



As an ombudsman you are responsible for resolving problems on behalf of residents. Regardless of the complexity or simplicity of the issues, there is a standard process you will follow in problem-solving. *This process is dynamic, not rigid.* The amount of time you spend in each step of this process will vary depending upon numerous factors such as:

- the type of facility: one with large numbers of staff and residents or one with a few caregivers and a few residents;
- the complexity of the issue;
- the amount of additional information you will need to be able to understand the issue;
- the number of individuals involved;
- the time factor if meetings need to be attended or appointments made; and
- the responsiveness of the facility to addressing residents' issues.

Step Two: Investigating Complaints

The following list of questions is a “ready-reference” to use in thinking through issues and how to proceed. It is not a comprehensive list nor is it rigid in its order of steps. It’s a guide to help clarify thinking and to ensure that you haven’t overlooked a key part of the problem-solving process. As previously mentioned, there will be times when problems can be quickly addressed. Resolving problems will not always require such a detailed analysis and resolution process.

You can also use this reference to guide your conversations with residents and family members who turn to you for advice regarding working through issues on their own.

Investigating complaints could involve interviews, observations, and review of documents. All three may not be required to thoroughly investigate a complaint.



Interviews

- What individuals, other than the resident, do you need to talk with to help you better understand the problem? Consider the following.
 - Who has the resident talked with about the problem?
 - Is the problem widespread, affecting several residents, or affecting only one resident? You might need to determine the prevalence of the problem via interviews.
 - Has the resident council discussed or addressed this issue?
- Who has the authority to change the situation, to resolve the problem? Are there communication problems or trust issues between the resident/relatives and staff?
- Other than the resident, who might be most knowledgeable about the problem or about contributing factors such as facility policies and practices?
 - Who do you want to interview?
 - Why do you want to talk with that individual?
 - What questions will you ask?

Observation

- What observations can be made to increase your understanding of the problem or to give you ideas about alternatives for resolution?

Documents

- What are the pertinent laws, regulations, or policies that apply to this problem?
- What other documents will add to your understanding of the problem or provide ideas regarding resolution?
- Review all of the information you have pertinent to the problem.
- Is the problem related to policies or procedures of the facility?
- Is the care plan clear?



Other Questions to Consider

- Was there an oversight on the part of the facility staff?
- Have you been able to verify the complaint?

Verification: A complaint is considered verified when, “*through investigatory work (observations, interviews, and record inspection), it is determined that the circumstances described in the complaint are substantiated or generally accurate.*”

- Check back with the resident regarding the validity of the information you have obtained.

Step Three: Resolution and Follow up

- Identify and discuss possible resolutions that would be acceptable to the resident.
- What strategies might be effective in getting the outcome the resident wants?
- Who will need to be involved in determining and agreeing to the outcome?
- What information needs to be provided to the facility based on observations, interviews, and/or record review?
- Seek feedback and assistance from the resident before proceeding with resolution.

- Be flexible with alternatives as long as they are acceptable to the resident.
- Obtain a resolution that is clear regarding what will happen, when, and who will be involved.
- Be sure the resident understands and agrees with the resolution.
- Know who to contact if the resolution is not adequately implemented.
- Check back with the resident to determine if the resolution is being implemented.
- Is the problem resolved? Is it partially resolved?
- If the agreed upon resolution is not being followed, try to determine why.
- If the problem cannot be resolved within the facility, consider other avenues for resolution.