DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FINANCIAL MANAGEMENT & ANALYSIS
MEMORANDUM

TO: Brenda Parrella

FROM: Lee Voghel

DATE: November 22, 2011

RE: Fiscal Note for LTC Ombudsman Regulation Changes

Please find attached the revised fiscal note for proposed regulation changes to the Long-Term Care Ombudsman program. The changes bring the program into compliance with the Older Americans Act, 42 USC SS 3058g. The fiscal note has been revised to reflect the impact on small businesses.

There is no fiscal impact from the proposed regulation changes.

Please let me know if you have any questions or would like more information.

Cc: Nancy Shaffer
Mike Gilbert
Mari Spallone
Rachel Rosenthal

DSS ID # 08-06

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATIONS

AGENCY SUBMITTING REGULATION Department of Social Services DATE 11/22/11

SUBJECT MATTER OF REGULATION State Long-Term Care Ombudsman Program

REGULATION SECTION NUMBER 17b-3 STATUTORY AUTHORITY Sec 17b-402 & 17b-411

OTHER AGENCIES AFFECTED None

EFFECTIVE DATE USED IN COST ESTIMATE 7/1/2011

ESTIMATE PREPARED BY Rachel Rosenthal

QUESTIONS SHOULD BE ADDRESSED TO Lee Voghel TELEPHONE 424-5842

SUMMARY OF STATE COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency Department of Social Services Fund Affected General

	SFY 2012	SFY 2013
Number of Positions		
Personal Services		
Other Expenses		
Equipment		
Grants (Medicaid)		
Total State Cost (Savings)	$0	$0
Estimated Revenue Gain (Loss)	$0	$0
Total Net State Cost (Savings)	See Below	

EXPLANATION OF STATE IMPACT OF REGULATION:

The proposed regulations update the regulations for the Long Term Care Ombudsman program and bring the program into compliance with the Older Americans Act, 42 USC SS 3058g.

The issues that the regulation propose to address include; (1) an outline of the responsibilities of the State Ombudsman and Regional Ombudsman; (2) define the organization of the program within the Department of Social Services; (3) set forth the program's advocacy role for long-term care residents; (4) the requirements for training and the curriculum for Volunteer Resident Advocates; (5) establish conflict of interest guidelines; and (6) prohibits long-term care facilities from interfering with contacts between residents and program representatives.

The main provisions of the regulation provide: (1) definitions; (2) organization and administration of programs; (3) program requirements; (4) establishment of a course of training for volunteer resident advocates; (5) conflict of interest guidelines; and (6) prohibits interference by long-term care facilities regarding communications between residents and program representatives.

The provisions within the proposed regulation changes are technical in nature and conform to existing practice. All expenditures, such as for training, are covered under federal funds allocated to the Long Term Care Ombudsman's program.

While the Department does not anticipate that the proposed regulations will have a significant impact on small businesses, small businesses will have the opportunity to bring any unanticipated concerns to the Department's attention through notice and public comment.

FINANCIAL IMPACT: None.

MUNICIPAL IMPACT: None.