March 23rd, 2020

**Resident and Family Access to Ombudsman**

**Services during COVID-19 Protocol**

There is great concern related to our seniors in Skilled Nursing and Residential Assisted Living Facilities within the state, due to the current crisis COVID-19. Considering this concern, I am giving clarification on the responsibilities and duties of the Ombudsman Program.

While Ombudsman are not first responders, they play an important role. Ombudsman resolve complaints, protect rights and promote access to services and good care for resident before, during and after emergencies such as the COVID-19. The Older Americans Act (OAA), Title VII, Chapter 2, Sections 711/712 and 45 CFR § 1324.13 Federal Regulation require the Ombudsman program provide services to assist residents in protecting their health, safety, welfare and rights.

March 22nd, 2020 Governor Brad Little announced guidance to Idahoans. Idaho currently confirms 47 cases throughout the state. As reported by public health officials there have been cases of community spread that has occurred. Governor Little encourages Idahoans to not visit nursing homes, retirement homes, or long-term care facilities unless to provide critical assistance. Considering these recommendations, the following protocols will be in effect immediately, until further notice.

1. All local ombudsman will read and be familiar with CDC “How to Protect Yourself” and “Preparing for COVID-19: Long Term Care Facilities, Nursing Homes and practice this protocol to protect themselves and so they do not transfer this virus to residents. <https://www.cdc.gov/coronavirus/2019-ncov/prepare/prevention.html> <https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/prevent-spread-in-long-term-care-facilities.html>
2. All volunteer/assistant ombudsmen will not make face to face visits in facilities but will assist and support their Area Agency on Aging Ombudsman Program as determined by the local ombudsman.
3. All in-service meetings, facility or community trainings, resident council meetings, new volunteer training will be cancelled or done through technology.
4. All local ombudsmen will suspend facility visits.
5. Local Ombudsman contact information will be posted on each facility main entrance door.
6. Ombudsman will be accessible to residents to investigate complaints and concerns through technology-based communications.
7. Ombudsman shall routinely obtain a resident census list from their facilities.
8. The local ombudsman will respond to complainants within 24 hours of receiving a complaint.
9. When release of information is necessary, first receive verbal consent from the resident or resident representative and if deemed appropriate obtain signed authorization via technology. For documentation purposes.
10. If a resident complaint raise to the level of crisis and the local ombudsman is unable to receive the cooperation of the facility in setting up a private communication with the resident and fails to respond to the request of the local ombudsman, the local ombudsman shall make a report to the licensing agency and to the Idaho Health Care Association to inform them of the failure of the facility to provide access to the ombudsman program.

This protocol is to be followed until written notice directs otherwise.

Amanda Scott

Idaho State Ombudsman