

A conflict of interest exists when other interests intrude upon, interfere with, or threaten to negate the ability of a long-term care ombudsman to advocate without compromise on behalf of residents.

An ombudsman intern or a certified ombudsman must immediately inform the Managing Local Ombudsman (MLO) when any conflict of interest exists or might exist.

Conflicts include, but are not limited to:

- Direct involvement in the licensing or certification of a long-term care (LTC) facility, home health agency or hospice service;
- Ownership or investment interest (represented by equity, debt or other financial relationship) in an LTC facility, home health agency or hospice service;
- Participation in the management of an LTC facility, home health agency or hospice service;
- Employment, including contract services, within the previous year by an LTC facility;
- Acceptance of gifts, gratuities or other consideration from an LTC facility, resident, family or anyone other than the Long-term Care Ombudsman Program for performing ombudsman services;
- Receipt or right to receive, directly or indirectly, payment (in cash or in kind) under a compensation arrangement with an owner or operator of an LTC facility, home health agency or hospice service;
- Serving residents of an LTC facility in which a relative resides or works, or previously resided or worked;
- Provision of services with conflicting responsibilities while serving as a certified ombudsman, such as working for Adult Protective Services or serving as a guardian, agent under a power of attorney, or other type of surrogate-decision maker for a resident in a facility where the certified ombudsman serves; and
- Participation in activities that negatively impact a certified ombudsman's ability to serve residents or are likely to create a perception that the primary interest of the certified ombudsman is other than as a resident advocate.

If a conflict is identified, the MLO may remedy the situation by submitting a written plan to the State Long-term Care Ombudsman (SLTCO). The plan must be developed before the person acts as an ombudsman intern or certified ombudsman, or within 30 calendar days of receiving notice from a certified ombudsman. The plan provides assurances to minimize to the greatest extent possible the negative impact on residents. For example, prohibit the certified ombudsman from serving residents for whom a conflict exists and arrange for another ombudsman to serve. The SLTCO approves or denies each plan. If approved, all parties agree to the terms and sign the plan.

Failure to identify and report a conflict of interest will result in de-certification.

I certify that I have read and understand this Conflict of Interest form and I have no conflicts.

I certify that I have read and understand this Conflict of Interest form and I notified the MLO of the following conflict

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Ombudsman Intern or Certified Ombudsman

Managing Local Ombudsman

Date

Date