help to enhance administrative and performance standards, identify necessary program changes, and target the delivery of technical assistance.

Technical Assistance

Support is provided to local ombudsmen as they work to resolve complaints or problems on behalf of LTC consumers. The State Office responded to requests for technical assistance, consultations from LTC providers, and consumer requests for information.

Training Modules

The state office provides year-round training to certify local ombudsmen through the AAAs, including subcontractors, volunteers, and LTC facility residents through the PEER program. A state approved **Standardized** module is a pre-requisite in Pennsylvania, and is administered by the AAAs for all agency staff and volunteer ombudsmen.

Tier I

This is a one-day session that provides an overview of the ombudsman program. The session serves as an introduction to the program's philosophy, consumer population, Pennsylvania's LTC system, and the role of staff and volunteer ombudsmen. A total of 237 staff and volunteers attended 17 training sessions. This adds 173 volunteers and 64 staff ombudsmen to the statewide complement.

Tier II

This is a 3-day session that provides an in-depth exploration of the LTC system in Pennsylvania, consumers served by the ombudsmen program, requirements for ombudsmen, and components of the complaint process, investigation skills, client-directed philosophy, documentation skills and reporting requirements. A total of two training sessions were conducted for 63 individuals. Completion of the sessions gave us 21 volunteers and 42 staff certified ombudsmen. Pennsylvania ombudsmen are required to complete this second level of training prior to participating in complaint investigations and resolution activities.

PA's Empowered Expert Residents (PEER) Train-the-Trainer

To encourage the growth of this program, a two-day train-the-trainer session is offered by the State Office to certified local ombudsmen to provide PEER training to consumers living in a long-term care facility. This ensures consistency and quality of the program. Fourteen staff and 21 volunteer ombudsmen completed this session.

OmbudsManager

To improve data consistency and provide hands-on technical assistance for new ombudsmen, one two-day training session was offered. The entry-level session was completed by 26 ombudsmen, and 28 ombudsmen completed the management session on day two. This training is required to support the program's responsibility of submitting federal and state reporting requirements. The State Office uses OmbudsManager software to record all consumer and case data and ombudsmen activities at the local level. Federal reporting data is electronically submitted using the National Ombudsman Report System (NORS) software developed by the Administration on Aging in conjunction with Harmony Systems. OmbudsManager and the NORS systems meet all required confidentiality standards as well as state and federal reporting requirements.

Annual Enrichment Conference

This statewide conference provides an opportunity for local staff and volunteer ombudsmen to network, hear and discuss the latest program updates, legislation and regulations impacting LTC services and programs. Attendees can attend sessions offered by experts in the fields of legal justice, aging and disability issues that impact our consumers. In April 2009, the enrichment conference was held in Camp Hill, Pennsylvania, hosting 135 staff, 149 volunteer ombudsmen and six PEERs for a total of 290 participants.

Bankruptcy Actions

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 went into effect on October 17, 2005. One of the provisions of this law is for the appointment of a patient advocate when a health care business files for bankruptcy. If the health care business provides LTC services, the State LTC Ombudsman may be appointed by the U.S. Trustee's Office as the "patient care ombudsman." The role of the patient care ombudsman is to monitor the quality of patient care and represent the interests of the residents. In Pennsylvania, there were two cases under bankruptcy proceedings comprised of a rehabilitation center, hospital, and two personal care homes during this fiscal year. The local ombudsmen in collaboration with licensing agencies provided support so that residents continue to receive good quality level of care and report any issues for resolution. Under the law, the State Office is required to submit 60-day reports until the court decides the case is closed.

Responsibilities of the State LTC Ombudsman

The Office of the State LTC Ombudsman coordinates the efforts and functions of local ombudsmen with the Area Agencies on Aging to ensure an effective complaint process. The State LTC Ombudsman is constantly examining procedures, reporting methods and providing educational materials to enhance existing program efforts. Specifically, the State LTC Ombudsman:

 Designs, implements and manages a statewide uniform reporting and investigation system for complaints made by or on behalf of older consumers of LTC services.

- Establishes policies and procedures for implementation of the ombudsman program and to ensure compliance with all federal and state requirements.
- Analyzes and monitors federal and state legislation that impacts consumers of LTC services.
- Provides training to representatives who provide local ombudsman services to include volunteers and residents who attend the PEER program.
- Provides technical assistance and information to local ombudsmen and consumers.
- Monitors local program implementation to ensure compliance with standards and enhance program performance.
- Addresses concerns common to older consumers of LTC services by advocating at a systems level.
- Works within the legislative rule-making process to improve LTC.

