



Long-Term Care
**Ombudsman
Program** FLORIDA

ANNUAL REPORT

FEDERAL FISCAL YEAR 2023



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PROGRAM MISSION

“The mission of the Florida Long-Term Care Ombudsman Program is to improve the quality of life for all Florida long-term care residents by advocating for and protecting their health, safety, welfare, and rights.”

MESSAGE FROM THE SECRETARY

Dear Ombudsman Team,

As Secretary of Elder Affairs, part of my vision and the mission of the Department is to ensure that our Floridians living in long-term care communities are cherished and have a high and happy quality of life. To that end, I am extremely proud of our state's Long Term Care Ombudsman Program (LTCOP) because it is made up of staff and volunteers who selflessly give their time to advocate for and protect our senior's health, safety, and welfare. For over 48 years, these ombudsmen have been safeguarding elder rights throughout our state, and I am grateful for their dedication, work, and achievements.

Our ombudsmen in Florida make up a collaborative resident-centered advocacy program that not only helps individuals and families but also improves our communities across the state. Through their work, we can continue to fortify an infrastructure that offers our seniors the ability to live well and age well in long-term care settings. I am always thankful that our continued mission of elder protection and quality of life for our seniors is advanced throughout Florida through the ombudsmen's day-in, day-out vigilance.

In 2023, LTCOP worked diligently to expand our reach, evaluate our processes, and create greater concern and awareness of resources and support—especially in response to the growing number of seniors moving here and living in our great state. It is vital that critical programs like LTCOP continue to provide greater outreach by creating efficiencies and reaching seniors and their families in their times of crisis. I am confident that Florida's ombudsman program will work hard and continue to evolve so that one day soon, we will lead the nation in those efforts! I believe that aging well is a gift we give ourselves, our families, and our communities. On behalf of the Florida Department of Elder Affairs, I am thankful to the Long-Term Care Ombudsman Program for their commitment to creating a dynamic and robust future for our aging population.



Secretary Michelle Branham
Florida Department of Elder Affairs



MESSAGE FROM THE STATE OMBUDSMAN

I am pleased to share the 2023 Annual Report for the Office of the State Long-Term Care Ombudsman. The Long-Term Care Ombudsman Program (LTCOP) is an independent program whose core function is to advocate for the rights of seniors living in Nursing Homes, Assisted Living Facilities, and Adult Family Care Homes throughout Florida. These basic rights include freedom from abuse, neglect, exploitation, and the right to have autonomy over their own lives – something easily taken for granted.



Before I highlight our programmatic changes and improvements, see the table below for how Florida compares with other long-term care ombudsman programs. These six states were chosen because they are most similar in the number of residents served, number of facilities, and geographic territory covered.

State	TOTAL				Resident to Staff Ratio	AVERAGE PER RESIDENT	
	Facilities	Resident Capacity	Staff FTE	Program Expenditures		Ombudsman Hours	Expenditures
GA	3,087	85,171	44.0	\$3,457,419	1,930	1.08	\$40.59
IL	1,647	144,326	73.5	\$7,229,268	1,964	1.07	\$50.09
NY	1,440	163,690	43.8	\$4,340,728	3,734	0.74	\$26.52
OH	2,664	160,235	70.5	\$7,345,593	2,273	0.97	\$45.84
PA	1,890	152,424	88.0	\$6,425,562	1,731	1.24	\$42.16
TX	3,232	216,907	86.6	\$6,889,132	2,504	0.87	\$31.76
FL	3,887	198,242	30.0	\$3,028,923	6,608	0.51	\$15.28

Historically, LTCOP’s insufficient number of full-time employees has required our program to provide increased services with comparatively fewer resources, resulting in fewer seniors served. For example, national standards recommend one staff ombudsman for every 2,000 long-term care facility residents. As the above table depicts, for Florida’s nearly 200,000 residents, the program has only 30 full-time staff, leaving a ratio of one ombudsman per 6,608 residents.

Continued...

