

Sec. 17b-411-3. Long-Term Care Ombudsman Program. State Ombudsman Qualifications. Regional Ombudsman Qualifications. Volunteer Resident Advocates, Qualifications and Duties.

(a) The long-term care ombudsman program, established pursuant to section 17b-400 of the Connecticut General Statutes, shall be known as the “Office of the Long-Term Care Ombudsman.” The Office of the Long-Term Care Ombudsman shall be an independent office free from conflict of interest as set forth in section 17b-411-13 of the Regulations of Connecticut State Agencies. The position taken by the State Ombudsman on issues affecting residents shall not be dictated or compromised by policies and positions held by the state administration, the host agency of the Office of the Long-Term Care Ombudsman or any other agency of the state. The Office of the Long-Term Care Ombudsman shall consist of the State Ombudsman, nine Regional Ombudsmen and Volunteer Resident Advocates.

(b) In the event the State Ombudsman is unable to fulfill the duties of the office, the commissioner shall appoint an Acting State Ombudsman. The Acting State Ombudsman shall meet the requirements of subsection (c) of this section.

(c) **State Ombudsman. Qualifications.** The State Ombudsman appointed by the commissioner shall:

(1) Be free of conflicts of interest as defined in section 17b-411-13 of the Regulations of Connecticut State Agencies;

(2) possess a minimum of a bachelor’s degree;

(3) possess a minimum of 8 years of experience and expertise involving long-term care and advocacy concerning social, human services or community service programs for the elderly and disabled; and

(4) possess knowledge and experience in the following areas:

(A) Management principles and techniques;

(B) relevant state and federal laws;

(C) relevant department policies and procedures;

(D) resident care and long-term care facility operations;

(E) the problems of the elderly and disabled in long-term care facilities;

(F) community resources available to the elderly;

(G) interpersonal skills;

(H) oral and written communication skills;

(I) ability to perform program planning, development, administration and evaluation;

(J) experience working with volunteers; and

(K) experience with dispute resolution, investigation, mediation, negotiation, problem solving or training in dispute resolution.

(d) **Regional Ombudsmen. Qualifications.**

(1) There shall be nine Regional Ombudsmen, with one Regional Ombudsman to serve in each service area of the state.

(2) In order to be appointed as a Regional Ombudsman by the State Long-term Care Ombudsman, an individual shall:

(A) Be free of conflicts of interest as defined in section 17b-411-13 of the Regulations of Connecticut State Agencies;

(B) possess a minimum of a bachelor’s degree;

(C) possess a minimum of 6 years experience, 1 year of which shall have been in the provision of advocacy services, and expertise involving long-term care and advocacy concerning social, human services or community service programs for the elderly and disabled;

(D) possess knowledge of the following:

(i) Problems of the elderly and disabled in long-term care facilities;

(ii) relevant state and federal laws; and

(iii) relevant department policies and procedures; and

(E) experience working with volunteers.

(e) **Volunteer Resident Advocates. Certification. Qualifications.**

(1) The State Ombudsman may certify the Volunteer Resident Advocates upon:

(A) The successful completion of the Volunteer Resident Advocate certification training program described in section 17b-411-8 of the Regulations of Connecticut State Agencies; and

(B) the submission of at least 2 recommendations from former employers, colleagues or non-family members.

(2) The initial certification shall be for a 90-day probationary period.

If the individual is requested to continue as a VRA after the 90-day probationary period, the designation shall be considered permanent and shall continue until the VRA provides a written notice of resignation or the VRA's certification is revoked by the State Ombudsman.

(3) VRAs shall demonstrate or meet the following qualifications:

(A) If possible, be a resident of the region in which they shall serve;

(B) be at least 18 years of age;

(C) possess good communication and interpersonal skills, including knowledge of interviewing techniques, observation, ability to provide the resident with a sense of participation and self-determination;

(D) have the ability to identify and focus on relevant issues;

(E) be impartial and non-judgmental in approach to problems. For example, the individual shall not be biased toward or against facilities or specific aging and disability issues, such as end of life issues;

(F) have the ability to identify the parameters of their role and defer to a Regional Ombudsman or State Ombudsman when appropriate;

(G) be available to visit the long-term care facility at least once a week, during regular business hours, to receive concerns from residents, families, staff and administration concerning quality of care and welfare of residents;

(H) be able to get to the long-term care facility either by car or public transportation;

(I) be physically and mentally capable of fulfilling the responsibilities of the job;

(J) possess problem solving skills;

(K) possess the ability to clearly and effectively articulate the issues and facts either orally or in writing;

(L) be able to effectively interact with individuals who are physically or mentally incapacitated;

(M) be able to understand the medical, financial and psychosocial problems of aging and disabled individuals;

Regulations of Connecticut State Agencies

(N) be able to understand federal and state law and policies as they relate to long-term care facilities; and

(O) be free of any conflict of interest with the long-term care facility to which they are assigned in compliance with section 17b-411-13(c) of the Regulations of Connecticut State Agencies;

(4) VRAs shall serve without compensation but may be reimbursed, within available appropriations, for reasonable expenses incurred in the performance of their duties. A schedule of allowable expenses, reimbursement rates and procedures shall be issued by the State Ombudsman.

(5) The State Ombudsman may revoke a VRA's certification and remove the VRA from duty by written notice whenever the State Ombudsman finds such VRA has committed misconduct, material neglect of duty or incompetence in the conduct of the office. The State Ombudsman shall provide the VRA with at least one verbal notice of the revocation of the VRA's certification. The verbal notice shall be followed by one written notice, provided to the VRA at least two weeks prior to the date on which the VRA's certification will be revoked. The written notice shall include a statement that provides the basis for the removal of the VRA's certification. Written notice may be waived if the VRA's performance is so seriously delinquent that it merits immediate removal.

(Effective April 3, 2013)