Responsibilities of the Area Agencies on Aging

The Area Agencies on Aging (AAAs) are the local providers of ombudsman services. Each AAA may choose to provide ombudsman services either directly by using its own staff and volunteers, or by purchasing the services through a sub-contractor. Regardless of the method chosen, the AAA is given the following responsibilities:

- Designate a local ombudsman and establish a system for investigating and resolving complaints at the local level.
- Collect and maintain adequate complaint and case data to enable compliance with reporting requirements.
- Inform older LTC consumers of the ombudsman program and how to access it.
- Assure that only staff and volunteers who have completed the ombudsman Tier II training investigate complaints.
- Ensure that legal representation is provided to an approved local ombudsman, when necessary, in connection with the good faith performance of such local ombudsman's official duties.
- Ensure that confidentiality is provided for all information and records acquired by the ombudsman program.
- Ensure that neither the ombudsman nor the AAA's staff is subject to a conflict of interest.
- Ensure that a minimum of one quality assurance visit is conducted annually to each licensed or certified LTC facility located in the local AAA's planning and service area.

Local Ombudsman Program Activities

In addition to working on complaints, local ombudsmen act as a resource on LTC issues, monitor legislative regulations and policies, and serve as advocates for consumers impacted by LTC issues. Listed below are some of the activities performed by both staff and volunteer ombudsmen in the previous year:

- Arranged 928 training sessions totaling 2,214 hours for 1,623 ombudsman staff and volunteers.
- Provided 380 training sessions for staff and providers of LTC facilities. Most frequent topics were ombudsman services, resident rights and elder abuse.
- Provided 3,223 consultations to staff and providers of LTC facilities. The largest number of consultations concerned PEER, LTC services and ombudsman services.
- Responded to 10,255 requests for information and consultations from consumers. Most frequent areas of requests were: the complaint process, accessing LTC services and ombudsman services.
- Conducted 2,363 visits to LTC facilities that were not related to complaint investigations.
- Participated in 1,490 surveys of nursing facilities.
- Attended 873 resident and 31 family council meetings.
- Provided 928 educational sessions to groups in the community.
- Participated in 25 media interviews and prepared 66 press releases.
- Completed 345 program activities related to monitoring laws and regulations, government policies and actions.
- Performed 227 program activities related to facility closures and resident relocation.
- Pennsylvania's 52 AAA are geographically distributed among five regions. On a quarterly basis, each region hosts a one-day meeting to provide training and networking support for both paid and volunteer ombudsmen. Staff of the Office of the State LTC Ombudsman attends these meetings.

High Risk Facility Activities

In an effort to continually provide systems collaboration, the State Office receives Act 13 notices under the Older Adults Protective Services Act (OAPSA). Additionally, the State Office in collaboration with licensing agencies, coordinates communications to local ombudsmen impacting resident health and safety issues, and increased demand for more visibility in high-risk facilities. OAPSA, which became effective on July 1, 1988, was amended in 1997, with the addition of the Mandatory Abuse Reporting requirement by administrators and/or employees of facilities as defined by the Act. This means that both administrators and/or employees are required to report any suspected abuse of a

recipient of care to the AAAs. If the *suspected abuse* involves sexual abuse, serious physical injury, serious bodily injury or a suspicious death, a mandatory report must be made to law enforcement, the Department of Aging, and the local AAA.

The State Office receives reports from the Department of Aging through its Consumer Protection Division, licensing agencies, and other entities. These reports include Act 13 notices, correspondence, utility terminations, sanctions, facility closures, immediate jeopardy or alerts pending licensure enforcement actions or other significant situations in a LTC facility where follow-up action is likely. It may also include warnings on issues that may be placing one or more residents at risk of serious harm or death if not quickly corrected. Alerts also include the Pennsylvania Emergency Management Agency (PEMA),

Volunteer Ombudsmen

Volunteer ombudsmen are trained members of the community who work through their local Area Agencies on Aging or ombudsmen subcontractor. Once they complete training, volunteers are certified as ombudsmen with all the authority and responsibility granted under the long-term care ombudsman program. Their goal is to advocate for and inform consumers who live in long-term living facilities on a person-to-person basis. These community volunteers significantly expand the outreach and accessibility of the ombudsman program. During this fiscal year, volunteers responded to consumers in over 2,800 long-term living facilities in their respective communities. A total of 173 volunteers completed Tier I trainings and 21 volunteers were trained to investigate complaints.

Volunteer Spotlight



Ethel Malone
"Another Kind of Teacher" (Philadelphia County)

When her late husband was hospitalized, **Ethel Malone** remembers visiting him every day. She remembers seeing patients who seemed very alone, with no one to visit them. A letter she received from the American Association of Retired Persons (AARP) in 2000 promoting the volunteer ombudsman program proved to be the perfect catalyst for Ethel to join the program operated by the Neighborhood Interfaith Movement, a subcontractor in the Philadelphia area. Currently, as a trainer, Ethel has chosen to be an advocate by educating staff in LTC facilities about residents rights and ways to improve the quality of

resident care. Her passion and conviction is drawn from decades of experience as a professional educator and her passion for teaching, having previously served as a program support teacher, and administrator. As a volunteer ombudsman, Ethel says she enjoys coming into contact with a broad range of people, from staff new to the field and those with long-term experience. She knows that by training them she can directly impact residents' quality of life. The ombudsman program recognizes Ethel's commitment in helping others as a volunteer ombudsman.

