



Office of Developmental Disabilities Ombuds
Expansion Plan

November 1, 2019

Table of Contents

Executive Summary.....	3
Developmental Disabilities Ombuds Expansion Plan	5
People with Developmental Disabilities in Washington State	5
DD Ombuds History	5
Powers and Duties of the DD Ombuds	6
DD Ombuds Program Approach	6
DD Ombuds Budget and Staffing SFY 2020.....	7
Summary of DD Ombuds Work in SFY 2019	8
The Long Term Care Ombuds Model	10
Long Term Care Facilities in Washington State	10
Long Term Care Ombudsman Work	11
Elements of LTC Ombudsman Program and DD Ombuds Programs Side-By Side	13
Expansion of DD Ombuds Services	14
Proposed DD Ombuds Maintenance Budget.....	16
Proposed DD Ombuds Program Staffing Expansion	16
Proposed Annual Outcomes with Expansion.....	18
Expansion Plan Budget.....	19
Explanation of Budget Line Items	20
Summary	22
Appendix A.....	23
Appendix B	28

Executive Summary

Expansion Plan Introduction

RCW 43.382.005 (5) requires the Office of the Developmental Disabilities Ombuds to create a plan to expand the DD Ombuds services and submit it to the Legislature. “The developmental disabilities ombuds must consult with stakeholders to develop a plan for future expansion of the ombuds into a model of individual ombuds services akin to the operations of the long-term care ombuds.”

The Developmental Disabilities Ombuds Program

In 2016, the Washington State Legislature created an independent Office of Developmental Disabilities Ombuds (DD Ombuds) to investigate complaints, monitor and report on services to persons with developmental disabilities.

The DD Ombuds visits people where they live or where they receive their services to provide information, listen to their concerns, and help resolve complaints. The DD Ombuds also takes complaints by phone and through a website complaint form, but recognizes many people with developmental disabilities do not have access to the phone or internet. Some people with developmental disabilities are isolated and do not have the resources or awareness necessary to reach out for assistance. Therefore, the DD Ombuds approach is to provide services and take complaints in person as much as possible.

The DD Ombuds State office operates out of Seattle and there are three Regional offices located in Seattle, Olympia and Spokane. Staffing includes 5.5 FTE including the State DD Ombuds, Regional DD Ombuds, Legal Counsel (required by contract), Self-Advocacy Educator and a part time Office Assistant. DD Ombuds staff are trained, must follow service protocols and strict confidentiality procedures. The annual budget is \$610,850 from a state appropriation of \$643,000. The DD Ombuds can respond to complaints from people with developmental disabilities or their legal representatives or initiate complaints on its own initiative. There are currently over 48,000 clients of the Developmental Disabilities Administration (DDA) and, could be up to 225,000 people with developmental disabilities in the state.

The Long Term Care Ombudsman Program

The Long Term Care Ombuds Program began at the federal level in 1971 as part of an initiative to improve the quality of care in America’s nursing homes and to respond to complaints about abuse and neglect of nursing home residents. The early LTC Ombudsman programs relied heavily on volunteer, rather than paid ombuds. Washington State was one of the first five states to demonstrate the program.

The LTC Ombudsman Program State Office operates out of the Federal Way location and also operates three Regional Offices. All other Regional LTC Ombudsmen Programs operate through a contract with the State LTC Ombudsmen Program office. Thirteen Regional offices are located across the state. Staff includes: State and Assistant State LTC Ombuds; Contracted legal counsel; Total state and local staffing 22 FTE; almost 400 volunteer certified LTC Ombuds; \$1,502,684 state funds and \$676,256 federal and other funds in FFY 2018; LTC Ombuds visit or respond to complaints in approximately 3,700 facilities with over 70,000 beds and handled over

4,000 complaints. LTC Ombuds training is 32 hours initial plus 12 hours per year. LTC Ombuds must be certified by the State LTC Ombuds to be a paid or volunteer LTC Ombuds.

