**Section 270.134 Organizational Standards and Responsibilities: Office of the State Long-Term Care Ombudsman**

a) The Office will be established in accordance with federal requirements under 45 CFR 1324.11 (2016) and this Subpart. The Office shall collaborate with the Department in accordance this Part and with the federal regulations for the State's implementation of the Program.

b) *The Office shall be composed of at least one full-time Ombudsman and shall include a system of designated Regional Long-Term Care Ombudsman Programs.*

c) *Each Regional Program shall be designated by the State Long-Term Care Ombudsman as a subdivision of the Office and any representative of a Regional Program shall be treated as a representative of the Office.* (Section 4.04(c) of the Act)

d) The State Long-Term Care Ombudsman certifies individuals as Ombudsmen. In order to be recommended for certification, an Ombudsman must complete the training set forth in the policies and procedures and satisfy the requirements of this Section. The State Long-Term Care Ombudsman may also remove certification of an Ombudsman.

e) *The State Long-Term Care Ombudsman and all other Ombudsmen must submit to background checks under the Health Care Worker Background Check Act* [225 ILCS 46] *and receive training, as prescribed by the Department, before visiting facilities, private homes, or community-based settings. Training must include information specific to:*

1) *Assisted living establishments, supportive living facilities, shared housing establishments, and private homes; and*

2) *The rights of residents and participants.* (Section 4.04(c) of the Act)

f) The Office shall, with the support of the Department:

1) Develop and provide final approval of an annual report as set forth in section 712(h)(1) of the Older Americans Act and 45 CFR 1324.

2) Analyze, comment on, and monitor the development and implementation of laws, policies and actions that pertain to residents and participants, and to the health, safety, welfare and rights, of residents and participants.

3) Provide such information as the Office determines necessary, regarding the problems and concerns of residents and participants, to public and private agencies, legislators and the media. (See 45 CFR 1324.15(k).)

4) Consult the Department in establishing policies and procedures for the Program. (See 45 CFR 1324.11(e).)

g) The Office shall not investigate complaints related to abuse, neglect and financial exploitation, or self-neglect reported by, or on behalf of, an older person aged 60 or over or an adult with a disability aged 18 through 59 living in the community. Complainants shall be referred to the Department's Adult Protective Services program for handling pursuant to Section 4 of the Adult Protective Services Act [320 ILCS 20].

(Source: Added at 43 Ill. Reg. 980, effective January 1, 2019)