

Issue Brief – Long-term Care Ombudsman

DIVISION OF AGING AND ADULT SERVICES

NUMBER DHS-09-22

LONG-TERM CARE OMBUDSMAN

The Area Agencies on Aging (AAA) under the Division of Aging and Adult Services (DAAS) requests \$300,000 from the General Fund for FY 2009 to provide prevention oriented services under the Long-term Care Ombudsman (LTCO) program. The Analyst does not recommend additional funding for the Long-term Care Ombudsman program.

OBJECTIVE

The LTCO program under section 62A-3-203 of the Utah Code has the responsibility of “promoting, advocating, and ensuring the adequacy of care received, and the quality of life experienced by elderly residents of long-term care facilities within the state.”

DISCUSSION AND ANALYSIS

This program provides services to seniors in long-term care facilities by receiving and resolving complaints, conducting investigations, coordinating services for elderly in long-term care facilities, and providing training for the delivery and regulations for ombudsmen volunteers, as well as operators and employees of long-term care facilities. In addition, the long-term care ombudsman is to ensure compliance with Title VII of the federal Older Americans Act, 42 U.S.C. 3058.

Long Term Care Ombudsman History of Services and Funding

Since 2001, DAAS has experienced an increase of 0.71 percent in referrals and consultations as shown in the following table:

Ombudsman Referrals & Consultations History	
FY	Referrals & Consultations
2001	4,071
2002	4,058
2003	4,200
2004	5,417
2005	4,237
2006	4,109
2007	4,100
Estimate 2008	4,300
Estimate 2009	4,500
% Change from FY 2001 to FY 2007	0.71%

Under the Older Americans Act, the LTCO program is mandated to provide prevention-oriented programs. Funding for this program has been \$160,000 in General Fund since FY 1993. According to DAAS, the LTCO program is only able to provide “crisis based” services (referrals and consultations) because funding has not increased.

Internal Reallocation within DAAS

APS is responsible under section 62A-3-302 of the Utah Code to investigate reports of abuse, neglect or exploitation of vulnerable adults in all settings. In the past there has been concern of duplication of investigations and services provided by APS and the Long-term Care Ombudsman programs. In the 2006 General Session, S.B. 53, “Adult Protective Services Amendments,” clarified the roles of both programs to avoid duplication. Because of passage of this bill, DAAS starting in FY 2008 will reorganize the programs by transferring 3 full time equivalent (FTE) employees and the associated expenditures of \$180,000 from APS to the LTCO program. This

will bring the total funding of the LTCO program to \$340,000 (\$160,000 of the original budget plus \$180,000 from APS).

DAAS FY 2008 Funding Request Detail

DAAS requests additional funding of \$300,000 to provide the AAA's with five additional Long-term Care Ombudsman to reduce the caseloads and to provide mandatory prevention-oriented programs.

RECOMMENDATION

The Analyst does not recommend additional funding for the Long-term Care Ombudsman program for FY 2009. The increase in funding and FTEs from the transfer from APS can be used to provide preventative services. The change in referrals and consultations has actually experienced a decrease of 2.38 percent since FY 2003.