By 2030, a third of Floridians will be 60 or older – a 34 percent increase from ten years ago. As our senior population increases, the numbers in the table will continue to change. To prepare for the increased complexity of caring for this older adult population, our program has implemented new approaches to ensure that residents have timely access to the ombudsman program.

This past year, the LTCOP brought in industry experts to study our program structure and identify gaps. We completely revamped our policies and procedures to align with federal guidelines more effectively. We are transitioning our technology to a new and improved system that will enable us to track data and trends better. This system will also ensure that our program continues to identify systemic issues that need additional advocacy efforts.

Program visibility and accessibility remain a top priority for the LTCOP, so we have transitioned away from annual assessments of long-term care facilities to quarterly routine access visits. Increased facility visits statewide will enable us to work more collaboratively with administrators and caregivers and will strengthen our focus on intervention and prevention.

Although much has been uncovered during our work with industry experts, one thing remains certain: Florida's ombudsman program must rise to the level that is expected, something seniors deserve. In the meantime, we will continue to advocate for our most vulnerable seniors, be a voice for the voiceless, and partner with DOEA to provide the best possible support to Florida's cherished seniors.

Sincerely,

A handwritten signature in black ink that reads "Terri Cantrell". The signature is written in a cursive style with a large, stylized initial "T".

Terri Cantrell, State Ombudsman
Florida Department of Elder Affairs

POLICY PURSUITS AND RECOMMENDATIONS

*Renee Harkins, Legal Advocate
Long-Term Care Ombudsman Program*

Legislative Summary:

At the conclusion of the 2023 Legislative Session, the Governor signed Senate Bill 1396 into law (Chapter 2023-259). The bill brought about changes for the Long-Term Care Ombudsman Program, and the agency in general. Most notably, the bill permits Ombudsman Program staff employed in the state office to become certified as ombudsmen.

Federal law provides that the State Ombudsman may designate employees or volunteers to carry out the duties of the office as a representative of the office. By becoming certified ombudsmen, state Program staff will gain a better understanding of the issues faced by ombudsmen around the state.

The bill strengthened background screening checks for those who interact directly with long-term care residents, by expanding the definition of “direct service provider.” Direct service providers are individuals who have access to the resident’s living areas, funds, personal property, or personal identification information. Certain prospective employees who work with vulnerable populations will now require employment history checks and statewide criminal correspondence checks through the Florida Department of Law Enforcement.



The bill implemented further measures within the Office of Public and Professional Guardian (OPPG) to ensure greater accountability of professional guardians, and to further the public’s understanding of guardianships and what alternative options may be available to them. The bill requires the OPPG to offer an online education course for guardians who are not professional guardians. These measures will help to provide improved outcomes for long-term care residents and vulnerable populations who need the services of a guardian.

WHO ARE THE OMBUDSMEN?

Florida's Long-Term Care Ombudsman Program was founded in 1975 due to the federal Older Americans Act, which grants a special set of residents' rights to individuals who live in long-term care facilities such as nursing homes, assisted living facilities, and adult family care homes. In Florida, a long-term care ombudsman is a trained volunteer who helps improve the quality of care and quality of life for residents in long-term care settings.

Ombudsmen are community members from all walks of life who are passionate about improving the lives of residents living in long-term care facilities. They are trained to work with residents and their family members to communicate concerns and resolve problems by providing advocacy, support, education, and empowerment. These volunteers want their time and talents to make a difference in improving the lives of people who may be elderly and/or disabled.

Volunteers are also trained in residents' rights, problem-solving, communication, intervention, negotiation skills, and working with long-term care staff. They advocate for improving the quality of life for residents, communicating with facility staff and families to resolve their unmet needs and concerns. Ombudsmen receive and investigate complaints on behalf of nursing home residents and their families. They serve as a voice for residents in ensuring that the facility meets mandated legal standards for every person receiving long-term care services. Common issues in nursing homes

include discharges and evictions, medication administration, and matters of personal hygiene. Common issues in assisted living facilities and adult family-care homes include menu quality, quantity, and variation; medication administration; and general housekeeping or cleanliness. Ombudsmen work to resolve residents' concerns. All complaints are confidential, and all services are provided at no charge.