The Ombuds Model

The Long Term Care Ombuds is a well-established, well respected program serving residents of long-term care facilities. The DD Ombuds modeled its program after the LTC Ombudsman Program with a focus on going to people to meet them face-to-face to listen to concerns and assist with complaint resolution. Although the populations served by each program differ, there are similarities. Many people do not have access to a phone or the internet and depend on in-person visits. Many people do not know their rights, and may not know how to resolve their concerns without assistance. Ombuds programs are focused on the rights of the person served and provide person-centered, complaint based services.

Stakeholder Input

The DD community supports the expansion of the DD Ombuds program to serve more people with developmental disabilities and their families. There is recognition that by expanding the DD Ombuds work at the individual complaint level and the systemic level, the service systems can be improved and people better served.

Stakeholders support expansion to better reach diverse communities, rural communities and isolated residential settings. The majority of stakeholder survey respondents are supportive of the use of volunteer DD Ombuds as they will extend the reach of the program across the state.

Stakeholders expressed support for more coordination with parent groups and with self-advocacy groups. Advocates support the hiring of people with developmental disabilities to provide peer education, outreach, and support peers to develop skills to be their own advocate.

Stakeholders supported the use of volunteers to monitor services, provide information about resources, and handle low-level complaints. Some stakeholder preferred paid positions instead of volunteers, others stated that volunteers must be well-trained and supervised. Several mentioned the need for a volunteer coordinator to ensure a solid volunteer program.

The Expansion Plan

The DD Ombuds modeled its program after the LTC Ombudsman Program with a State Ombuds and Regional offices but does not yet have the resources to implement a volunteer program. The DD Ombuds Program also has a self-advocacy educator to inform people with developmental disabilities about their rights and how to address their concerns about their services. The expansion plan details the model of regional offices, paid DD Ombuds and well-trained DD Ombuds volunteers, an additional self-advocacy educator and a volunteer coordinator.

The plan proposes a graduated increase in paid staff and use of volunteers over the next three biennium. Phase one would be to stabilize the certainty of the funding for the program by moving the DD Ombuds budget into the maintenance budget. Then in SFY 2022-2023 a volunteer coordinator, self-advocacy educator and three DD Ombuds are added. Staffing is increase by 3 DD Ombuds and an Office Assistant the next two biennium.

Developmental Disabilities Ombuds Expansion Plan

Introduction

The Office of the Developmental Disabilities Ombuds (DD Ombuds) statute requires the creation of a plan to expand the DD Ombuds services. RCW 43.382.005 (5) states “The developmental disabilities ombuds must consult with stakeholders to develop a plan for future expansion of the ombuds into a model of individual ombuds services akin to the operations of the long-term care ombuds. The developmental disabilities ombuds shall report its progress and recommendations related to this subsection to the governor and appropriate committees of the legislature by November 1, 2019.”

The DD Ombuds collected input from a wide variety of stakeholders, studied the Long Term Care Ombudsman Program, consulted with volunteer managers and reflected on the work of the DD Ombuds program over the past two and a half years. The DD Ombuds created this expansion plan to propose ways to increase its services to people with developmental disabilities in Washington State.

People with Developmental Disabilities in Washington State

It is estimated that 2 to 3 % of the population¹ has a developmental disability. There may be as many as 225,000 people with developmental disabilities in Washington State. The Developmental Disabilities Administration (DDA) is part of the Department of Social and Health Services (DSHS) and is the primary state agency for serving people with developmental disabilities. DDA administers programs for children and adults with developmental disabilities and their families to obtain services and supports based on individual assessments, needs, and preferences. According to DDA data, there were 48,422 enrolled clients as of June 2019. Of the enrolled clients, 34,935 were receiving services. It is estimated by DDA that almost 13,500 clients are waiting for DDA services. Additionally, many people with developmental disabilities receive State services from an agency other than DDA such as Home and Community Services, Health Care Authority, or the Department of Children, Youth, and Families. The DD Ombuds has the duty and authority to investigate complaints, monitor, and report on these services and make recommendations to State agencies, the Governor and Legislature.

