

FILED
AR. REGISTER DIV.
88 DEC -7 PM 4:03

FINAL RULE
No Significant Change

W.J. "BILL" MCCUEN
SECRETARY OF STATE
LITTLE ROCK, ARKANSAS
BY _____ LONG-TERM CARE OMBUDSMAN ACT

Purpose

The purpose of this policy is to establish and administer an Ombudsman program in accordance with the federal Older Americans Act, as amended, and all applicable Federal and State laws including the Arkansas Administrative Procedures Act.

Scope

This policy applies to all efforts directed by the State Long-Term Care Ombudsman and all trained and certified sub-state ombudsmen funded wholly or in part with federal and state funds.

General Authority

This policy is established in accordance with the provisions of the Older Americans Act, as amended, and Act 252 of the 1987 Arkansas State Legislature. Section 2 of Act 252 authorizes the Division of Aging and Adult Services to establish and administer the program and to promulgate regulations under the Arkansas Administrative Procedures Act. Section 3 of Act 252 authorizes the Ombudsman access to any patient or resident in a long-term care facility during any period of operation of the facility.

Policy

The Division of Aging and Adult Services shall administer an Ombudsman program in accordance with federal and state law.

DEC 7 1977
3:04 PM '77

Procedures

1. The State Long-Term Care Ombudsman and sub-state ombudsmen shall receive and document complaints concerning treatment and care of residents of long-term care facilities.
2. The State Long-Term Care Ombudsman and sub-state ombudsmen shall conduct complaint verification and investigation.
3. The State Long-Term Care Ombudsman and sub-state ombudsmen shall resolve, to the extent possible, verified complaints via mediating corrective actions involving all pertinent parties.
4. The State Long-Term Care Ombudsman and sub-state ombudsmen shall maintain a basis of confidentiality in order to protect the rights, safety and interests of residents of long-term care facilities.
5. The State Long-Term Care Ombudsman and sub-state ombudsmen shall obtain proper written consent from long-term care facility residents prior to releasing any data concerning a patient or resident of such a facility.

RJ:mmj