Ombudsmen are the heart of our program. These remarkable individuals dedicate thousands of unpaid hours each year toward ensuring that the voices of Florida's long-term care facility residents are heard, and problems resolved.

You can be trained and certified as a State of Florida Long-Term Care Ombudsman and make a difference in the lives of people living in nursing homes, assisted living facilities, and adult family care homes. In addition to having the satisfaction of knowing that you are improving the care of long-term care residents, you will have the opportunity to make new friends and increase your understanding of aging and the aging process.

PROGRAM DATA

Year in Review

Florida's Long-Term Care Ombudsman Program (LTCOP) achieved new milestones in success during the past year. Here are some of the highlights and accomplishments that the Ombudsman Program's dedicated staff and volunteers achieved:

	196 Volunteers & 30 Staff Members		2,051 Complaints Investigated
	42,182 Volunteer Hours		\$1,341,387 Estimated Savings to the State
	6,154 Facility Assessments & Visitations		15,057 Consultations

Quarterly Ombudsman Program Data

	OCT - DEC	JAN - MAR	APR - JUN	JUL - SEP
Long-Term Care Beds	201,461	202,632	202,942	203,071
Certified Ombudsmen	190	194	198	196
Volunteers in Training	54	58	48	70
Complaint Investigations	952	919	701	645
Facility Visitations	433	699	563	691
Facility Assessments	1,027	853	605	747

NOTE: These numbers reflect both initiation and closure dates that may overlap quarterly reporting periods; therefore, they are not an accurate representation of case numbers annually.

PROGRAM DATA

Complaint Resolution

A complaint is closed when the issue is addressed to the satisfaction of the resident or complainant. The following chart shows what types of disposition codes were assigned to closed cases in Federal Fiscal Year 2023.



- 54% – Partially or fully resolved to the satisfaction of the resident, resident representative, or complainant.
- 37% – Withdrawn or no action needed by the resident, resident representative, or complainant.
- 9% – Not resolved to the satisfaction of the resident, resident representative, or complainant.

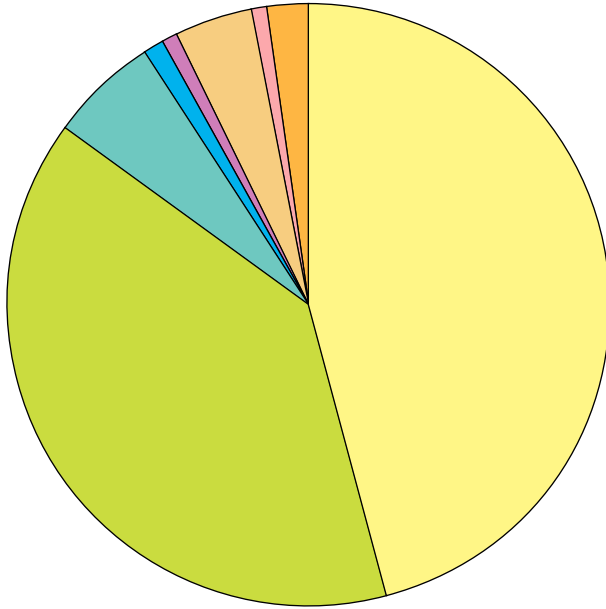
Top 5 Complaints

	Assisted Living Facilities & Adult Family Care Homes	Nursing Homes
1	Discharge or eviction	Personal property
2	Billing and charges	Dignity and respect
3	Dignity and respect	Discharge or eviction
4	Personal property	Other rights or preferences
5	Other rights and preferences	Response to complaints

