

- ◆ Freedom of association and communication in privacy, including visits with anyone of their choice in or outside of the facility, mail and telephone services, participation in resident council activities and access to records and state inspection reports;
- ◆ Be told of services, costs and items not paid for by Medicaid or Medicare;
- ◆ Not be transferred or discharged without cause or notice; including change in room or roommate;
- ◆ Be treated without discrimination regardless of source of payment;
- ◆ Make complaints and express grievances without fear of discrimination or reprisal;
- ◆ Manage personal and financial affairs and make choices and independent decisions;
- ◆ Issue directives and durable powers of attorney for health care;
- ◆ Keep and use personal possessions, including furnishings as space permits;
- ◆ Refuse treatment; and
- ◆ Be fully informed, in a language they can understand, of their health status.



ADDITIONAL RESOURCES:

North Central Texas Area Agency on Aging

616 Six Flags Drive
Arlington, Texas 76011
1-800-272-3921
or
(817) 695-9194



Texas Department on Aging

1-800-252-2412
(State Ombudsman Line)

<http://link.tsl.state.tx.us/tx/TDOA/index.htm>
(Web address)

Mail@TDOA.state.tx.us
(E-mail address)



Texas Department of Protective and Regulatory Services

1-800-252-5400
(Adult Abuse, Neglect and Financial
Exploitation Hotline)



Texas Department of Human Services, Long-Term Care Regulatory Division

1-800-458-9858
(Complaint Hotline)

Helping residents, family
and staff achieve the best
possible quality of life in
Texas long-term
care facilities



TEXAS OMBUDSMAN PROGRAM



A program of the
North Central Texas
Area Agency on Aging

Funded in part by the Texas
Department on Aging



WHAT IS AN OMBUDSMAN?

An *ombudsman* is a specially trained and certified volunteer who helps residents of Texas nursing facilities get quality care.

Volunteers are supervised by professional staff ombudsmen at the North Central Texas Area Agency on Aging and the Texas Department on Aging.

An ombudsman:

- ◆ Provides information to residents and family about rights and procedures and helps identify additional resources in or out of the facility;
- ◆ Identifies, investigates and resolves complaints by or on behalf of nursing home facility residents; and
- ◆ Works with the residents, families, friends and facility staff to resolve complaints and difficulties.

An ombudsman has the support of the Texas Department on Aging and various other state and local regulatory agencies to help resolve complaints and concerns.

The ombudsman program is authorized by state and federal laws.

WHEN SHOULD AN OMBUDSMAN BE CALLED?

Residents and family should try to resolve problems and differences with the facility staff whenever possible.

When this is not possible, or when the resident or family is unsure, a local ombudsman should be called at **1-800-272-3921**.



The ombudsman will look into the concerns and suggest ways of handling them.

Often, the ombudsman can resolve the problem directly. Sometimes, the resident council or family support group helps out.



When the ombudsman can't resolve the problem, or when it involves serious abuse or neglect, the complaint is referred to the Texas Department of Human Services or another appropriate agency. In all situations, the complaint is handled confidentially and information is not released without approval of the resident or legal guardian.



The ombudsman program is also a good source of information about selecting a long-term care facility, eligibility criteria, residents' rights and other services for the elderly.

RESIDENTS' RIGHTS

Residents and family should receive a copy of residents' rights at the time of admission. This should be part of the admission packet given to the resident and family.

RESIDENTS HAVE THE RIGHT TO:

- ◆ Be treated with respect, dignity and consideration;
- ◆ Exercise rights as residents of Texas and the United States, and civil and religious liberties;
- ◆ Confidentiality of personal and clinical records, and access to those records upon request;
- ◆ Plan activities in the facility and be informed of their medical condition and participate in treatment planning;
- ◆ Choose their own attending physician and the source of pharmacy service;
- ◆ Freedom from mental, verbal and physical abuse and restraints, both chemical and physical;