



National Association of State Long-Term Care Ombudsman Programs

January 31, 2007

Mr. Thomas Hamilton
Director, Office of Survey and Certification
Centers for Medicare and Medicaid Services
7500 Security Blvd., S-2-12-25
Baltimore, MD 21244-1850

Subject: Communication between State Licensing and Certification Agencies and State Long-Term Care Ombudsman

Dear Mr. Hamilton:

A number of State Long-Term Care Ombudsman agencies have reported experiencing a lack of communication with their respective State Licensing and Certification survey agencies. This issue affects both of our networks, as the negative outcome of this lack of communication is that your surveyors may not be receiving important pre-survey facility or resident information that would be helpful to the standard survey process. In addition, ombudsmen as resident advocates are not receiving post-survey information and missing information that is necessary to monitor identified areas of concern.

The State Operations Manual (SOM) Appendix P, Survey Protocol for Long-Term Care Facilities, states at Section II.C.1, that the team Coordinator has a responsibility to "Contact the ombudsman office in accordance with the policy developed between the State survey agency and State ombudsman agency." In practice, there is often no written policy. Surveyors sometimes call the ombudsman and report they will be at a facility "soon", but there is often no notification to the ombudsman of when resident meetings or exit conferences are planned so that ombudsmen may attend.

We would like to recommend that CMS Regional Offices annually review each state's written policy and make a follow-up contact to the State Long-Term Care Ombudsman to review how Licensing and Certification Agencies are implementing this requirement. These actions would insure that a written policy does exist and would allow the Regional Offices to assess the value of the surveyor and ombudsman communication as a means to further protect residents.

Thank you for your consideration of this recommendation. Please let us know if you have any questions or would like to discuss this matter further.

Sincerely,

Beverley L. Laubert
NASOP President
c: Frank Burns, Administration on Aging

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