PROGRAM DATA

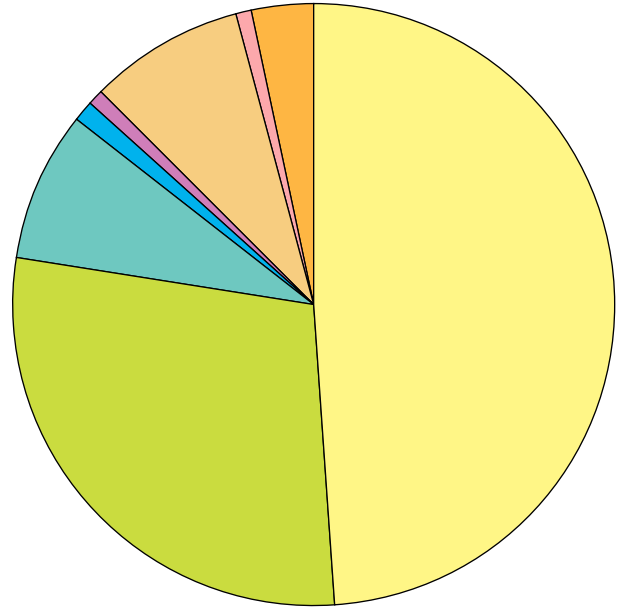
Complaint Origins

Nursing Homes



- 45% Resident
- 33% Resident representative, friend, family
- 9% Ombudsman program
- 1% Facility staff
- 2% Representative of other agency or program or organization
- 6% Concerned person
- 1% Resident or family council
- 3% Unknown

Assisted Living Facilities and Adult Family Care Homes*



- 46% Resident
- 39% Resident representative, friend, family
- 6% Ombudsman program
- 1% Facility staff
- 1% Representative of other agency or program or organization
- 4% Concerned person
- 1% Resident or family council
- 2% Unknown

*Exceeds 100% due to rounding of decimals.

STATE COUNCIL UPDATES AND DISCUSSION

The Long-Term Care Ombudsman Program's State Council is comprised of volunteers chosen from their peers from each local council and has three appointed at-large members. The State Council meets at least quarterly and assists the State Ombudsman in the optimal operation of the program.

In the last fiscal year, the State Council Members:

- Advocated on behalf of long-term care residents regarding changes brought by SB 558, Certified Nursing Assistants;
- Advocated for increased staffing at nursing homes in proposed federal rule changes;
- Met separately as workgroups to improve Long-Term Care Ombudsman Program initiatives;
- Enhanced coordination of advocacy for residents by strengthening relationships with government partners and regulatory officials who visit facilities;
- Discussed ways to help assisted living facility (ALF) residents challenge ALF-initiated discharges;
- Participated in a face-to-face Q&A with Legal Aid attorneys to accelerate the connection between long-term care residents to Legal Aid attorneys;
- Facilitated efforts of Hope Heroes volunteers who visit long-term care residents;
- Participated in workshops to learn ways to assist long-term care residents who have been disqualified from Medicaid;
- Worked alongside the State Ombudsman to streamline processes, update forms, and aid in crafting staffing changes;
- Assisted Supervisor of Elections Staff to ensure long-term care residents can vote;
- Facilitated and trained new Ombudsman volunteers to build the program's numbers to pre-COVID levels;
- Participated in process improvement discussions with consultants engaged by the State Ombudsman.



