

## Long Term Care Ombudsman

	2013-15 Actual	2015-17 Legislatively Approved*	2017-19 Current Service Level	2017-19 Governor's Budget
General Fund	2,510,888	6,172,203	6,960,132	6,419,208
Other Funds	670,166	719,522	779,795	894,922
<b>Total Funds</b>	<b>\$3,181,054</b>	<b>\$6,891,725</b>	<b>\$7,739,927</b>	<b>\$7,314,130</b>
Positions	24	25	25	25
FTE	16.81	24.50	24.50	24.50

\* Includes Emergency Board and administrative actions through December 2016.

### Program Description

The primary function of the Office of the Long Term Care Ombudsman (LTCO) is carrying out a federally-mandated consumer protection program under the federal Older Americans Act (OAA). The LTCO supports a network of certified volunteers to investigate and resolve complaints for those who live in Oregon's nursing facilities, residential care facilities, assisted living facilities, and adult foster homes. Agency personnel give training, support, and technical assistance to volunteers, and handle difficult complaints and other complex resident issues. If an investigation reveals reasonable cause to suspect abuse, the case is referred to local adult protective services agencies for investigation. The LTCO also advocates for system change to promote and protect the rights and interests of long term care facility residents.

With passage of SB 626 (2013), the agency's services were expanded to address needs of residents of care facilities who have a mental illness or developmental/intellectual disability; this is referred to as the Residential Facilities Ombudsman (RFO) program. Most recently, SB 307 (2015) requires the LTCO to also advocate for residents of the independent living section of a Continuing Care Retirement Community.

The agency continues to develop new services approved in SB 1553 (2014), which established the Oregon Public Guardian and Conservator (OPG) program within the Office. This effort helps persons without relatives or friends willing or able to serve as guardians or conservators; services range from making care decisions to handling financial issues.

At close to 90%, the budget is almost entirely General Fund; this level of dependency is anticipated to continue, and may increase, as growth in other revenue sources will unlikely be able to keep pace with inflation and other cost drivers. These revenues, budgeted as Other Funds, consist primarily of federal Older Americans Act funding passed-through the Department of Human Services and civil penalties assessed on residential facilities and adult foster homes that serve persons with mental illness or intellectual/developmental disabilities. A portion of the pass-through funding is specifically for the Senior Medicare Patrol (SMP) program, which educates seniors, their families, and caregivers on health care fraud, error, and abuse.

### CSL Summary and Issues

The agency's Current Service Level budget includes standard inflationary adjustments and the phase-out of \$100,000 General Fund that was approved in 2015-17 on a one-time basis to help develop new programs.

### Policy Issues

This small agency continues to face ongoing challenges in implementing two new programs and meeting consumer needs. While facility coverage has improved, the budget does not support the agency's goal of having a volunteer assigned to and regularly visiting every licensed facility in Oregon. In addition, the public guardian program is only able to serve a very small portion of the estimated need.

### Other Significant Issues and Current Discussions

Toward improving and expanding program capacity, the LTCO agency request budget included an ask for about \$4 million General Fund and 16 positions. While this funding was not in the Governor's Budget, the request does provide some context for unmet program need and stakeholder interests.

The Governor's Budget eliminates most inflation and reduces professional services by more than half in OPG, which will decrease the agency's capacity to contract for public guardian and conservator services.

The Co-Chairs' budget framework includes a combined reduction target for the smaller agencies in the Human Services program area, which are the Psychiatric Security Review Board, the Long Term Care Ombudsman, and the Commission for the Blind. The reduction target is \$0.5 million General Fund from the combined \$13.6 million CSL, or a 3.1% reduction.