DD Ombuds History

In 2016, the Washington State Legislature declared, “The prevalence of the abuse and neglect of individuals with developmental disabilities has become an issue that negatively affects the health and well-being of such individuals.”² The Legislature created an independent Office of Developmental Disabilities Ombuds (DD Ombuds) to take complaints, monitor and report on services to persons with developmental disabilities. [RCW 43.382](#) creates the DD Ombuds and spells out the program requirements, duties and authority of the DD Ombuds. The Washington State Department of Commerce awarded the non-profit, Disability Rights Washington (DRW), through competitive bid, the contract to administer the DD Ombuds program. DRW created a separate program to fulfill the contract beginning May 25, 2017.

¹ American Family Physician <https://www.aafp.org/afp/2000/0215/p1059.html>

² RCW 43.382.005 Finding-2016 c 172

Powers and Duties of the DD Ombuds

The Office of the Developmental Disabilities Ombuds has the duty to protect the interests of people with developmental disabilities. The DD Ombuds has the authority and duty to carry out the following:

- Provide information on the rights and responsibilities of people receiving developmental disabilities administration services or other state services and on the procedures for providing these services;
- Investigate, upon its own initiative or upon receipt of a complaint, an issue related to a person with developmental disabilities. However, the DD Ombuds may decline to investigate any complaint;
- Monitor procedures as established, implemented, and practiced by the department to carry out its responsibilities in the delivery of services to people with developmental disabilities;
- Review the facilities and procedures of state institutions, state-licensed facilities, and residences which serve persons with developmental disabilities;
- Recommend changes, at least annually, to procedures for addressing the needs of people with developmental disabilities to service providers, the department, and legislators;
- Establish procedures to preserve the confidentiality of records and sensitive information to ensure the identity of any complainant or person with developmental disabilities is protected;
- Maintain independence and authority within the bounds of DD Ombuds duties; and
- Carry out such other activities as determined by contract.

DD Ombuds Program Approach

The Washington State Legislature created the DD Ombuds because there are still high rates of abuse and neglect against people with developmental disabilities. All people have the right to be free from abuse and neglect. The DD Ombuds program is a way to have eyes and ears on the ground to collect and investigate complaints, as well as find and fight abuse against people with developmental disabilities. The Legislature designed a proactive approach to DD Ombuds services. They recognized some people with developmental disabilities are isolated and do not have the resources or awareness necessary to reach out for assistance. Therefore, the DD Ombuds' approach is to provide services and take complaints in person as much as possible.

- The DD Ombuds visits people where they live or where they receive their services to provide information, listen to their concerns, and help resolve complaints. The DD Ombuds also takes complaints by phone and through a website complaint form, but recognizes many people with developmental disabilities do not have access to the phone or internet. The DD Ombuds operates within strict confidentiality protocols.
- The DD Ombuds resolves complaints at the lowest possible level. The DD Ombuds protects choice, autonomy, and ensures people with developmental disabilities have access to

advocacy. The DD Ombuds promotes the well-being of people with developmental disabilities who receive state services. All DD Ombuds services are resident-directed and person-centered.

- The DD Ombuds provides information on rights and responsibilities through presentations, trainings, community events, videos, social media and the DD Ombuds website, (www@ddombuds.org.) The DD Ombuds and people with developmental disabilities create the publications, videos, and website content.
- The DD Ombuds collects information from diverse stakeholders such as self-advocacy and parent groups, providers, communities of color and linguistically diverse communities for use in providing more inclusive services.
- The DD Ombuds convenes quarterly an advisory committee, whose membership is comprised in majority of people with developmental disabilities. The committee meets in person to review stakeholder input and advise the DD Ombuds on priority setting, topics for systemic issue reports, organizational structure to ensure a person centered, person directed program, and program expansion based on the Long-Term Care Ombuds model.
- The DD Ombuds participates in state-led workgroups and regularly meets with state agencies to exchange information and recommend policy and practice change to improve services for people with developmental disabilities.
- The DD Ombuds publishes an annual report on the work of the DD Ombuds including the types of complaints received and resolved, facilities and residences visited, systemic issues addressed, recommendations formulated and achieved, and outreach and trainings presented.
- The DD Ombuds prioritizes issues related to abuse and neglect of individuals with developmental disabilities, including physical and sexual abuse, personal and financial exploitation, physical, mechanical, and chemical restraint, verbal abuse, neglect, and self-neglect. Other issues are addressed as resources are available.