SUCCESS STORIES FROM THE DISTRICTS

North Region

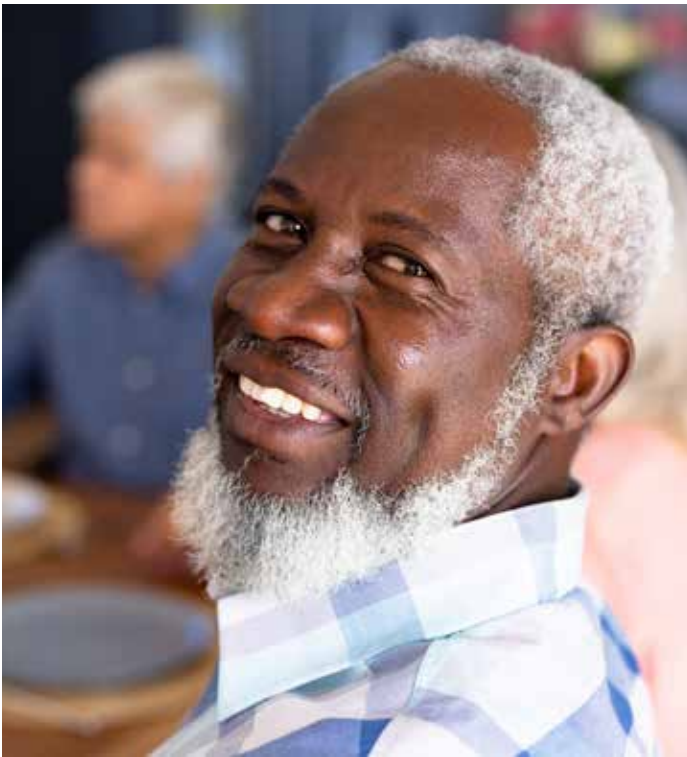
A man with developmental disabilities was forced to leave a family member's home because they didn't want to deal with him any longer. He was placed in an assisted living facility, where he was thriving. After several months, the family wanted him back home. The family members had control over his finances and had stopped paying the facility for his stay. They also started to call in complaints with Adult Protective Services, the Agency for Health Care Administration, and the Sheriff's Office with claims of neglect and abuse. The Ombudsman saw the claims were unwarranted and worked with the facility's administration to ensure that the resident was protected, and his rights were honored and valued.



The Ombudsman discovered that the resident was to receive a sizable inheritance from his deceased father. The Ombudsman opened a financial exploitation case, and the Sheriff's Office was contacted. During the investigation, it was determined that the family members had used the resident's funds to pay for an attorney to file the court documents needed to appoint two family members as the resident's full guardians.

After the Major Crimes Investigator reviewed the resident's financial accounts and interviewed the subjects and the resident separately, the case was referred to the State Attorney's Office. Though the Office declined the case for criminal prosecution, they denied the family's request for guardianship. An independent guardian was appointed, and the resident continued to thrive and enjoy life at his assisted living facility.

A resident was transferred to a nursing home from the hospital after having back surgery. Before the hospital stay, the resident was living in their vehicle. The nursing home issued a 30-day transfer and discharge to an old address, which would result in the resident living back in their car. The resident said they could not live in their car because of the surgery. Working with Jacksonville Area Legal Aid, the Ombudsman fought for the resident to stay at the facility and won the case. The resident can continue to reside at the nursing home without worrying about homelessness.



East Region

The family of a 65-year-old resident with multiple sclerosis bought the resident a power wheelchair so that the resident would have more mobility and autonomy. The resident's neurologist wrote orders for the electric wheelchair and met with the nursing staff on duty, who advised the family to purchase a larger chair. When the chair was delivered to the resident, the administrator confiscated it, stating that it was against the rules for any patient to have an electric wheelchair. The resident was heartbroken.

The LTCOP office was contacted by the resident's family member and legal representative. The Ombudsman visited the resident and met with the administrator. The Ombudsman successfully negotiated with the facility to allow the resident to utilize their electric wheelchair. The resident has used the electric wheelchair ever since with no issues.

A resident was transferred to a nursing home after a hospital stay in a room with four residents. Previously, he was in a semi-private room. The resident, who suffers from extreme back pain, did not want the use of a Hoyer lift transfer for showers and begged for a sheet transfer, but the staff at the facility refused due to liability issues.

After three weeks of negotiations between the Ombudsman and the administrator, the Ombudsman was able to have the resident return to their previous semi-private room. In addition, the Ombudsman convinced the facility to purchase a transfer board that could be used instead of a Hoyer lift so the resident could have a shower. After the facility consulted with the physical therapist, the facility purchased four transfer boards, one of which was given to this resident for personal use and confirmed a five-day shower schedule. The accommodations became a permanent record in the resident's Plan of Care. The resident was thrilled to receive a shower after three weeks and thanked the ombudsman for all the assistance provided.



