



Illinois Long-Term Care Ombudsman Standards, Procedures and Practice Manual 2009

Chapter 300: Organization Standards and Responsibilities

304: Area Agencies on Aging Responsibilities

- A. Area Agencies on Aging (AAAs) shall administer, either directly or through contract or grant, Regional Long-Term Care Ombudsman Programs (LTCOPs) that meet and follow federal and state laws, administrative rules, this manual and the requirements of the Elder Rights Section of the Illinois Department on Aging (IDoA) Area Plan. Where the AAA operated the Regional LTCOP through a grant with IDoA, they shall comply with Section 306D of this manual.
- B. Any AAA contract or grant provision that requires Regional LTCOP service delivery components or data collection standards, practices or protocols different from those presented in this manual must be approved in writing by the Office and when necessary, a waiver request must be submitted.
- C. In administering Regional LTCOP services, the AAA shall:
 - 1. support a full-time Regional Ombudsman for each Regional LTCOP;
 - 2. monitor the fiscal and Ombudsman Annual Service Plan activities of its Regional LTCOPs at least once every three (3) years in order to assess the adequacy of LTCOP services and the internal quality assurance procedures pursuant to the contract or grant with the SLTCO being notified of the monitoring visit. AAAs need to have an active role in monitoring, however duplication and lack of coordination between AAAs and SLTCO must be avoided;
 - 3. adhere to the maintenance of effort requirements for each Regional LTCOP as required by the Older Americans Act (OAA);
 - 4. assure that OAA Title VII LTCOP funds are used exclusively for LTCOP services and direct advocacy program activities;
 - 5. make no requirement for matching funds for OAA Title VII funds received by the AAA for Regional LTCOP services;
 - 6. when appropriate, include the Regional LTCOP in discussions, meetings, conferences, reports and other AAA functions and operations such as boards and advisory councils related to long-term care, and to serve as the voice for the long-term care facility residents;
 - 7. have no unremedied conflict of interest; and,
 - 8. provide technical assistance and oversight.

- D. AAAs shall support the Regional LTCOP, to the extent possible, by:
1. designating AAA staff to attend SLTCOP sponsored trainings and meetings pertaining to the LTCOP;
 2. assisting in the development of resources for the operation of the Regional LTCOP, including financial and human resources;
 3. providing opportunities for the Regional LTCOP and other aging and social services organizations to collaborate to promote the health, safety, welfare, and rights of residents;
 4. making appropriate referrals to the Regional LTCOP;
 5. promoting awareness of LTCOP services to consumers and the general public within the service area; and,
 6. recognizing the responsibilities of the RLTCOP to promote systems and issues advocacy on behalf of residents.
- E. AAAs shall submit the required financial and program reports to the IDoA and to the Office in accordance with the established departmental instructions.
- F. In the selection of a Title III legal assistance provider, the AAA shall award funds to the applicant(s) that most fully meets the standards set forth in 45 CFR 1321.71 (c), to include the capacity to provide support to the Regional LTCOP and the capacity to provide legal services to institutionalized older persons.
- G. The AAA shall cooperate with the Office to implement a transition plan to minimize disruption in LTCOP services to residents when the contract or grant for the Regional LTCOP services is terminated or not renewed.
- H. The AAA shall perform each of its responsibilities in administering the Regional LTCOP in accordance with all applicable federal and state laws, regulations, policies, and this manual.
- I. Where an AAA provides LTCOP services directly, it must also fulfill the responsibilities of a provider agency as outlined in Section 305 of this manual.
- J. The AAA shall have the lead responsibility to request a waiver pursuant to Chapter 1, Section 104 of this manual if, due to demonstrable and unusual circumstances, the AAA anticipates it or its provider agency will be unable to comply with responsibilities in this manual.