DD Ombuds Budget and Staffing SFY 2020

State appropriation \$643,000

Commerce administrative costs \$32,150

DD Ombuds contract budget is **\$610,850**

Staffing - The Office of DD Ombuds operates with 5.5 full-time equivalent staff in Olympia, Seattle and Spokane offices.

State DD Ombuds, Betty Schwieterman - 1 FTE

Region 1 DD Ombuds and Legal Counsel - Lisa Robbe - 1 FTE

Region 2 DD Ombuds - Beth Leonard - 1 FTE

Region 3 DD Ombuds - Noah Seidel - 1 FTE

Self-Advocacy Educator - Tim McCue - 1 FTE

Office Assistant - Kathleen Chavey-Reynaud - .5 FTE

Summary of DD Ombuds Work in SFY 2019

Outreach, Training, Education and Information on Rights and Responsibilities

The DD Ombuds has the duty to provide information on the rights and responsibilities of individuals with developmental disabilities, including the right to access Developmental Disabilities Ombuds services. DD Ombuds staff reached 3,093 people at 108 training and outreach events, and provided detailed information and referrals to 172 people. The DD Ombuds produced two videos in 7 languages, and American Sign Language (ASL), a trifold brochure, a door hanger, and developed other educational materials. The DD Ombuds website and social media sites posted 28 blog posts from around the state.

Complaints Worked on in SFY 2019

The majority of SFY 2019 complaints concerned individual care issues (includes access to DDA services, care plan assessments, access to mental health service); administration issues (discharge/transfer); autonomy and exercise of rights; abuse, sexual abuse, neglect; followed by issues of quality of life and shortage of staff. Here's the breakdown:

Measure	Number
SFY 2018 complaints DD Ombuds carried over to SFY 2019	16
New complaints received and worked on in SFY 2019	272
Complaints resolved/closed during SFY 2019	228
SFY 2019 complaints DD Ombuds carried over to SFY 2020	60
New SFY 2019 complaints involving groups	16
Group members addressed in complaints	615
Total benefitting from group or individual complaints in SFY 2019	828

Monitoring

Throughout SFY 2019 the DD Ombuds made monitoring visits across the state to meet individuals with developmental disabilities and review facilities, residences, and programs. The DD Ombuds observed living conditions, staff interactions and responsiveness to the residents they support. The DD Ombuds also received complaints, initiated complaints and identified locations for follow-up monitoring. Here's the breakdown:

Measure	Number
Monitoring visits to certified residential service settings	204
Monitoring visits to licensed residential settings	17
Visits to cottages or programs at Residential Habilitation Centers	40
Visits to licensed children's residential setting	1
Visits to parent or own home	2
Visits to psychiatric or general hospitals	6
Total SFY 2019 monitoring visits	270

Summary of Systemic Issue Reports

Stuck in the Hospital - The DD Ombuds published the [“Stuck in the Hospital”](#) report in December 2018. The report was a response to the high volume of complaints the DD Ombuds received about adults with developmental disabilities stuck in a hospital without any medical need. Most of these individuals were Developmental Disabilities Administration (DDA) clients who had been receiving residential services prior to their hospitalization. Some individuals went to the hospital for a medical condition, but when they were ready for discharge, they had no place to go because their residential services provider had terminated their services. Other individuals were dropped off at the hospital by a provider who could no longer manage their care. These individuals with developmental disabilities then spent weeks or months in a hospital because DDA could not locate available residential placement with staff to provide care. As a result, these individuals had to live in hospitals while waiting for residential placement. The report makes specific recommendations to the State and the legislature to address this tragic issue.