West Region

Staff notified residents at an assisted living facility that they had to remove items of safety concerns, such as coffee makers, hotplates, sharp objects, sharp nail files, knives, and cleaners. Additionally, residents using wheelchairs and walkers had to move to the first floor and have roommates due to fire safety concerns. The Ombudsman verified that residents were not happy with these mandates and felt they were unfair and infringed on their right to dignity. The Ombudsman contacted the fire department, which had no issue with residents on the second floor. The Ombudsman met with the Administration to discuss the rules' negative and unfair impact on residents. They were able to get the Administration to rescind the unreasonable mandates.

During a routine access visit at an assisted living facility, the Ombudsman encountered a man in the secure memory unit who didn't know why he was there. With consent, the Ombudsman opened an investigation. The Ombudsman found no medical reason for the resident to be in a secure unit. The Ombudsman successfully advocated for the resident to move to a smaller room outside the secure unit.

CONTACT INFORMATION

Northwest

1101 Gulf Breeze Parkway
Building 3, Suite 5
Gulf Breeze, FL 32561
Phone: (850) 916-6720
Fax: (850) 916-6722

Panhandle

4040 Esplanade Way
Tallahassee, FL 32399
Phone: (850) 921-4703
Fax: (850) 391-1382

North Central

1515 East Silver Springs Blvd.
#203
Ocala, FL 34470
Phone: (352) 620-3088
Fax: (352) 732-1797

First Coast

Midtown Centre Office Park
3300 Building
4161 Carmichael Ave.
Suite 141
Jacksonville, FL 32207
Phone: (904) 391-3942
Fax: (904) 391-3944