A Special Group of Volunteers Pennsylvania's Empowered Expert Residents (PEER) Program

The first of its kind in the nation, the PEER program implemented in 2002, trains residents to be advocates within facilities, and works with staff and residents to enhance quality of care and quality of life for their fellow peers. Self-resolution and consumer empowerment are themes consistently emphasized in statewide trainings. The PEER program offers an additional mechanism to equip residents with the knowledge to enable them to be part of the solution. In Pennsylvania, we believe the PEERs are the residents with the solutions. During this fiscal year, the PEER has grown to include 37 out of the 67 counties, and 850 residents have been trained. Our goal is to continue to expand the program to every county in the state. For updated information, please visit the Department of Aging's web site at www.aging.state.pa.us and click Advocacy (Ombudsman) button.

The uniqueness of the PEER program is motivated and supported by residents. PEER residents come from LTC facilities: nursing and personal care homes, and domiciliary care and adult day care centers). Annually, all across the state, PEERs nominate their fellow peer on how an individual or group made a positive impact on their daily living. These nominations are submitted through local ombudsmen to the State Office. The PEER Day, sponsored by the State Office, is a day where PEERs come together to celebrate and recognize their accomplishments. One grand award is presented as the **PEER Award**, and this year, the award went to Schuylkill County.



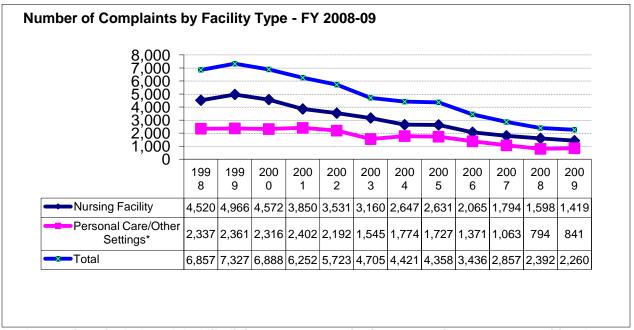
State Ombudsman, Wilmarie Gonzalez and former Deputy Secretary for the Department of Aging, Ray Prushnok, presented the award to Lois Young. Lois, is one of the members of the PEER group, who completed a number of community outreach projects while residing in a LTC facility. The Schuylkill County PEERs were voted as this year's winners by their fellow statewide PEERs. The group completed their first community project, "Stuff the Backpack". The project

involved collecting school supplies for less fortunate children and placing them in backpacks benefiting children of the Bridge House in Pottsville, Pennsylvania. The group gained overwhelming support from staff, family members and fellow residents. The Schuylkill PEERs not only exceeded their goal of 14 backpacks, they more than doubled the goal, reaching a total of 34. They also donated an additional five cases of school supplies for students in kindergarten through 12th grade.

Complaint Investigation

Ombudsmen investigate and work to resolve complaints made by or on behalf of older individuals who are recipients of LTC services, whether residing in a facility or the community. These complaints are related to actions, inactions or decisions that may adversely affect the health, safety, welfare or rights of older consumers.

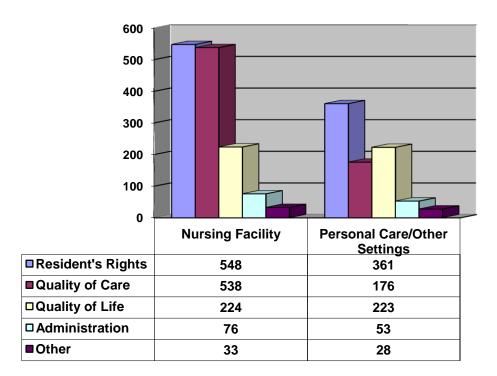
Ombudsmen received a total of 2,260 complaints during this fiscal year. This could be attributed to an increase in the number of trained ombudsmen, facility visits and consumer education. This total represents a 68.6% decrease in nursing facility complaints and a 64% decrease in personal care/other setting complaints from fiscal year 1998 to 2009.



^{*} Other settings include: adult daily living centers, continuing care retirement communities, home care services, hospitals, hospice settings, public and congregate housing units, and shelters

What Kind of Complaints Do Ombudsmen Receive?

When a complaint is received, it is coded using one of the required federal codes that serve to classify LTC complaints into five major categories (see chart below). Ombudsmen received 2,260 complaints this fiscal year.



Making a Difference One Consumer at a Time (example)

A local ombudsman received a call from a volunteer ombudsman regarding a blind gentleman who had concerns regarding the food service and staff attitudes in the facility where he resided. The consumer reported that he had tried several times to explain to the staff that he would like choices for his foods and they ignored him. He also reported that the admitting nurse was very rude to him and had treated him badly since his admission. The consumer requested a visit from the staff ombudsman to discuss his concerns and possible resolution.

The ombudsman conducted a facility visit with the consumer. The consumer reported that he had been at the facility for less than one week and all he had been served to eat is sandwiches. He also reported that the floor nursing supervisor told him that he would get a menu and could select his meals from that. They did not take into account that he had a visual impairment and would need a Braille menu. The consumer also reported that he was not escorted to the dining room or given the choice to go there for meals. The ombudsman received consent from the consumer to arrange a care plan meeting with facility staff to discuss concerns.

