



PROGRAM INSTRUCTION

SUA-21-PI-08

10/01/2020

TO: Subrecipients of the State Unit on Aging

FROM: Cynthia Brammeier, Administrator, State Unit on Aging 

BY: Penny Clark, State Long-Term Care Ombudsman

SUBJECT: Aging Services Regulations Chapter 6 – Long-Term Care Ombudsman Program

CONTENT: Title 15 Aging Services regulations were signed by the Governor on 9/16/2020 and were effective September 21, 2020.

Title 15 Chapter 3 previously contained all regulations for the Long-Term Care Ombudsman Program. The Long-Term Care Ombudsman Program regulations remain in Title 15 and are now contained in Chapter 6.

The order of subjects within the chapter have been changed to reflect a logical sequence of events from Designation, Redesignation, the Plan of Operation, Certification, Recertification, and Decertification.

Below is a summary significant changes to the Care Management regulations. Please review the entire chapter for all details.

Information regarding the operation of the Long-Term Care Ombudsman Program that have been removed from these regulations can now be found in the Policy & Procedure Manual.

If you have questions, please contact Penny Clark at 402-802-5541 or penny.clark@nebraska.gov.

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

New Regulation # and Summary	Old Regulation #
<p>002.12 REPRESENTATIVE OF THE OFFICE. As defined in § 81-2247.01.</p> <p>Change: A new definition was added.</p>	New
<p>002.13 RESIDENT REPRESENTATIVE. As defined in § 81-2247.03 and 45 CFR 1324.1(3)(4).</p> <p>Change: A new definition was added.</p>	New
<p>003.02 DENIAL. The Office may deny designation of a proposed Plan of Operation for any or all of the following reasons: (A) Failure to submit a complete Plan of Operation as outlined in these rules and regulations; (B) Failure to provide a Plan of Operation which is in conformance with the Act; or (C) Failure to provide in the initial Plan of Operation a reasonable time frame for providing local long-term care ombudsman services.</p> <p>Change: Within 60 days of the issuance of a Request for Proposal was removed, the program does not require a Request for Proposal for the program.</p>	3-003.03A
<p>004. APPROVAL AND DESIGNATION. Approval of a Plan of Operation and designation of a local long-term care ombudsman program is valid for two years from October 1 and ending on September 30, unless revoked by the Office at an earlier date or the Office specifies a different date.</p> <p>Change: Appeal Rights removed.</p>	3-004
<p>007.03 COMPLAINT INVESTIGATION AND RESOLUTION. A local program will investigate and resolve to the best of its ability all complaints received by or on behalf of individuals who reside in long-term care facilities.</p> <p>Change: Policies and procedures addressing complaint investigation and resolution removed. Now found in the Policy & Procedure Manual.</p>	3-007.12