

**GUIDELINES**  
**For**  
**COMPLETION OF PROPOSAL (APPLICATION)**  
**For**  
**REGIONAL LONG-TERM CARE**  
**OMBUDSMAN PROGRAM**  
**DESIGNATION**  
  
**FY 2023**

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## INTRODUCTION

### A. AGING SERVICES NETWORK

Illinois' extensive aging network is composed of the State Unit on Aging (SUA), the Illinois Department on Aging (IDoA); Area Agencies on Aging (AAAs); Case Coordination Units (CCUs); and local service providers. This network is designed to meet the service needs of the state's age 60+ population and those individuals age 18-59 with a disability.

The state is divided into thirteen (13) regional Planning and Service Areas (PSAs). Planning, coordination and service delivery for each PSA is administered by an AAA. The IDoA, as the SUA, distributes Older Americans Act and General Revenue funds to each of the thirteen (13) AAAs on a formula basis contingent upon state approval of their Area Plans.

AAAs may be not-for-profit agencies or units of local government. In Illinois, twelve (12) not-for-profit agencies and one unit of local government (the City of Chicago) serve as AAAs. The AAAs are mandated to advocate for the needs of the elderly population in their geographic regions (PSAs) and coordinate with other agencies and organizations to address local service priorities.

### B. PROGRAM DESCRIPTION AND ELIGIBILITY

The IDoA funds a wide range of services under Title III of the Older Americans Act (OAA) through grants to the thirteen (13) AAAs. Title III services address needs of senior citizens in five areas: access services, elder rights, volunteerism, in-home care services, and community support services. All persons age sixty (60) and over and adults with disabilities are eligible for services under the Older Americans Act.

### C. ILLINOIS LONG-TERM CARE OMBUDSMAN PROGRAM

The Illinois Long-Term Care Ombudsman Program (ILTCOP) is authorized by and acts in accordance with the federal Older Americans Act, 42 U.S.C. Section 3001 et seq. and the Illinois Act on the Aging, 20 ILCS 105/4.04.

The Long-Term Care Ombudsman Program (LTCOP) protects and improves the quality of care and quality of life for residents of long-term care facilities in Illinois through individual and systemic advocacy for and on behalf of residents, including the promotion and cultivation of best practices within long-term care services, and through the promotion of family and community involvement in long-term care facilities.

The LTCOP is a resident-centered advocacy program. The resident of, or applicant to, a long-term care facility is the program's client, regardless of the source of the complaint or request for service. The LTCOP will make every reasonable effort to assist, empower, represent, and intervene on behalf of the resident.

The IDoA is required to establish and operate an Office of the State Long-Term Care Ombudsman (OSLTCO) and carries out the LTCOP directly, or by contract or other arrangement with any public agency or non-profit organization in accordance with the Older Americans Act

The LTCOP is a statewide program. The Office of the State Long-Term Care Ombudsman, operated within the IDoA, is responsible for designating provider agencies, referred to as regional ombudsman programs, to provide ombudsman services throughout Illinois.

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## INTRODUCTION

### C. ILLINOIS LONG-TERM CARE OMBUDSMAN PROGRAM (continued)

Regional Long-Term Care Ombudsman Programs (RLTCOP) investigate and resolve complaints on behalf of residents of long-term care facilities concerning matters that may adversely affect their health, safety, welfare or rights. RLTCOPs inform residents of their rights and advocate on long-term care issues. RLTCOPs provide regular presence visits to long-term care facilities. Additionally, the RLTCOP monitor the development and implementation of Federal, State, and local laws relating to long-term care.

### D. ELIGIBLE APPLICANT PROVIDER AGENCIES

1. The agency must be either a private non-profit or public agency and receive Older Americans Act Title III funds to pay a portion of the cost of operating the regional program. Those organizations that are public and/or multi-purpose in nature may not operate other programs that are in conflict with the objectives and policies of the ombudsman program as defined by the Office and shall have a clearly definable unit functioning as the Regional Program.
2. The agency may not be, or be part of, an organization which:
  - a. Is responsible for licensing and/or certifying long-term care facilities; or
  - b. Provides care as a licensed long-term care facility or is an association of such providers; or
  - c. May impair the ability of the ombudsman to be objective and independently investigate and resolve complaints on behalf of long-term care facility residents.
3. The agency may not have an irremediable conflict of interest.
  - a. The agency must complete the Organizational Conflict of Interest Form
  - b. The agency must submit proposed remedies to the identified conflicts.

### E. ADMINISTRATIVE RULES

As a result of the 1987 reauthorization of the Older Americans Act, the IDoA is required to operate a LTCOP pursuant to Section 307 (A) (12) and Section 311 (a) (10) of the Older Americans Act, and supporting regulations, 45 CFR Parts 1321 and 1324. In order to comply with this requirement, the IDoA has developed policies and procedures which have enacted a state-wide LTCOP. All applicant agencies must submit their RLTCOP contract/grant application in accordance with the State Long-Term Care Ombudsman Program Policies and Procedures Manual. Designated Programs are required to comply with the current Long-Term Care Ombudsman Program Policies and Procedures and any future versions released by the Office.

