

**Abuse/Neglect in Long  
Term Care:  
The Ombudsman's Role**

Presented by:  
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Board on Aging and Long Term Care  
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**State Of Wisconsin  
Board On Aging and Long  
Term Care**

**Medigap Counselors  
1-800-242-1060  
Ombudsman  
1-800-815-0015  
Volunteer Ombudsman  
1-800-815-0015**

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**“Ombudsman”**

- A Scandinavian term meaning “voice of the people.” In this country the word has come to mean an advocate or helper. An Ombudsman protects and promotes the rights of the long term care consumers, working with residents and their families to achieve quality care and quality of life.

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## Role of the Ombudsman in Preventing Abuse & Neglect

- Education
  - Regulation
  - Resident Rights
- Regulatory Monitoring
- Coordinate with Law Enforcement, County Adult Protective Services
- We are not mandated reporters

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## Most Common Nursing Home Complaints/Concerns

- Failure to respond to requests for assist
- Dignity, respect, staff attitudes
- Involuntary Discharge
- Exercise choice, rights
- Medication administration
- Failure to assess pain, symptomatic changes, notice of change in condition

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## Resident Rights help Prevent Abuse & Neglect

- Guaranteed by state and federal laws.
- Everyone...staff, family, volunteers, visitors...are required to respect, protect and promote a person's rights.
- Every person has the right to exercise all of their rights free from interference, coercion, discrimination or reprisal.

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## Caregiver Misconduct Required Reporting

- Abuse
- Neglect
- Mis-appropriation
  
- Caregiver Misconduct Book, DQA

<http://www.dhs.wisconsin.gov/caregiver/pdf/files/Chap6-Reporting.pdf>

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- Abuse does not include an act or acts of mere inefficiency, unsatisfactory conduct or failure in good performance as the result of inability, incapacity, or ordinary negligence in isolated instances, or good faith errors in judgment.

Negligence/Neglect does not include an act or acts of mere inefficiency, unsatisfactory conduct or failure in good performance as a result of inability, incapacity, inadvertency or ordinary negligence in isolated instances, or good faith errors in judgment or discretion.

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## Elder Abuse Reporting System statutes 46.90. New definitions effective 12/1/06:

"Elder-adult-at-risk" means any person age 60 or older who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.



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## Self-Neglect

"Self-neglect" means a significant danger to an individual's physical or mental health because the individual is responsible for his or her own care but fails to obtain adequate care, including food, shelter, clothing, or medical or dental care

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## Financial Exploitation

- Obtaining an individual's money or property by deceiving or enticing the individual, or by forcing, compelling, or coercing the individual to give, sell at less than fair market value, or in other ways convey money or property against his or her will without his or her informed consent.
- Theft, as prohibited in s. 943.20.
- The substantial failure or neglect of a fiscal agent to fulfill his or her responsibilities.

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## Cont.

- Unauthorized use of an individual's personal identifying information or documents, as prohibited in s. 943.201.
- Unauthorized use of an entity's identifying information or documents, as prohibited in s. 943.203.
- Forgery, as prohibited in s. 943.38.
- Financial transaction card crimes, as prohibited in s. 943.41.

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**Abuse: The Resident's Perspective  
Expanded Definition of Abuse**

- Abuse is not knowing our names and who we are.
- Abuse is not having things we need accessible.
- Abuse is not giving us choices.
- Abuse is lack of respect for our personal belongings.
- Abuse is not promoting our involvement in activity.
- Abuse is when we're not treated with respect.
- Abuse is not meeting our needs.
- Abuse is not telling us who you are.
- Abuse is not challenging us to live.

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**Cornerstone  
of Personal Rights:**

Each person has the right to be treated as an individual, with courtesy, respect and dignity.



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**"Beautiful young people  
are accidents of  
nature,  
but beautiful old  
people are works of  
art."**

-Eleanor Roosevelt

**QUESTIONS?**

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