Children and Youth with Developmental Disabilities in Foster Care - Work on [“Improving Services for Youth with Intellectual/Developmental Disabilities in Foster Care”](#) began in 2019. During the 2019 legislative session, the Washington State House of Representatives’ Human Services and Early Learning Committee held a work session on youth with developmental disabilities that are served by the child welfare system. During this work session, a group of advocates articulated serious concerns about how youth with developmental disabilities are being served by the Title IV-E foster care system. The advocates brought concerns about how the lack of DDA-paid services might disadvantage youth with developmental disabilities while they are in Title IV-E foster care placements and while they are transitioning from a foster care setting to an adult residential setting. The advocates brought these concerns to the State Legislature and the public to raise awareness and to ask for a legislative response. The action by the advocacy community prompted the DD Ombuds to look more closely at how children and youth with developmental disabilities are served in the Title IV-E foster care system. The report makes specific recommendations for the Developmental Disabilities Administration and the Department of Children, Youth and Families to work together to improve services for children and youth with developmental disabilities in foster care.

The Long Term Care Ombuds Model

The legislature directed the DD Ombuds to “develop a plan for future expansion of the ombuds into a model of individual ombuds services akin to the operations of the long-term care ombuds.”³ The LTC Ombudsman Program in Washington State was first housed in the Department of Social and Health Services. Since 1989 the LTC Ombudsman Program has been operated by a private, non-profit organization, independent of state government. Services are contracted through the WA Department of Commerce.

Long Term Care Ombuds History⁴

The origins: The Long Term Care Ombuds Program began at the federal level in 1971. President Nixon initiated an 8-point initiative to improve the quality of care in America’s nursing homes and to respond to complaints about abuse and neglect of nursing home residents. An interdepartmental taskforce directed by the federal Health Services and Mental Health Administration developed models for investigative ombuds units. In late 1971 Congress made funds available for LTC Ombudsman demonstration projects and the Administration issued 5 contracts. In 1975 the Commissioner on Aging asked all State Agencies on Aging to submit proposals. These programs had ombuds to handle complaints and ombuds development specialists who developed regional programs rather than working on complaints. The early LTC Ombudsman programs relied heavily on volunteer, rather than paid ombuds. Washington State was one of the first five states to demonstrate the program.

Older Americans Act: In 1978 the Older Americans Act (OAA) required every state to have a LTC Ombudsman program with specific functions and responsibilities. In 1987 the OAA made significant improvements in the programs to access resident records and protections against interference and retaliation against an ombuds, resident or other person assisting an ombuds. The 1992 amendments to the OAA further defined the roles and responsibilities of the state, the state units on Aging, the State Ombuds and the Regional Ombuds programs.

History of the Washington State Long Term Care Ombudsman Program: The Multi-Service Center (MSC), a non-profit based in King County has held the contract for the LTC Ombudsman Program since 1989. Before 1989 the program operated within the Department of Social and Health Services (DSHS.) The Washington state legislature decided that the program need to be independent of state government and worked to increase its independence by having a neutral state agency administer the contract who in turn awards the funding to the private, non-profit, the MSC. The MSC sub-contracts with regional offices to provide LTC Ombudsman Program services.

Long Term Care Facilities in Washington State

The WA LTC Ombudsman Program 2018 annual report states there are 230 nursing facilities with 22,176 beds in the state and 3,345 other adult care facilities (Adult Family Homes, Assisted Living and Enhanced Services Facilities) with 48,817 beds.

³ RCW 43.382.005(5)

⁴ Washington State Long-Term Care Ombudsman Program Training Manual, Module 1

Long Term Care Ombudsman Work

Long Term Care Ombuds Complaints in FY 2018: The LTC Ombudsman Program closed 2,529 cases involving 4,401 complaints. Most complaints came from residents. Issues of unlawful discharge and transfers of long term care residents is a top complaint in all licensed settings. Other issues of concern are mental health/behavioral health and substitute decision making.

