



County of Orange  
California

**Thomas G. Mauk**  
County Executive Officer

July 25, 2006

Jon Michael Penn  
FY 05/06 Grand Jury  
Superior Court of California  
700 Civic Center Drive West  
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "The Long-Term Care Ombudsman Program: Are We Ready for the Coming "Age Tsunami"?"

Dear Mr. Penn:

Per your request, and in accordance with Penal Code 993, enclosed please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Theresa Stanberry at (714) 834-3727 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

Thomas G. Mauk  
County Executive Officer

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**2005-2006 Grand Jury Report**  
**The Long-Term Care Ombudsman Program:**  
**Are We Ready for the Coming “Age Tsunami”?**  
**Response to Findings and Recommendations**

**Responses to Findings 6.1 – 6.6**

6.1 **Elderly Population Increasing**: There will be a noticeable increase in the 75 plus age group in the near future and the 60 plus population is expected to increase by two-thirds in Orange County over the next fifteen years. This will increase the need for more long-term care facilities and therefore, an expansion of the OOA Ombudsman Program.

*Response: Agrees with finding.*

6.2. **Effective Program Lacks Public Awareness**: The Ombudsman Program is extremely important, successful, and provides a critical service to older and dependent adults in Orange County. Unfortunately, the general public is not fully aware of the Ombudsman Program and its mission.

*Response: Agrees with finding.*

6.3. **Funding Support**: The demand for the Ombudsman Program will continue to grow as the older adult population in Orange County increases by two-thirds over the next fifteen years. As a result, additional funding support will be needed to ensure an increased presence of Ombudsman in long-term care facilities.

*Response: Agrees with finding.*

6.4 **Volunteer Recognition**: Successful Ombudsman volunteer recruitment and retention will be improved by increased volunteer recognition.

*Response: Agrees with finding.*

6.5 **Elder Abuse Reporting**: Legislation is being considered to remove the requirement that the Ombudsman Program receive and investigate reports of suspected cases of abuse or neglect.

*Response: Agrees with finding.*

6.6 **Complaints Not Being Responded To Timely**: Complaints of abuse and neglect in nursing homes filed by Long-Term Care Ombudsmen are not being investigated in a timely manner by appropriate agencies.

*Response: Agrees with finding.*

## **Response to Recommendations 7.1 – 7.6**

- 7.1 **Make Adequate Preparations:** The OOA should take steps to expand the Long-Term Care Ombudsman Program to accommodate the expected increase in the elderly population with a resulting increase in the number of long-term care facilities and residents.

*Response: This recommendation has been implemented.*

The Office on Aging agrees that the Ombudsman Program is extremely important and provides a critical service to older adults in Orange County. The demand for this program and most other programs for older adults will continue to grow as the 60+ older adult population is expected to double in Orange County over the next fifteen years.

In order to plan for older adult service needs in Orange County, the Office on Aging conducts a needs assessment survey every four years as required by the California Department of Aging. In that planning process, the community, service providers, and especially the older adult population are asked to fill out and return a survey that helps the Office on Aging to identify critical unmet needs.

In addition, a Public Hearing is conducted by the Office on aging each year to give the community/public and service providers the opportunity to make comments on unmet needs or to request changes to the service delivery system.

The Office on Aging will continue to evaluate older adult needs and explore the necessary steps to plan for the future of all older adult services including the expansion of the Ombudsman Program. It should be noted, however, that the Office on Aging's ability to expand services is restricted based upon funding. The California Department of Aging (CDA) allocates funding by specific programs and funding categories. CDA has notified the OOA that for Fiscal Year 2006-2007, the Ombudsman Program will receive an increase of \$4,215 while the overall OOA budget allocation from CDA will be reduced by \$42,717.

The OOA will continue to promote the importance of the Ombudsman program at both the State and National level through the California Department of Aging, the California Association of Area Agencies on Aging (C4A), the Federal Administration on Aging, the National Association of Area Agencies on Aging (N4A), as well as through the Orange County Senior Citizens Advisory Council (SCAC), and at other important community planning meetings.

- 7.2 **Continue Monitoring/Evaluation and Increase Public Awareness:** The OOA should continue its annual monitoring site visits and reports to ensure adherence to the core elements of the program. The OOA should implement planned strategies to increase public awareness.

*Response: The recommendation to continue monitoring has been implemented. The recommendation to increase awareness has not yet been implemented, but will be implemented in the future.*

The Office on Aging is continuing to monitor the Ombudsman Program once a year as required by the California Department of Aging and California Code of Regulations. The OOA uses the required Monitoring Tool which covers the six core elements of the program. The monitoring for FY 2005-2006 was completed on April 6, 2006. The program was found to be in full compliance with all requirements.