A meeting was held and the facility staff agreed to assist the consumer to the dining room when he chose to go there for meals and to have someone assist him with his meal selections each day. The facility also offered to move the consumer to another wing where the nurse who he was having conflict with did not work. The consumer agreed to the room switch at the time of the meeting.

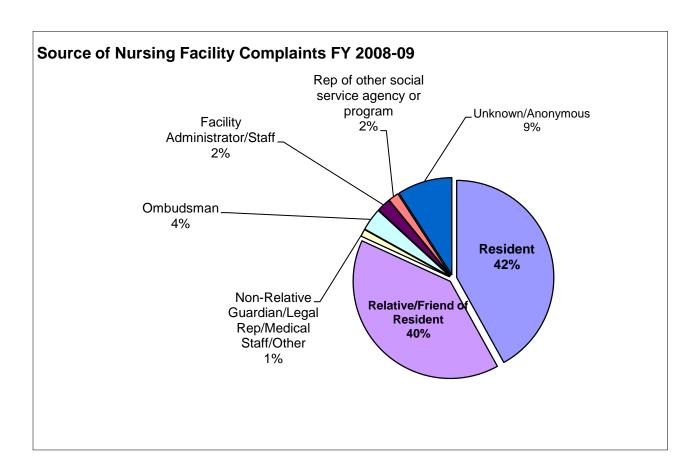
A follow-up visit was conducted with the consumer two weeks later. He reported that he was satisfied with the room change and staff on the new wing had been more accommodating. He also reported that he was getting meal choices and going to the dining room. In addition, the facility administrator reported to the ombudsman that they had a training session from Blind and Visual services on sensitivity for visual impairment following the care plan meeting making all staff more aware of the issues surrounding visual impairments.

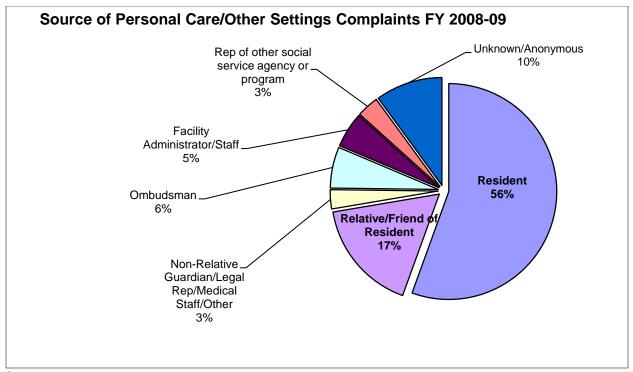
The consumer was able to return home after a short rehabilitation stay but reported that he was grateful for the assistance and intervention of the ombudsman.

Who Makes Complaints?

Anyone with a concern may make a complaint on behalf of a consumer receiving LTC services. The identity of the consumer and the complainant are not disclosed by the ombudsman because the conversations, information and records acquired by an ombudsman are kept confidential and protected by federal and state laws.

During this fiscal year, 82% of nursing home facilities and 73% of personal care/assisted living/other setting* complaints were received from residents, family or friends of residents. These are demonstrated on the following page.





^{*}Other settings include: adult daily living centers, continuing care retirement communities, home care services, hospitals, hospice settings, public and congregate housing units, and shelters.

Most Frequent Types of Complaints

The ten most frequent types of complaints reported in LTC facilities are listed in the following tables.

Nursing Facilities

Type of Complaint	Number of Complaints	% of All Nursing Facility Complaints
Discharge/eviction – planning, notice, procedure	93	6.6%
Failure to respond to requests for assistance	83	5.8%
Dignity, respect – staff attitudes	72	5.1%
Exercise choice and/or civil rights (includes right to smoke)	68	4.8%
Personal Hygiene (includes oral hygiene)	61	4.3%
Medications – administration, organization	58	4.1%
Personal property lost, stolen, used by others, destroyed	51	3.6%
Assistive devices or equipment	46	3.2%
Symptoms unattended, including pain, pain not managed, no notice to others of changes in condition	45	3.2%
Care plan/resident assessment-inadequate, failure to follow plan or physician orders	43	3.0%

Personal Care/Other Settings*

Type of Complaint	Number of Complaints	% of All Personal Care/Other Settings* Complaints	
Discharge/eviction – planning, notice, procedure	51	6.1%	
Personal Funds – mismanaged, access denied, deposits and other money not returned	52	6.1%	
Food Service – quantity, quality, variation, choice, condiments, utensils	48	5.7%	
Exercise choice and/or civil rights (includes right to smoke)	41	5.0%	
Personal property lost, stolen, used by others, destroyed	40	4.8%	
Dignity, respect – staff attitudes	38	4.6%	
Medications – administration, organization	36	4.4%	
Equipment/building – disrepair, hazard, poor lighting, fire safety, not secure	34	4.2%	
Billing/charges – notice, approval, questionable, accounting errors or denials	25	3.0%	
Failure to respond to requests for assistance	22	2.7%	