LTC Ombudsman Program Duties: Every State is required to have an LTC Ombudsman Program address resident complaints and to advocate for improvements in the long term care system. The LTC Ombudsman Program provides statewide services to residents of nursing homes, adult family homes, assisted living facilities and other licensed long term care facilities. Residents, their families and friends throughout the state have access to information about the LTC Ombudsman Program and how to contact it. The LTC Ombuds takes complaints from residents, concerned friends or family, providers from anywhere in the state, investigates, and takes steps to resolve problems in a timely manner. The LTC Ombudsman Program is required to respond to every complaint. The LTC Ombudsman Program purpose is to protect and promote the Resident Rights guaranteed these residents under Federal and State law and regulations. LTC Ombuds are trained to receive complaints and resolve problems in situations involving quality of care, use of restraints, transfer and discharge, abuse and other aspects of resident dignity and rights. LTC Ombuds staff and volunteers visit facilities to connect to residents who may not be able to contact them by phone. The State LTC Ombuds advocates before the legislature for system improvements and monitors the work of state agencies that manage facility licensing, inspections, complaint investigations, and enforcements.

LTC Ombudsman Program Structure: The WA Department of Commerce administers the contract and awards funding to the Multiservice Center which administers the LTC Ombudsman Program. The State LTC Ombuds directly runs or sub-contracts with regional offices to carry out duties of the State Ombuds at the local level. State and Regional Ombuds are located in these cities:

1. Aberdeen and Port Haddock- serves Clallam, Grays Harbor, Jefferson, Pacific counties
2. Bellingham - serves Island, San Juan, Skagit, Whatcom counties
3. Federal Way - State LTC Ombuds Office
4. Federal Way - serves King County
5. Federal Way and Lynwood - serves Snohomish County
6. Olympia - serves Lewis, Mason, and Thurston counties
7. Port Orchard - serves Kitsap County
8. Spokane - serves Ferry, Pend Oreille, Spokane, Stevens, and Whitman counties
9. Tacoma - serves Pierce County
10. Vancouver - serves Clark, Cowlitz, Klickitat, Skamania, and Wahkiakum counties
11. Walla Walla, Tri-Cities and Clarkston - serves Asotin, Benton, Columbia, Franklin, Garfield, and Walla Walla counties
12. Wenatchee - serves Adams, Chelan, Douglas, Grant, Lincoln, and Okanogan counties
13. Yakima - serves Kittitas and Yakima counties

LTC Ombudsman Program Staffing and Volunteers:

State Office paid Staff: 3.00 FTE

Local LTC Ombuds Program Staff: 19 FTE

Total Paid staff: 22 FTE

Local Certified LTC Ombuds Volunteers: 377

Other Volunteers (non-certified): State Office 11; Local 167

State office contracts for legal counsel services

LTC Ombudsman Program Funding Federal Fiscal Year 2018⁵ :

Federal Older American Act funds: \$496,918

Federal Victim of Crime Assistance: \$47,216

Washington State Funds: \$1,502,684

Local Funds (County general revenues, State Senior Services Act, Community Services Block Grant, Private Foundation Grants, Private Donations.):\$128,325

LTC Ombudsman Program Total Revenue FFY 2018: \$2,175,143

LTC Ombudsman Program Summary

The LTC Ombudsman Program State Office operates out of the Federal Way location and also operates three Regional Offices. All other Regional LTC Programs operate through a contract with the State office. Thirteen Regional offices are located across the state. Staff includes: State and Assistant State LTC Ombuds; Contracted legal counsel; Total state and local staffing 22 FTE; almost 400 volunteer certified LTC Ombuds; , \$1,502,684 state funding and total budget of \$2,175,143 in FFY 2018; LTC Ombuds visit or respond to complaints in approximately 3,700 facilities with over 70,000 beds and handled over 4,000 complaints. LTC Ombudsman Program training is a 32 hours certification and mandated training plus 12 hours per year of continuing education. LTC Ombuds must be certified by the State LTC Ombuds to be a paid or volunteer LTC Ombuds.

⁵ Washington State Long Term Care Ombuds Annual Report Federal Fiscal Year 2018 and correspondence with State LTC Ombudsman.

Elements of LTC Ombudsman Program and DD Ombuds Programs Side-By Side

This chart presents elements of each program.