### F. PROGRAM BENCHMARKS

On October 1, 2013, the Office put into effect the LTCOP Program Benchmarks that were established with the assistance of the LTC Ombudsman Program Advisory Group. Those original benchmarks served as the foundation for the current Benchmark Directive.

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## **INTRODUCTION**

### **G. SERVICE DEFINITION AND ACTIVITIES**

The service components of the LTCOP are divided into eight categories:

1. Investigative services
2. Regular presence in long-term care facilities
3. Issue advocacy
4. Information and Assistance (formerly Consultations to Individuals)
5. Resident and family councils
6. Volunteer management
7. Community education
8. Education to long-term care facility staff (formerly consultations and in-service trainings to long-term care facility staff)

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## GENERAL SOLICITATION INFORMATION

### CONTENT OF PROPOSAL PACKAGE

This proposal package contains the following documents:

1. **Solicitation Specifications** - which is provided by each AAA and contains specific instructions on geographic area(s) solicited, time and location of any Bidder's Conference(s) if conducted, contact person(s), submission information and other information relevant to submission of proposals and award of grants/contracts.
2. **Guidelines for Completion of Proposal for Regional Long-Term Care Ombudsman Program Designation** – which contains general information on Title III and Title VII of the Older Americans Act and information on the competitive solicitation process.
3. **Federal Rules, IDoA Rules and Long-Term Care Ombudsman Program Policies and Procedures Manual** – Each applicant is strongly advised to read 45 CFR 1321 and 1324, 89 IL Admin Code, Title 89. Ch. 11, Part 270 and the Long-Term Care Ombudsman Program Policies and Procedures Manual with implementation date of July 2021 when completing the Proposal for the Regional Long-Term Care Ombudsman Program Designation. The Long-term Care Ombudsman Program Policies and Procedures Manual can be found at <https://www.illinois.gov/aging/ProtectionAdvocacy/LTCOmbudsmen/Pages/Long-Term--Care-Ombudsman-Standards-and-Procedures.aspx>

### SOLICITED AREA

The *Solicitation Specifications* contain the number of the PSA and the solicited area(s) for this Proposal. These areas will vary depending on specific AAA requirements.

For example, the AAA may list the entire PSA as the only solicited area, which means that you are to submit one (1) Proposal for the entire PSA. In this example, proposals will not be accepted for any smaller areas, (e.g., Counties, Townships, Community Areas, etc.) within the PSA; or the AAA may list combinations of Counties, Townships, Community Areas, etc. within the specified PSA as separate solicited areas. In this example, you must submit one (1) Proposal for each solicited area (combination of Counties, Townships, or Community Areas) for which you wish to apply; or the AAA may list individual Counties, Townships, Community Areas, etc. within the specified PSA as separate solicited areas. In this example, you must submit one (1) Proposal for each County, Township, or Community Area for which you wish to apply.

If you submit a Proposal for a solicited area other than the area(s) listed by the AAA, or a combination different than those specified by the AAA, your Proposal will not be considered for award of contract/grant.

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## GENERAL SOLICITATION INFORMATION

### SOURCES OF INFORMATION

Applicants who have questions regarding this Proposal package or the solicitation process may request information from the Contact Person(s) listed in the *Solicitation Specifications*. In addition, if the AAA conducts a Bidder's Conference, you are encouraged to attend this conference (refer to the *Solicitation Specifications* for time, date and location) which will provide you with the opportunity to ask questions and to receive in-depth instructions from AAA personnel.

### APPLICANT REVIEW OF PROPOSAL

Prior to submission of the Proposal, the applicant is strongly urged to examine and review the document to ensure that:

All segments of the Proposal have been correctly completed, and

All applicable documents have been signed by the agency's authorized representative, and

All required attachments have been included on the bound Proposal(s).

It is extremely important that the applicant review his/her Proposal prior to submission and ensure that all answers are entered correctly.

Any questions which are left blank will be scored zero (0).

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## EVALUATION FACTORS

### PROPOSAL FOR LONG-TERM CARE OMBUDSMAN DESIGNATION

The Proposal for Regional Long-Term Care Ombudsman Designation is designed to evaluate the quality of service which will be provided to older residents in nursing facilities. The method of solicitation is competitive and based upon the total score achieved by each applicant on the Proposal.

Proposals will be scored on the extent to which they met the criteria outlined in Section I and II of the Application to provide ombudsman services. Proposals will receive a maximum of 82 points broken down as follows:

Current Regional Long-Term Care Ombudsman Or Experience in Service Provision other than current RLTCOP	12
Investigative Services	10
Regular Presence in Long-Term Care Facilities	10
Issue Advocacy	10
Information and Assistance (formerly Consultations to Individuals)	10
Resident and Family Councils	10
Volunteer Management	10
Community Education	5
Education for Long-Term Care Facility Staff	5
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TOTAL	82

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## **EVALUATION FACTORS**

### **NOTIFICATION OF CONTRACT/GRANT AWARD OR PROPOSAL REJECTION**

Upon designation by the SLTCO, the AAA shall enter into a grant or contract with the provider agency for the provision of LTCOP services in the relevant service area.

