

**Testimony for New York State Division of Budget Hearings
Brooklyn Borough Hall, November 29, 2007
Presented by Jordan Llobrera, LMSW, Brooklyn Field Supervisor for New York
City Long Term Care Ombudsman Program**

Good Afternoon. My name is Jordan Llobrera. I am the Brooklyn Field Supervisor for the New York City Long Term Care Ombudsman Program. Thank you for inviting me to speak to the representatives of the Division of Budget today on behalf of my program and the need for increased funding to support its work.

I want to begin by telling you the story of a nursing home resident I'll call Jose. Jose is paralyzed from the chest down as a result of an accident. He has been in a nursing home in the Bronx for more than a year. For months he struggled to maneuver around the facility in his manual wheelchair, which he could barely operate by hand. He explained his difficulties to his social worker but she had not been able to get him a motorized wheelchair. She wasn't sure if Medicaid would cover it. Jose was frustrated and wasn't sure where to turn. Then he saw a yellow poster on the wall near the elevator that said, "Your New York State Long Term Care Ombudsman advocates for you and works to resolve issues on your behalf." He was not sure what the word Ombudsman meant, but he figured it was worth a call. As a result of his call, Cassandra, his Ombudsman Volunteer came to visit and listened to his concern. Through months of persistent negotiation with the nursing home staff, Cassandra was able to work out a solution where Medicaid and the nursing home would split the cost of the motorized chair. After more than a year, Jose finally got his new wheelchair. Now he can get to meals, down to the

lobby and even out in the courtyard on his own. Because of the tenacity of the Ombudsman's advocacy, Jose gained independence and freed up staff who could then devote more time other residents.

This is one example of how the Ombudsman program assists residents of long term care facilities in getting their needs met. The Long Term Care Ombudsman Program is a federally mandated advocacy program dedicated to protecting people living in nursing homes and adult homes. In New York State, the Ombudsman Program is administered through the State Office for the Aging. The mission of the Ombudsman program is to protect the health, safety, rights, and quality of life of nursing home and adult home residents. These vulnerable residents often aren't aware of their basic rights, or feel they can't exercise their rights in an institutional setting.

The Long Term Care Ombudsman Program has a small paid staff, and fulfills its mission primarily through its corps of certified Ombudsman Volunteers. After a comprehensive 36-hour training course, these dedicated volunteers spend an average of four hours a week each in their assigned facilities, advocating for residents. This regular contact between residents and their Ombudsman builds relationships, which are important in effecting meaningful change in facilities.

The job of the volunteer is to listen to residents' concerns and complaints and advocate on their behalf with staff members of the facilities. They also observe the functioning of the facility and record their own complaints if they see inappropriate procedures or care.

The types of complaints our Ombudsmen receive vary from the seemingly benign, such as concerns regarding food temperature or missing clothing, up to more serious complaints about inappropriate care, abuse, or neglect. Ombudsmen work in cooperation with the New York State Department of Health, the long-term care regulatory agency.

In New York City, the Long Term Care Ombudsman Program is responsible for responding to complaints in 233 nursing and adult homes which house 56, 000 residents. In 2004, the Federal Administration on Aging and the New York State Office for the Aging challenged local Ombudsman programs to place one ombudsman volunteer for every 100 nursing home beds. At that time, the New York City Program had 50 volunteers. In the last three years, through vigorous recruitment, we have increased our volunteer pool to nearly 170. Even with that growth, you can see we still have a long way to go to fulfill that original mandate. We continue to explore all avenues for recruiting and retaining volunteers, but without increased budgetary support on a state level, we will remain far from our goal, and it is the residents of nursing facilities in New York City who will be affected.

We also are in need of increased funding to support and retain our current volunteers. We would like the opportunity to show appreciation to our volunteers in ways that are currently cost prohibitive such as stipends, a paid mentor program, and enhanced training. The trend today, for many retirees, is to seek out paid volunteer positions and the Ombudsman Program is not currently able to compete with programs that can offer substantial stipends. Valuable resources are lost when experienced volunteers leave the

program, and the frail resident of nursing and adult homes are jeopardized when they are left without ongoing advocacy.

In addition, due to budget constraints, we have been unable to fill our Staten Island and Far Rockaway Field Supervisor position for over a year. The Field Supervisor position is crucial in ensuring that volunteers are closely supervised and that complaints from facilities in those boroughs are addressed promptly.

Finally, we need increased funding in order to make maximum use of the technology available to track and interpret complaint data. The Ombudsman Program is subject to extensive Federal and State reporting requirements, which necessitates the purchase of specific database software as well as up-to-date computer equipment. We are also in need of additional staff dedicated to data entry, to ensure efficient input of the nearly 4,500 complaints we receive each fiscal year. The collection of this complaint data is essential for spotting long-term care trends statewide and for promoting resident protective laws and policies in the state and federal government.

The Long Term Care Ombudsman Program plays a vital role in the quality of care of residents in nursing homes and adult home in New York state, and it is critical that we not just maintain but expand our services, to ensure that every resident has the chance to express their concerns, and every facility provides the best possible care. We cannot achieve our mission without your support. Once again, thank you for allowing me the opportunity to speak to you today.

