

## **10A NCAC 05L .0102 LONG-TERM CARE OMBUDSMAN PROGRAM**

The Division shall provide a long-term care ombudsman program subject to the following:

- (1) If the regional ombudsman receives a complaint directly and plans to utilize any community advisory committee members for complaint resolution, written permission must be obtained from the resident or resident's legal representative to utilize the community advisory committee members for this purpose.
- (2) When the regional ombudsman receives a complaint directly, she or he retains jurisdiction and oversight over the complaint throughout the complaint resolution process.
- (3) If the community advisory committee chairman discloses the identity of the resident who files a complaint or on whose behalf a complaint is filed to the regional ombudsman, the regional ombudsman assumes jurisdiction and oversight over the complaint.
- (4) If the regional ombudsman believes the resident on whose behalf a complaint has been filed is not competent, she or he shall consult with the attorney designated to provide legal representation regarding procedures for pursuing appointment of a legal representative for the resident.

*History Note:* Authority G.S. 143B-181.1(c); 143B-181.15 through 143B-181.25; 45 C.F.R., Part 1321.9;  
Eff. October 1, 1980;  
Amended Eff. January 1, 1991;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 23, 2015.