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## Presentation Overview

- Where did the RFO come from.
- Who does RFO serve.
- Roll Out of RFO program.
- What the RFO does.
- What to expect when RFO visits a home.
- Authority of RFO.
- Who Calls the RFO.
- Types of Advocacy/Assistance to date.
- What's next for you.

## What is an Ombudsman?

➤ An ombudsman is a personal and **independent advocate** who works in partnership with, and on behalf of, individuals receiving services in order to help resolve their unique concerns.

## What is the Residential Facilities Ombudsman Program?

➤ We're an independent state agency tasked with providing ombudsman services for individuals living in licensed or certified homes and facilities for Intellectual and/or Developmental Disabilities or Mental Health conditions.

The RFO program advocates exclusively from the individual's perspective and their expressed preference versus best interest.

## Who Are We:

Oregon Office of the Long-Term Care Ombudsman  
3855 Wolverine NE, Suite 6  
Salem, OR 97305

- Long-Term Care Ombudsman Program (LTCO)
  - Serves:
    - seniors/people with physical disabilities living in nursing facilities, residential/assisted living facilities & adult foster care homes.
- Oregon Public Guardianship Program (OPG)
- Residential Facilities Ombudsman Program (RFO)
  - 2013 SB 626 RFO
  - 2017 SB 58 RFO
  - ORS 443.380-396

## To Whom Do We Provide Services?

8000+ individuals in approximately 2400 homes and facilities throughout Oregon.

- I/DD
- Licensed/Certified Homes
- Adult: 24-Hour Residential homes
- Adult Foster Care Homes
- Children: 24-Hour Residential homes
- Children: Foster Care Homes
- Residential Treatment Homes (RTH) (1-5 ind.)
- Residential Treatment Facilities (RTF) (6-16 ind.)
- Adult Foster Homes
- \*Excluded: Licensed Drug and Alcohol Treatment or MH Secure Facilities

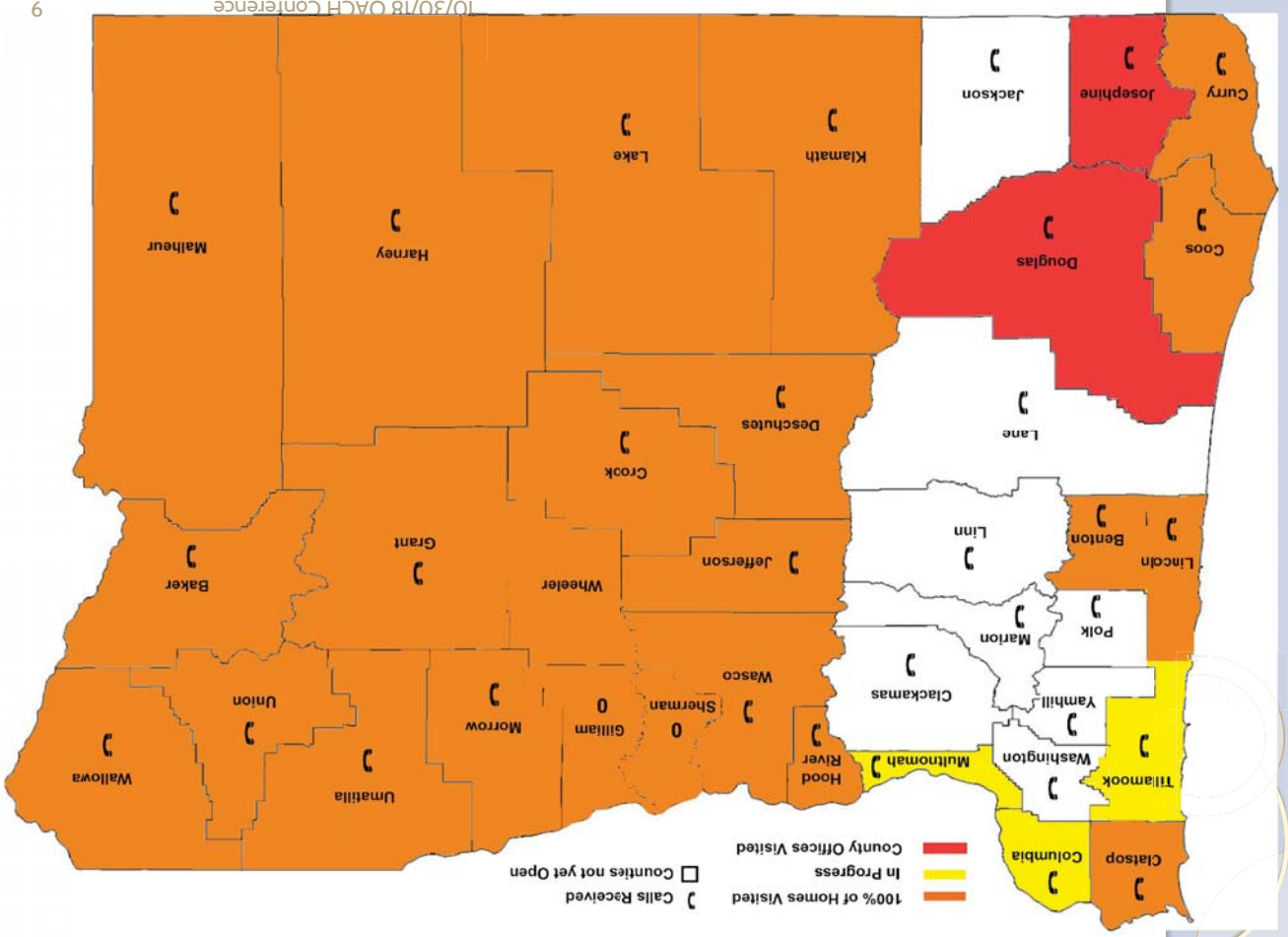
Mental Health  
Licensed/Certified Homes

