



National Association of State Long-Term Care Ombudsman Programs

February 17, 2011

Assistant Secretary for Aging Kathy Greenlee
U.S. Department of Health and Human Services
Administration on Aging
Washington, D.C. 20201

Dear Assistant Secretary Greenlee:

On behalf of the membership of the National Association of State Long-Term Care Ombudsman Programs (NASOP), the Executive Committee of NASOP wishes to express concern over alleged actions by the Florida government that may constitute willful interference with the ombudsman program as described by 42 U.S.C. 3058g(j).

As described in the law, a state ombudsman must, "Represent the interests of the residents before governmental agencies and seek administrative, legal, and other remedies to protect the health, safety, welfare, and rights of the residents." If the State of Florida did violate provisions of the Older Americans Act, this could have a broad impact and significantly weaken the effectiveness of long-term care ombudsman programs across the United States.

Residents need a unified public voice and ombudsmen are required to communicate resident interests and make recommendations to policy makers. When ombudsmen publicly express resident needs and interests, residents are empowered with choice and dignity. Without an ombudsman advocating for systemic changes and the rights of residents, the state ombudsman's ability to impact public policy is limited.

The issue of willful interference with the functions of the state ombudsman is specifically addressed by the Older Americans Act. If allegations that Florida government officials were influenced by provider associations are confirmed, this situation reinforces the need for enforcement of statutory and regulatory provisions to ensure residents have a state long-term care ombudsman program that is free from the threat of willful interference.

NASOP requests the U.S. Administration on Aging investigate the situation in Florida, out of consideration for the broad ramifications for state long-term care ombudsman programs throughout the country. Thank you for your attention to this matter. If we can be of further assistance, please let us know.

Sincerely,
ORIGINAL SIGNATURE REDACTED
Joseph Rodrigues

cc: Becky A. Kurtz, Director, Long-Term Care Ombudsman Programs

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