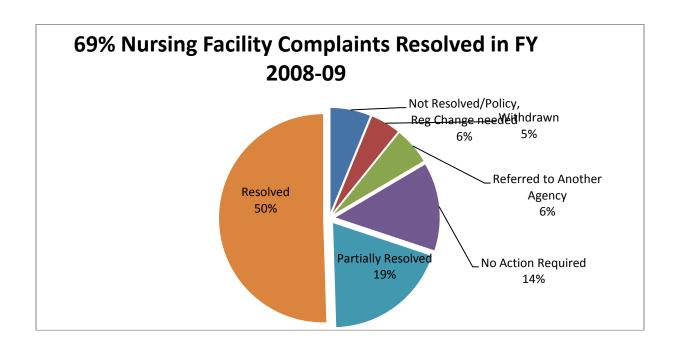
^{*}Other settings include: adult daily living centers, continuing care retirement communities, home care services, hospitals, hospice settings, public and congregate housing units, and shelters.

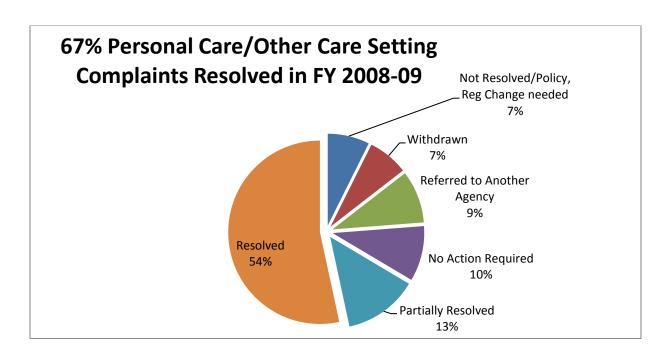
Complaint Resolution

Percentage of average total complaints resolved* during this fiscal year totaled 68%. (*federal definition of "resolved" complaint: the complaint was addressed to the satisfaction of the resident or complainant. Resolution rate includes: resolved and partially resolved complaints). The charts on the following page provide a more detailed description of how other complaints were resolved.

Sometimes the complaint resolution process requires that ombudsmen refer issues to other agencies that regulate facilities or take other action to further assist residents. During this fiscal year, 159 complaints were referred to other agencies (81 nursing facilities, 78 personal care/other settings).

Disposition of Complaints

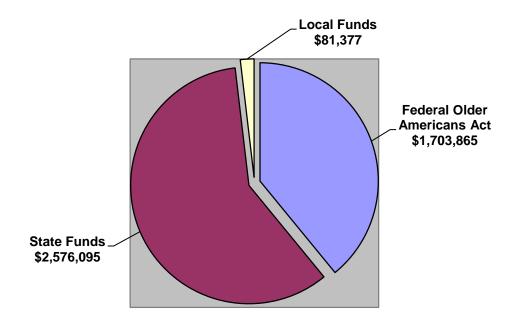




*Other settings include: adult daily living centers, continuing care retirement communities, home care services, hospitals, hospice settings, public and congregate housing units, and shelters.

Funding Levels

The below chart demonstrates the funding streams that supports the Ombudsman program. The combined funding for this fiscal year was \$4.3 million.



Summary

In summary, we will continue to advocate and give voice to older consumers of LTC services, whether delivered in the community or in a facility. We will continue to champion the rights of these consumers in achieving the highest quality of life and care wherever they reside. As a network of local ombudsmen, volunteers, and PEER residents; we are all united through an impassioned commitment to listen, educate, investigate, mediate, and empower through a visible presence." We will continue to be accessible to all consumers who receive long-term living services.

Complaint—Nursing Facilities by County

During this period, ombudsmen received a total of 1,419 complaints against nursing facilities and investigated a total of 753 cases averaging 1.9 complaints per case.

