



**National Association of State Long-Term Care Ombudsman Programs**

December 17, 2010

Dr. Donald Berwick, Administrator  
Centers for Medicare and Medicaid Services  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Dr. Berwick:

It was a pleasure to meet you on Wednesday, December 15 at the Mercy Retirement and Care Center in Oakland. Thank you for the opportunity to briefly discuss the Long-Term Care (LTC) Ombudsman Program. We appreciate the guidance provided through the joint letter from Centers for Medicare and Medicaid Services (CMS) and the Administration on Aging (AoA) regarding the implementation of Section Q and partnering with the LTC Ombudsman Program to better serve residents of skilled nursing facilities who seek to transition out of the facility and into their own home.

AoA is currently working with your staff to provide clarification to CMS regional offices and to states about ways that Medicaid funds could appropriately support LTC Ombudsman Program efforts to serve Medicaid recipients. As you heard on Monday from my colleague Louise Ryan, the Washington State LTC Ombudsman, CMS has an inconsistent policy on the availability of Medicaid reimbursements to the LTC Ombudsman Program. We believe that there are many activities performed by LTC Ombudsman Programs which are performed in the proper and efficient operation of our respective State Medicaid Plans. We look forward to a positive response from CMS on this important issue.

As I briefly mentioned on Wednesday, the National Association of State Long-Term Care Ombudsman Programs has a clear understanding of the issues that face residents of long-term care facilities. At your convenience, I would be happy to discuss and provide information to you on the perspectives and experiences of State LTC Ombudsman Programs.

Sincerely,

***ORIGINAL SIGNATURE REDACTED***

Joseph Rodrigues, President

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