

## Long Term Care Ombudsman

	2019-21 Actual	2021-23 Legislatively Adopted	2021-23 Legislatively Approved *	2023-25 Current Service Level	2023-25 Governor's Budget
General Fund	7,496,334	10,819,492	11,164,278	11,984,814	11,934,035
Other Funds	930,428	888,786	1,406,991	903,977	903,651
<b>Total Funds</b>	<b>8,426,762</b>	<b>11,708,278</b>	<b>12,571,269</b>	<b>12,888,791</b>	<b>12,837,686</b>
Positions	30	36	36	36	36
FTE	29.14	35.50	35.50	35.50	35.50

\* Includes Emergency Board and administrative actions through December 2022.

### Program Description

The Long Term Care Ombudsman (LTCO) program is a federally mandated consumer protection program supporting a network of certified volunteers to investigate and resolve complaints for people who live in Oregon’s nursing facilities, residential care facilities, assisted living facilities, and adult foster homes. An eleven-member Residential Ombudsman and Public Guardian Advisory Board is responsible for monitoring the agency, advising state leadership on programs, and nominating people for “the” LTCO position as it comes open; this position also functions as the agency head.

In 2013, the agency was expanded to include the Residential Facilities program which addresses the needs of care facility residents who have a mental illness or developmental or intellectual disability. Most recently, SB 307 (2015) requires the LTCO to also advocate for residents of the independent living section of a Continuing Care Retirement Community.

The agency continues to address challenges in ramping up new work approved during the 2014 legislative session, when the Oregon Public Guardian (OPG) program was established. The program helps people who do not have a relative or friend able to serve in a fiduciary capacity, lack the financial ability to pay someone to serve as a fiduciary, and are at serious and imminent risk of harm or death without a fiduciary. OPG activities range from making residential and medical decisions to handling financial issues.

At close to 93%, the budget is almost entirely General Fund; this level of General Fund support is anticipated to continue, and may increase, as growth in other revenue sources is unlikely to keep pace with inflation and other cost drivers. These Other Funds revenues consist primarily of federal Older Americans Act funding passed-through the Department of Human Services and civil penalties assessed on residential facilities and adult foster homes that serve persons with mental illness or intellectual/developmental disabilities.

### CSL Summary

The 2023-25 current service level (CSL) budget reflects an increase of \$820,536 General Fund, or 7.4%, compared to the 2021-23 legislatively adopted budget. The increase is driven by standard inflationary adjustments. The total funds budget is an increase of \$317,522, or 2.5%, compared to the 21-23 budget. Other Funds decreased by \$503,014, which is due to the expiration of one-time federal funds.

### Policy Issues

- Demand for ombudsman services is directly related to the number of care facilities and clients falling under the agency's umbrella of services; in 2021-23, potential clients are expected to exceed 52,000 people living in almost 4,500 licensed facilities. The system has grown and is expected to continue increasing in size as the population ages; however, the complement of beds by facility type may shift or fluctuate.
- LTCO currently has volunteers providing coverage to approximately 47% of long-term care facilities in Oregon. The program's goal is to develop a volunteer program that allows volunteers to be assigned to every licensed long-term care facility in Oregon.
- During the COVID-19 pandemic, in-person facility visits declined. In the past year, in-person visits have steadily increased. Some volunteers continue to be unwilling to go in-person to facilities due to COVID-19 still being prevalent in high numbers in many long-term care facilities.
- The ability to provide Public Guardian services is constrained by the budget. In the 2021 session, the Legislature added four Deputy Guardian positions (for a total of eight deputies), allowing the program to serve up to 175 individuals or an estimated 10% of the statewide need. During the 2021-23 biennium, the Public Guardian program has been focused on program expansion and onboarding new cases.

### Governor's Budget Summary

The 2023-25 Governor's Budget proposes total expenditures of \$12.8 million, an increase of \$266,417, or 2.1%, compared to the 2021-23 legislatively approved budget. Proposed General Fund of \$11.9 million is an increase of \$769,757, or 6.9%, compared to the current biennium. This increase is driven by standard inflation adjustments. The budget proposes a budget-neutral shift of \$178,241 from special payments to personal services as more Public Guardian work will be performed in-house by state staff rather than contracted providers.

The agency request budget included seven policy option packages requesting a total of \$8.7 million General Fund, including 33 positions (32.5 FTE). None of those packages are funded in the Governor's budget.

### Key Performance Measures

A copy of the Long Term Care Ombudsman Annual Performance Progress Report can be found on the LFO website:

[https://www.oregonlegislature.gov/lfo/APPR/APPR\\_OLTCO\\_2022-10-03.pdf](https://www.oregonlegislature.gov/lfo/APPR/APPR_OLTCO_2022-10-03.pdf)