AREA AGENCY ON AGING (AAA)	COMPLAINTS				TOTAL COMPLAINTS
	VER	IFIED	NOT VI	ERIFIED	
	NUMBER	PERCENT	NUMBER	PERCENT	
Adams	0	0%	0	0%	0
Allegheny	249	72%	93	27%	342
Armstrong	0	0%	0	0%	0
Beaver	4	57%	3	42%	7
Berks	40	75%	13	24%	53
Blair	4	100%	0	0%	4
Bradford/Susquehanna/Sullivan/Tioga	6	42%	8	57%	14
Bucks	6	40%	9	60%	15
Butler	0	0%	0	0%	0
Cambria	35	70%	15	30%	50
Cameron/Elk/McKean	7	77%	2	22%	9
Carbon	0	0%	0	0%	0
Centre	1	25%	3	75%	4
Chester	51	71%	20	28%	71
Clarion	7	70%	3	30%	10
Clearfield	15	88%	2	11%	17
Columbia/Montour	0	0%	0	0%	0
Crawford	1	33%	2	66%	3
Cumberland	14	93%		6%	15
Dauphin	8	66%	4	33%	12
Delaware	4	100%	0	0%	4
Erie	20	80%	5	20%	25
Franklin	4	100%	0	0%	4
Huntingdon/Bedford/Fulton	12	75%	4	25%	16
Indiana	7	100%	0	0%	7
Jefferson	3	100%	0	0%	3
Lackawanna	45	97%	1	2%	46
Lancaster	51	43%	65	56%	116
Lawrence	1	33%	2	66%	3
Lebanon	0	0%	0	0%	0
Lehigh	37	68%	17	31%	54
Luzerne/Wyoming	5	100%	0	0%	5
Lycoming/Clinton	2	100%	0	0%	2
Mercer	2	100%	0	0%	2
Mifflin/Juniata	8	66%	4	33%	12
Monroe	1	100%	0	0%	1
Montgomery	110	86%	17	13%	127
Northampton	1	50%	1	50%	2
Northumberland	8	100%	0	0%	8
Perry	4	100%	0	0%	4
Philadelphia	133	80%	33	19%	166
Pike	2	100%	0	0%	2
Potter	17	73%	6	26%	23
Schuylkill	18	100%	0	0%	18
Somerset	4	100%	0	0%	4
Union/Snyder	2	50%	2	50%	4
Venango	3	100%	0	0%	3
Warren/Forest	0	0%	3	100%	3
Washington/Fayette/Greene	86	73%	31	26%	117
Wayne	0	0%	0	0%	0
Westmoreland	3	100%	0	0%	3
York	8	88%	1	11%	9
Totals	1,049	73%	370	26%	1,419
iulais	1,049	15%	3/0	20%	1,419

Complaint—Personal Care Homes/Other Settings by County
During this report period, ombudsmen received a total of 841 complaints and investigated a total of 494 cases averaging 1.7 complaints per case.

AREA AGENCY ON AGING (AAA)	COMPLAINTS				TOTAL COMPLAINTS
	VERIFIED NOT VERIFIED				
	NUMBER	PERCENT	NUMBER	PERCENT	
Adams	1	100%	0	0%	1
Allegheny	165	79%	43	20%	208
Armstrong	0	0%	2	100%	2
Beaver	4	36%	7	63%	11
Berks	28	96%	1	3%	29
Blair	5	100%	0	0%	5
Bradford/Susquehanna/Sullivan/Tioga	11	68%	5	31%	16
Bucks	3	60%	2	40%	5
Butler	0	0%	0	0%	0
Cambria	97	69%	42	30%	139
Cameron/Elk/McKean	0	0%	0	0%	0
Carbon	7	87%	1	12%	8
Centre	1	50%	1	50%	2
Chester	6	75%	2	25%	8
Clarion	0	0%	0	0%	0
Clearfield	5	83%	1	16%	6
Columbia/Montour	1	100%	0	0%	1
Crawford	0	0%	1	100%	1
Cumberland	0	0%	0	0%	0
Dauphin	0	0%	0	0%	0
Delaware	0	0%	0	0%	0
Erie	6	66%	3	33%	9
Franklin	0	0%	0	0%	0
Huntingdon/Bedford/Fulton	17	89%	2	10%	19
Indiana	3	100%	0	0%	3
Jefferson	4	100%	0	0%	4
Lackawanna	34	94%	2	5%	36
Lancaster	21	53%	18	46%	39
Lawrence	5	100%	0	0%	5
Lebanon	0	0%	0	0%	0
Lehigh	12	50%	12	50%	24
Luzerne/Wyoming	0	0%	0	0%	0
Lycoming/Clinton	0	0%	0	0%	0
Mercer	1	50%	1	50%	2
Mifflin/Juniata	0	0%	0	0%	0
Monroe	0	0%	0	0%	0
Montgomery	13	76%	4	23%	17
Northampton	0	0%	0	0%	0
Northumberland	8	100%	0	0%	8
Perry	0	0%	0	0%	0
Philadelphia	66	79%	17	20%	83
Pike	2	100%	0	0%	2
Potter	0	0%	0	0%	0
Schuylkill	18	94%	1	5%	19
Somerset	2	50%	2	50%	4
Union/Snyder	2	66%	1	33%	3
Venango	24	96%	1	4%	25
Warren/Forest	0	0%	0	0%	0
Washington/Fayette/Greene	43	55%	34	44%	77
Wayne	0	0%	0	0%	0
Westmoreland	11	100%	0	0%	11
York	7	77%	2	22%	9
	•				•
Totals	633	75%	208	24%	841

Local Ombudsman Programs by County

Adams
Adams County Office for Aging, Inc.
318 West Middle Street
Gettysburg, PA 17325
(717) 334-9296
www.acofa.org

Allegheny
Allegheny County AAA
441 Smithfield Street, 2nd Floor
Pittsburgh, PA 15222-2219
(412) 350-4234
www.alleghenycounty.us/dhs/olderadult
s.aspx