First Coast South

210 N. Palmetto Ave.
Suite 403
Daytona Beach, FL 32114
Phone: (386) 226-7846
Fax: (386) 226-7849

East Central

400 W. Robinson St.
Suite S709
Orlando, FL 32801
Phone: (407) 245-0651
Fax: (407) 245-0653

West Coast

11351 Ulmerton Rd.
Suite 303
Largo, FL 33778
Phone: (727) 588-6912
Fax: (727) 588-3648

West Central

701 W. Fletcher Ave.
Suite C
Tampa, FL 33612
Phone: (813) 558-5591
Fax: (813) 375-3932

Southwest

2295 Victoria Ave.
Room 152
Ft. Myers, FL 33901
Phone: (239) 338-2563
Fax: (239) 338-2549

South Central

200 N. Kentucky Ave.
#224
Lakeland, FL 33801
Phone: (863) 413-2764
Fax: (863) 413-2766

Palm Beach

111 S. Sapodilla Ave.
#125A-B-C
West Palm Beach, FL 33401
Phone: (561) 837-5038
Fax: (561) 650-6885

Broward

8333 West McNabb Rd.
Suite 231
Tamarac, FL 33321
Phone: (954) 597-2266
Fax: (954) 597-2268

North Dade

9495 Sunset Dr.
Suite B100
Miami, FL 33173
Phone: (305) 273-3294
Fax: (786) 336-1424

South Dade

9495 Sunset Dr.
Suite B100
Miami, FL 33173
Phone: (305) 273-3250
Fax: (305) 671-7247

Statewide

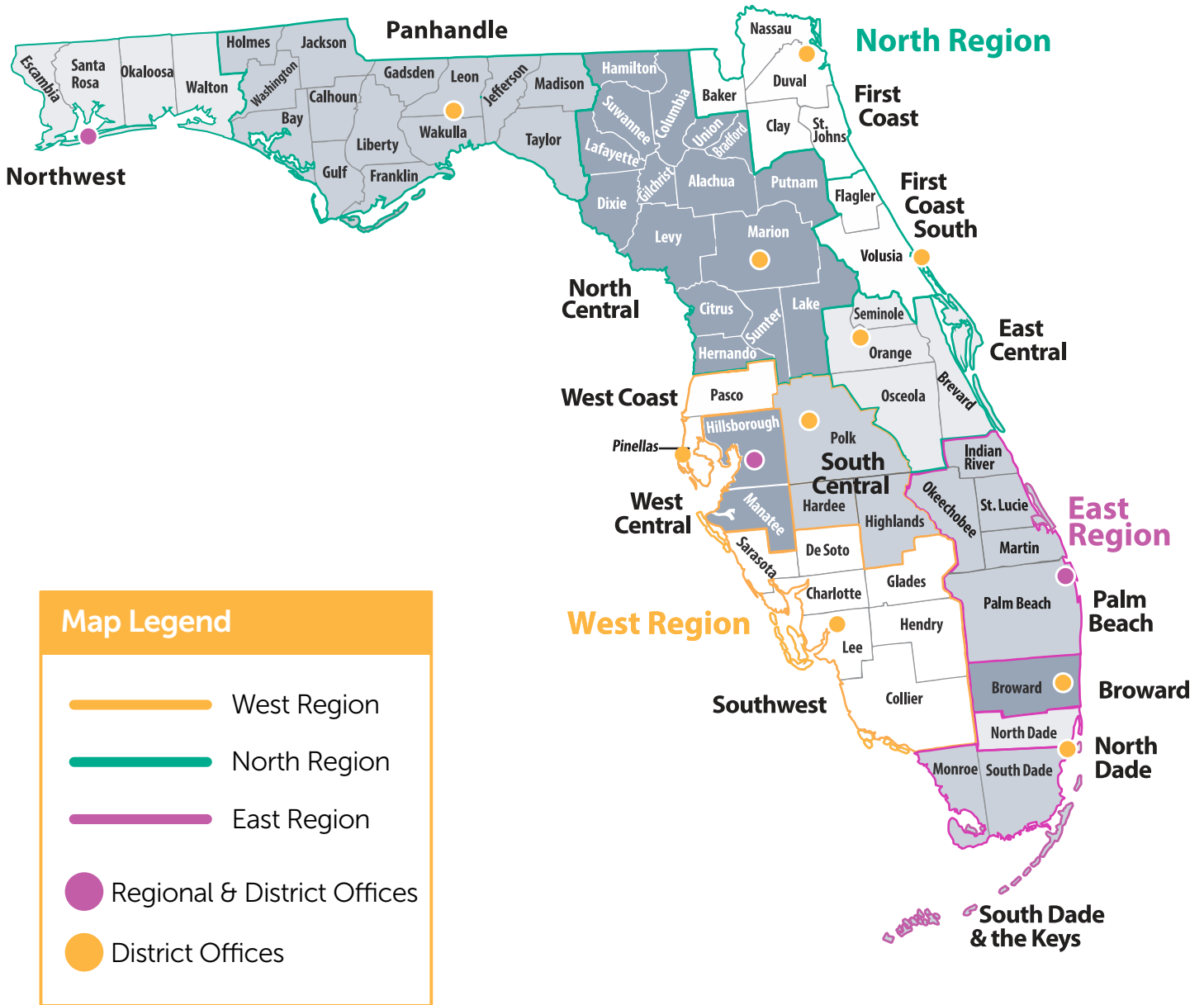
1-888-831-0404
ltcopinformer@elderaffairs.org

Central Office

4040 Esplanade Way
Tallahassee, FL 32399
Phone: (850) 414-2323
Fax: (850) 414-2377

OFFICE LOCATIONS

Long-term care ombudsmen are available to serve long-term care residents and their families in all 67 counties. The map below shows the 14 district and regional Long-Term Care Ombudsman Program offices throughout Florida. Some offices are co-located within the same space.





LTCOP

4040 Esplanade Way
Tallahassee, FL 32399

1-888-831-0404
ombudsman.elderaffairs.org

Elder 
Affairs
FLORIDA