



National Association of State Long-Term Care Ombudsman Programs

September 28, 2011

The Honorable Herb Kohl, Chairman
Special Committee on Aging
United States Senate
Washington, DC 20510

Dear Senator Kohl:

The National Association of State Long-Term Ombudsman Programs (NASOP) strongly supports the Strengthening Services for America's Seniors Act. As advocates for residents, we deeply appreciate the work you and Senator Mikulski have put into these amendments to the Older Americans Act (OAA). This legislation will strengthen the ability of Long-Term Care Ombudsman Programs to effectively advocate for residents of long-term care facilities.

One of the most important provisions of this bill requires that states must ensure that facility residents have private and unimpeded access to ombudsman services in a confidential setting. As you know, these amendments would also clarify that the Health Insurance Portability and Accountability Act does not impede the Ombudsman's access to resident health records. In addition, this legislation enables the Ombudsman to access resident records other than medical or social records necessary to resolve a resident's complaint. It also ensures all information provided by residents seeking assistance and maintained by the Ombudsman Program should be subject to the OAA disclosure provisions, not only information which is contained in files or records. These amendments would ensure that ombudsman representatives proactively encourage and assist in the development of resident and family councils in long-term care settings. Finally, we appreciate your efforts to have the National Ombudsman Resource Center's (NORC) expand its training capacity and ability to work with the Centers for Medicare and Medicaid Services on improving the investigative processes used to address residents' concerns.

NASOP looks forward to working with you to pass the Strengthening Services for America's Seniors Act this year. Thank you for your steadfast support of the critically important advocacy we perform for residents of long-term care facilities.

Sincerely,


Joseph Rodrigues
President

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