Armstrong Armstrong County AAA 326 South Water Street Kittanning, PA 16201 (724) 548-3290 / 1-800-368-1066 www.co.armstrong.pa.us

Beaver
Beaver County Office on Aging
1020 8th Avenue
Beaver Falls, PA 15010
(724) 847-2262 / (724)266-7701
www.bcoa.us

Berks
Berks County Office of Aging
633 Court Street
County Services Center, 8th Floor
Reading, PA 19601-4303
(610) 478-6500
www.berksaging.org

Blair Blair Senior Services, Inc. 1320 12th Avenue Altoona, PA 16601-3308 (814) 946-1235 / 1-800-245-3282 www.blairsenior.org

Bradford/Sullivan/Susquehanna/Tioga AAA for the Counties of Bradford / Sullivan / Susquehanna / Tioga 220 Main Street, Unit 2 Towanda, PA 18848 (570) 265-6121 www.aaaseniors.org Bucks
Bucks County AAA
30 East Oakland Avenue
Doylestown, PA 18901
(215) 348-0510
www.buckscounty.org/government/depa
rtments/HumanServices/Aging/

Butler
Butler County AAA
111 Sunnyview Circle
Suite 101
Butler, PA 16001-3547
(724) 282-3008 / 1-888-367-2434
www.co.butler.pa.us

Cambria
Cambria County AAA
Central Park Complex
110 Franklin Street, Suite 400
Johnstown, PA 15901-1831
(814) 539-5595 / 1-800-992-4464
www.co.cambria.pa.us

Cameron, Elk, McKean
Office of Human Services, Inc.
P.O. Box 397
Smethsport, PA 16749
(814) 776-2191 / 1-800-672-7145
ohs@ncentral.com

Carbon
Carbon County AAA
401 Delaware Avenue
3rd Floor
Palmerton, PA 18071
(610) 824-7830 / 1-800-441-1315
ccaging2@ptd.net

Centre
Centre County Office of Aging
Willowbank Office Building
420 Holmes Street
Bellefonte, PA 16823-1488
(814) 355-6716
www.co.centre.pa.us/521.htm

Chester
Department of Aging Services
601 Westtown Road, Suite 320
P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6350 / 1-800-692-1100
www.chesco.org/aging

Clarion
Clarion County AAA
12 Grant Street
Clarion, PA 16214
(814) 226-4640
aging@clarioncountydhs.org

Clearfield Clearfield County AAA 103 North Front Street P.O. Box 550 Clearfield, PA 16830 (814) 765-2696 / 1-800-225-8571 www.ccaaa.net

Clinton/Lycoming
Lycoming/Clinton Bi-County Office of
Aging
P.O. Box 3156
2138 Lincoln Street
Williamsport, PA 17701
(570) 323-3096 / 1-800-332-8555
Clinton: makoons@stepcorp.org
Lycoming: clsimcox@stepcorp.org

Columbia/Montour Columbia/Montour Aging Office, Inc. 702 Sawmill Road, Suite 201 Bloomsburg, PA 17815-7736 (570) 784-9272 / 1-800-598-5001 www.cmaaa15.org

Crawford Active Aging, Inc. Crawford County 1034 Park Avenue Meadville, PA 16335 (814) 336-1792 www.activeaging.org Cumberland
Cumberland County Office of Aging
1100 Claremont StreetCarlisle, PA
17015
(717) 240-6110 / (717) 697-0371
www.ccpa.net

Dauphin
Dauphin County AAA
Administration Building, 3rd Floor
2 S. Second Street, P.O. Box 1295
Harrisburg, PA 17101-2025
(717) 780-6130 / 1-800-328-0058
www.dauphinc.org

Delaware
Delaware County Office of Services for
the Aging (COSA)
206 Eddystone Avenue, 2nd Floor
Eddystone, PA 19022-1594
(610) 490-1300 / 1-800-416-4504
www.delcosa.org

Erie Greater Erie Community Action Committee 18 West Ninth Street Erie, PA 16501 (814) 459-4581 / 1-800-769-2436 www.gecac.org

Warren/Forest
Experience, Inc. - AAA
(Warren/Forest Counties)
905 4th Avenue
PO Box 886
Warren, PA 16365
(814) 726-1700 / 1-800-281-6545
www.experienceinc.org

Franklin
Franklin County AAA
600 Norland Avenue
Suite 11
Chambersburg, PA 17201-3098
(717) 263-2153 / 1-800-642-6990
clockwood@co.franklin.pa.us

Huntingdon/Bedford/Fulton Huntingdon/Bedford/Fulton AAA 240 Wood Street P.O. Box 46 Bedford, PA 15522 (814) 623-8148 / 1-800-892-7903 www.nb.net/~hbfaaa

Indiana
Aging Services, Inc.
1005 Oak Street
P.O. Box 519
Indiana, PA 15701-0519
(724) 349-4500
www.agingservicesinc.com

Jefferson Jefferson County AAA 186 Main Street Brookville, PA 15825 (814) 849-3096 / 1-800-852-8036 www.jcaaa.org

