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Applicability: DSN Boards, Contracted Service Providers and DDSN Regional Centers

I. Reports to SLED

1. Any allegations of abuse, neglect or exploitation to a vulnerable adult over 17 years old must be reported to SLED at 1-866-200-6066 (see DDSN Directive 534-02-DD: Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency, for the full policy). Providers of ICFs/ID may begin their Administrative Review at this point.
2. If SLED vets the case to the Long Term Care Ombudsman's Office, they will perform an investigation to determine if non-criminal abuse, neglect or exploitation was present. Once the case is vetted to the Long Term Care Ombudsman's Office, all non-ICF/ID Providers may conduct an Administrative Review as outlined in DDSN Directive 534-02-DD: Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contracted Provider Agency. A Provider may reinstate the employee once their Administrative Review is completed and disciplinary action is taken, if applicable.

DISTRICT I

DISTRICT II

NOTE: If during the Long Term Care Ombudsman's Office investigation they determine that abuse, neglect or exploitation may be present, they will send the case back to SLED for review.

3. If the Long Term Care Ombudsman's Office investigation determines that non-criminal abuse, neglect or exploitation exists the Long Term Care Ombudsman's Office will document their findings and send a report to the Department of Disabilities and Special Needs (DDSN) and to the applicable Provider.

NOTE: Although the Long Term Ombudsman's Office may write "abuse substantiated" or "non-criminal abuse substantiated" in their report, it is not considered criminal conduct, but rather a standard of care or quality of life issue.

4. The Provider will determine if any action (in addition to any action taken as a result of the Administrative Review) is needed based on the Long Term Care Ombudsman's report.

II. Duties of The Long Term Care Ombudsman

The Long Term Care Ombudsman Program is established by the Older Americans Act Title VII, Chapter 2, a federal statute. This act authorizes the Long Term Care Ombudsman to have access to long-term care facilities and residents. In addition, SC Code Ann § 43-38-10 (Supp. 2013) states The Long Term Care Ombudsman Program can investigate complaints in facilities including intermediate care facilities, residential care facilities and facilities for persons with developmental disabilities.

The Long Term Care Ombudsman Program is authorized to investigate any problem or complaint on behalf of any interested party or any client, patient, or resident of any of the DDSN facilities. In carrying out the investigation, the Long Term Care Ombudsman Program may request and receive written statements, documents, exhibits, and other items pertinent to the investigation. Following the investigation, the Long Term Care Ombudsman Program may issue such report and recommendations as in its opinion will assist in improving the facility under investigation.

All departments, officers, agencies and employees of the State shall cooperate with the Long Term Care Ombudsman's Office in carrying out their duties.



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