The AAA will notify each applicant, in writing, of the success or failure of the applicant to be designated as a RLTCOP. The effective date of the provider agency's contract or grant with the AAA shall constitute the effective date of designation of the entity as a provider agency.

Refer to LTCOP Policies and Procedures Section 301, Designation of Regional Programs for further instructions on designation of provider agencies.

### **OBJECTION TO RLTCOP DESIGNATION DECISION**

Upon receipt of the written notification of designation decision, the applicant may object to the decision. The Office of the State Long-Term Care Ombudsman (Office) will provide information on the objection process with the written notification.

An objection regarding a designation decision must be in writing and must be received by the State Ombudsman within ten (10) calendar days from the date of the objecting agency's receipt of the designation decision. If the objection is not received in the time specified, the objection will be denied and the award will be made based upon the Director's original designation decision.

An unsuccessful applicant may object to any score(s) received by a successful applicant. Upon receipt of an objection, the Office will immediately notify the applicable AAA. The Office may request additional details from the objecting agency and from the AAA at any time. Failure of the objecting agency to supply information requested by the Office will be cause for dismissal of the objection.

A contract/grant will not be awarded until after the objection is resolved, unless the State Ombudsman determines that:

The services to be solicited are urgently required and cannot be delayed until an objection is resolved; or

A prompt award will otherwise be advantageous to the State.

The designation decision shall not be considered final until an objection decision is issued by the State Ombudsman. The decision is final and shall be issued in writing to the objecting agency and sent by certified mail, return receipt requested. A copy of the State Ombudsman's decision shall be provided to the appropriate AAA.

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## **CONTRACT/GRANT INFORMATION**

### **TERM OF THE CONTRACT/GRANT**

Contracts/grants awarded for LTCOP services shall be offered for a one-year period with the option to extend for a maximum of five (5) additional one-year periods for a total of six (6) years. AAA or provider shall notify the other party, at a minimum, sixty (60) days prior to contract or grant termination date if the renewal option is to be exercised or not. The AAA shall not be permitted to exercise the renewal option(s) should the provider not remain in good standing and meet all specifications of the grant or contract.

### **PERIOD OF FUNDING**

A contract/grant awarded as a result of this Request for Proposal is a binding agreement between the AAA and the provider agency which sets out the terms and conditions of the contractual relationship. Acceptance and signing of the contract/grant, as offered by the AAA, serves as an assurance the service provider will commence provision of services upon the effective date of the contract/grant and meet all other requirements of the contract/grant, the application proposal, the Policies and Procedures Manual, and the RLTCOP rules.

### **CONFIDENTIALITY**

For the protection of residents, all information about their case is confidential.

### **PROGRAM AND FINANCIAL RECORDS**

All LTCOP and client records, reports and related information and documentation (including client files) which are generated as a result of the LTCOP contract/grant shall be considered the property of the Office of the State Long-Term Care Ombudsman.

All program records, reports, and related information, excluding documents related to casework, shall be maintained by the RLTCOP for a minimum of three (3) years after the completion of the contract/grant. If any litigation, claim or audit is started prior to the expiration of the three year period, the records shall be retained until all litigation, claims or audit findings involving the affected records, information or documentation have been resolved. All documents related to casework shall be maintained in accordance with Chapter of the Policies & Procedures Manual.

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## ADDITIONAL LONG-TERM CARE OMBUDSMAN PROGRAM INFORMATION

### FISCAL CONSIDERATIONS

By submission of signed Proposals, applicants **affirm that they are fiscally sound** and/or can obtain financial resources sufficient to perform the terms of their grants/contracts, if awarded.

### REFUSAL TO DESIGNATE A RLTCOP

The State Ombudsman may refuse, suspend, or remove designation of the Regional Long-Term Care Ombudsman Program or terminate contract/grant for circumstances beyond the control of the RLTCOP, such as a natural disaster or fire. The contract/grant may also be terminated by dissolution of a corporate provider, bankruptcy assignments for the benefit of creditors or other similar action.

### APPLICANT/PROVIDER ATTESTATIONS

The applicant, by submission of the Proposal, and the RLTCOP, by execution of the contract/grant, attest that they have not:

Been convicted of bribery or attempting to bribe an officer or an employee of the State of Illinois, nor made an admission of guilt of such conduct which is a matter of record; or

Defaulted on an educational loan as provided in Public Act 85-827; or

Participated or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under the Act; or

been barred from contracting with a unit of State or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, or made an admission of guilt of such conduct which is a matter of record, even if prosecution for such conduct has not occurred. For purposes of Section 33E-3 or 33E-4: where an official, agent or employee of a business entity committed the act(s) or attempted the act(s) on behalf of such an entity and pursuant to the direction or authorization of a responsible official thereof; the business entity shall be chargeable with the conduct.

Commission of any of the above acts by an applicant/LTCOP will result in the IDoA not awarding or terminating a contract/grant as the circumstance dictates.

In addition, if awarded a contract/grant, the RLTCOP must certify that its agency must comply with, or is not required to comply with, the provisions of the Illinois Drug Free Workplace Act.