Mifflin/Juniata
Mifflin/Juniata AAA, Inc.
1 Buena Vista Circle
Lewistown, PA 17044-0750
(717) 242-0315 / 1-800-348-2277
www.mjaaa.com

Lackawanna
Serving Seniors, Inc.
Scranton Life Building
538 Spruce Street, Suite 408-410
Scranton, PA 18503-1816
(570) 344-7190 / (570) 344-3931
www.lackawannacounty.org

Lancaster
Lancaster County Office of Aging
150 North Queen Street
Suite 4
Lancaster, PA 17603
(717) 299-7979 / 1-800-801-3070
www.co.lancaster.pa.us/lanco aging

Lawrence
Lawrence County AAA
Shenley Square
2706 Mercer Road
New Castle, PA 16105-1422
(724) 658-3729
www.ccpgh.org/challenges

Lebanon MidPenn Legal Services 513 Chestnut Street Lebanon, PA 17042 (717)274-2834 www.midpenn.org

Lehigh
Lehigh County Office of Aging and Adult
Services
17 South 7th Street
Room 230
Allentown, PA 18101-2400
(610) 782-3034
www.lehighcounty.org

Luzerne/Wyoming
North Penn Legal Services, Inc.
410 Bicentennial Building
15 Public Square – Suite 410
Wilkes-Barre, PA 18701-1797
(570)824-4303
www.northpennlegal.org

Mercer Mercer County AAA, Inc. 133 North Pitt Street Mercer, PA 16137-1206 (724) 662-6222 / 1-800-570-6222 www.mercercountyaging.org

Monroe Monroe County AAA 724B Phillips Street Stroudsburg, PA 18360 (570) 420-3735 / 1-800-498-0330 www.co.monroe.pa.us Montgomery
Montgomery County Aging & Adult
Services
Human Services Center
1430 DeKalb Street, 2nd Floor
P.O. Box 311
Norristown, PA 19404-0311
(610) 278-3601
www.montcopa.org/mcaas

Northampton Northampton County AAA Governor Wolf Building, 1st Floor 45 North Second Street Easton, PA 18042-3637 (610) 559-3245 / 1-800-322-9269 www.northamptoncounty.org

Northumberland Northumberland County AAA 322 North Second Street Sunbury, PA 17801 (570) 495-2395 / 1-877-622-2251 marisa.mcannaney@ncaging.org

Perry
Perry County AAA
Rhinesmith Building, Center Square
P.O. Box 725
New Bloomfield, PA 17068
(717) 582-5128
www.perryco.org

Philadelphia
CARIE
Land Title Building
100 S. Broad St., Suite 1500
Philadelphia, PA 19110
(215) 545-5724 / (800) 356-3606
www.carie.org

Northwest Interfaith Movement (NIM) Long-Term Care Program 7047 Germantown Avenue Philadelphia, PA 19119 (215) 843-0304 www.nim-phila.org Pike
Pike County AAA
150 Pike County Boulevard
Hawley, PA 18428
(570) 775-5550 / 1-800-233-8911
www.pikeaaa.org

Potter
Potter County Human Services AAA
62 North Street
P.O. Box 241
Roulette, PA 16746-0241
(814) 544-7315 / 1-800-800-2560
www.pottercountyhumansvcs.org

Schuylkill
Mid-Penn Legal Services
315 North Centre Street, Suite 201
Pottsville, PA 17901
(570) 628-3931 / (800) 299-6599
www.midpenn.org

Somerset
AAA of Somerset County
1338 South Edgewood Avenue
Somerset, PA 15501
(814) 443-2681 / 1-800-452-0825
www.somersetaaa.org

Union/Synder Union/Snyder County Agency on Aging, Inc. 116 North Second Street Lewisburg, PA 17837 (570) 524-2100 / 1-800-533-1050 www.usaaa17.org

Venango Venango County AAA 1 Dale Avenue Franklin, PA 16323 (814) 432-9711 / 1-866-452-4464 www.co.venango.pa.us/aging

Washington/Fayette/Greene Southwestern PA AAA, Inc. Fayette/Greene/Washington Counties 305 Chamber Plaza Charleroi, PA 15022-1607 (724) 489-8080 / 1-888-300-2704 www.swpa-aaa.org Wayne
Wayne County AAA
323 Tenth Street
Honesdale, PA 18431
(570) 253-4262
www.co.wayne.pa.us

Westmoreland AAA of Westmoreland County 200 South Main Street Greensburg, PA 15601 (724) 830-4444 / 1-800-442-8000 www.co.westmoreland.pa.us

Monahan Center Ombudsman Center 129 DePaul Center Road Greensburg, PA 15601 (724) 837-3437

York York County AAA 100 West Market Street, Suite 102 York, PA 17401-1341 (717) 771-9610 / 1-800-632-9073 www.ycaaa.org

*List is subject to change at time of print.

Office of the State Long-Term Care Ombudsman Program

Tel: (717) 783-8975

555 Walnut Street, 5th Floor Harrisburg, Pennsylvania 17101

www.aging.state.pa.us