The Office on Aging will work with the Council on Aging to develop a plan by October 31, 2006 to implement strategies by January 1, 2007 to increase public awareness in 2007. These strategies will include but are not limited to the following:

- a. Partner with AARP to highlight the Ombudsman Program in newsletters, emails, and at events and venues.
- b. Partner with the faith-based community to increase awareness and support of the Ombudsman Program. For example Ombudsmen representatives could conduct presentations before faith-based groups to increase public awareness and support of the program.
- c. Partner with hospitals, medical offices, and other stakeholders in the health care community. Distribute brochures and flyers about the Ombudsman Program to the medical community to ensure that important materials are available to care providers and care receivers.
- d. The Director of the Housing and Community Services Department and the Executive Director of the Office on Aging are in the process of scheduling meetings with staff of the League of Cities Orange County Division/OCCOG to increase awareness of the Ombudsman Program.

**7.3 Additional Funding Support:** The OOA should consider requiring the COA to seek additional funding support for the Ombudsman Program from corporate sponsors, individual donors, fundraising efforts, foundations and other governmental agencies.

***Response: This recommendation has been implemented.***

In compliance with the requirements of the California Department of Aging (CDA), the Office on Aging currently requires the Council on Aging/Ombudsman Program to provide a funding match for its Older Americans Act Title IIIB funds. For FY 2005-2006 that amount was \$8,919. The Ombudsman Program receives additional funds from CDA but a funding match is not required. In addition, the Office on Aging encourages the Ombudsman Program to continue/increase its efforts to secure additional funding support through soliciting corporate sponsors, increasing individual donor support (especially from families benefiting from Ombudsman services), increasing fund raising efforts, increasing funding support from foundations, and increasing funding support from other federal, state, and local government agencies.

Finally, the Director of the Housing and Community Services Department and the Executive Director of the Office on Aging are currently in the process of scheduling meetings with the staff of the League of Cities Orange County Division/OCCOG to increase awareness of the Ombudsman Program. In addition, the Office on Aging will assist in this effort by informing the Council on Aging of any grants or funding opportunities that the OOA becomes aware of for which the Ombudsman Program would qualify.

- 7.4 Additional Funding Support:** The Orange County BOS should consider allocating additional funding to the Ombudsman Program. (See Finding 6.3)

*Response: This recommendation has been implemented.*

The Orange County BOS reviews the funding of all county programs on an annual basis. The Board made funding recommendations for the Ombudsman Program for the coming year based upon County priorities and available funding. The Board will continue to review the Ombudsman Program on an annual basis and provide additional resources as funding becomes available.

- 7.5 Volunteer Ombudsman Recognition:** The BOS should participate in the recognition of volunteer Ombudsmen at public forums such as during official board meetings, Senior Citizen Advisory meetings, etc. (See Finding 6.4).

*Response: This recommendation has not yet been implemented, but will be implemented in the future.*

In addition to the annual County Volunteer Recognition, the Board of Supervisors will work with Office on Aging to recognize Ombudsman volunteers at community events and at Board meetings. Volunteer recognition efforts will not only improve volunteer retention but also awareness and support of the Ombudsman program.

- 7.6 Retain Elder Abuse Reporting Role:** The BOS should lobby state legislators about the continued need for the Ombudsman Program to receive and investigate reports of suspected cases of abuse or neglect in long-term care facilities. (See Finding 6.5)

*Response: This recommendation has been implemented.*

The Long-Term Care Ombudsman Program is authorized by the federal Older Americans Act and its state companion, the Older Californians Act. The U.S. House of Representatives passed the Senior Independence Act of 2006 (IIR 5293) in June 2006; it reauthorizes the Older Americans Act, the Elder Justice Act and policies regarding elder abuse prevention and services. HR 5293 leaves the responsibility of investigating reports of suspected cases of abuse or neglect in long-term care facilities with the Ombudsman Program. California must fulfill the goals outlined by the federal Act. Title 22 contains the

companion Older Californians Act and is current. The BOS continues to work with State and Federal legislators regarding enhanced care and safety of the elderly.

- 7.7 **Request Enforcement of Mandates:** The BOS should lobby state legislators and officials about the importance of investigating complaints filed by Long-Term Care Ombudsmen in a timely manner by appropriate agencies. (See Finding 6.6)

*Response: This recommendation has been implemented.*

The Board of Supervisors continues to work with Orange County legislators to promote all programs benefiting the growing elderly population.