## Where are we currently:

- Fall 2015: Toni Larson, Residential Facilities Ombudsman hired
- July 2016: Roll-out of RFO started in Eastern Oregon (see map)
- Currently: RFO continues opening counties while responding to calls from entire state.
- Goal: meet 100% of all residents in their home.

# What to expect at a roll-out visit:

- RFO will send out letter to each provider.
- Visit each home to meet individuals living there.
- Bring Informational Poster of RFO.
- Explain the RFO to individuals and providers.



## What the RFO does:

- Visit individuals in their homes through regular, unannounced visits.
- Receive confidential complaint calls.
- Respond and investigate complaints on behalf of individuals.
- Assist individuals to resolve complaints and exercise their rights.
- The RFO supports the Expressed Preference of Individuals vs. Best Interest.

## What to expect when the Ombudsman visits:

- Ombudsman wears badge
- Visits are unannounced
- Visit may be a regular visit or in response to a complaint
- Privacy to visit with individuals
- Individual may decline to visit with Ombudsman
- Talk with providers

# Our Authority

ORS 443.380-396

- Identify, investigate and resolve complaints made by, or on behalf of residents about administrative actions.
- (Administrative Action means: An action, inaction or decision by an owner, employee or agent of a residential facility or by a state, local, social service or health agency that could affect the health, safety, welfare or rights of residents of the facility.)

The Residential Facilities Ombudsman and designees have access to the following records in order to carry out their duties:

- Residents' records, including medical records
- Records of any public agency, including abuse reports
- Licensing and certification records, including records of corrective actions
- Administrative records, policies and documents of residential facilities

# Authority: Records

## Authority: Visiting

- Private and unimpeded access to residential facilities and residents at any time considered necessary and reasonable by the ombudsman or the designee.
- A resident shall have the right to refuse to communicate with the ombudsman or the designee. The refusal shall be made directly to the ombudsman or the designee and not through an intermediary.

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10/30/18 OACH Conference

## Assistance to Date

### Who's Calling?

- Program home staff
- Provider Administrators
- Service Coordinators/Case Managers (past and present)
- Legislators
- Legal Aid
- Disability Rights Oregon
- Oregon Health Sciences University
- Individuals
- Family Members
- Legal Representatives
- Community members
- Community social services
- Fire and Police
- Hospital(s)

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# Assistance to Date

## Types of calls (sampling)

- Move out notices
- Involuntary moves
- Requests to move unanswered
- Abandonment at Hospital
- Food (Access to, meal-time, no food in the home, choice of food, dietary restrictions/choice)
- Guardianship (authority to make specific decisions, request for change of guardian, guardian unresponsive)
- Information (Access to or provided in an understandable form: rights, complaint process, grievance processes, administrative appeals, annual plan)
- Personal property (lost, destroyed, withheld, used by others)
- Financial (access and control of own resources)
- Activities/Social life (lack of access, lack of choice, control of own schedule, required participation)
- Home life (not welcoming or home-like, provider not spending time with individuals, lack of access to transportation of the home, lack of staffing affecting ability to attend activities)

## Types of Calls Continued...

- Restrictive home policies through residency agreements/house rules (smoking, access to alcohol, marijuana (medical/recreational, visitors)
- Lack of independence in making decisions in daily life
- Medical/Dental/Specialty care (lack of access for prolonged periods of time)
- Specialized equipment and supplies (lack of access)
- Video monitoring
- Inability/lack of access to grievance procedures (all levels)
- Employment (requesting employment, change of employment, lack of job coaches)
- Individually based limitation (implemented regardless of individual's disagreement)
- Service Coordinator/Case Manager (unresponsive/unavailable)

# Interacting with the Ombudsman Program

## Confidentiality:

➤ The identity of any resident or individual providing information on behalf of the resident is **confidential**.

## MY RIGHTS:

C  
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C  
E

CONSENT

ACCESS to Participate

Free from

DIGNITY

E

V

MANAGE

INFORMED  
of RIGHTS

BELONGINGS

ACCESS TO

MAKE OWN

Privacy



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