	DD Ombuds	LTC Ombudsman Program
Date began as non-profit program	2017	1989
Authority	State - RCW 43.382	State - RCW 43.190 Federal - Older Americans Act (OAA)
Scope	Provide DD Ombuds services to children and adults with developmental disabilities receiving a state service.	Provide LTC Ombuds services to all adults living in licensed Long Term Care Facilities.
Approximate number of complainants	48,500 DDA clients plus people with developmental disabilities who are applying for DDA services, or are receiving other state services.	71,000 nursing home, assisted living and adult family home licensed beds.
Number of facilities or residences	Approximately 38,000 DDA clients live in individual residences and 10,000 clients in approximately 4,000 homes or facilities with 1 or more client.	3,575
Number of paid staff	5.5 FTE	22 FTE
Legal Counsel (required)	On staff	Contracted hourly
Number of Certified Volunteers	0	377
Number of Other Volunteers	15	178
Number of State Offices	1	1
Number of Regional Offices	3	13
Total Annual budget (Federal, State, other)	\$610,850	\$2,175,143
Portion of budget State funds only	\$610,850	\$1,502,684
Number of community education sessions	108	234
Number of complaints closed	228	4,401
Number of facilities and residences visited/monitored	270	561 (does not count visits in response to a complaint)
Contract administrator	WA Department of Commerce	WA Department of Commerce

Expansion of DD Ombuds Services

The proposed expansion plan is based on the DD Ombuds experience providing services for the past two and a half years, analysis of the LTC Ombudsman Program model and stakeholder input. Please see the [DD Ombuds SFY 2019 Annual Report](#) for a full description of DD Ombuds activities and outcomes.

Summary Analysis of Ombuds Programs

The LTC Ombudsman Program has operated for 30 years as a non-profit in Washington State. The LTC Ombudsman Program created a network of 13 Regional offices, paid staff and a strong volunteer force to visit people face-to-face and assist in resolving complaints. The LTC Ombudsman Program was created in Federal law and later authorized in State statute. The DD Ombuds began operation in 2017, has 3 Regional offices, paid staff and a plan for use of volunteers. The DD Ombuds has authority to carry out its duties under State statute.

Both programs are housed in independent non-profit organizations, both have a contract with the Washington Department of Commerce. Each program has a State Ombuds to lead the organization.

The two programs serve different populations with some overlap. The DD Ombuds serves people with developmental disabilities no matter where they live including their family home, supported living, own home, nursing home, assisted living facility, adult family home, group home, children's licensed residential facilities and residential habilitation centers. There are currently 48,500 clients of DDA. People with developmental disabilities who are applying for DDA services or are receiving another state services are also eligible for DD Ombuds services. It is unknown how many people meet this criteria but there could be up to 250,000 people in the state of Washington with a developmental disability. About 10,000 people receive services in a facility or from certified service providers in approximately 4,000 locations. The LTC Ombudsman Program serves over 70,000 residents in 3,575 nursing homes, assistive living facilities and adult family homes. The LTC Ombudsman Program has developed a volunteer force to assist them with facility visitation and complaint resolution. Both programs visit people in-person as much as possible in order to inform people of their rights, listen to their concerns, and take and resolve complaints.

The DD Ombuds has 3 regional offices, 5.5 FTE to serve the state. The LTC Ombudsman Program has 20.5 FTE and 13 Regional offices. The LTC Ombudsman Program has 377 certified, trained volunteers. The DD Ombuds has not yet started its certified volunteer program.

The DD Ombuds state budget was \$610,850 for 2018. The LTC Ombudsman Program state budget was \$1,502,684 for 2018 plus federal and local dollars to equal \$\$2,175,143.

The Long Term Care Ombudsman Program is a well-established, well respected program serving residents of long-term care facilities. The DD Ombuds modeled its program after the LTC Ombudsman Program with a State Ombuds and Regional office. The expansion plan details the model of regional offices, paid staff and well-trained volunteers, and add some additional programmatic features to address the differences in the populations served.

Summary of Stakeholder input into the DD Ombuds Expansion plan

The DD community supports the expansion of the DD Ombuds program to serve more people with developmental disabilities and their families. There is recognition that by expanding the DD Ombuds work at the individual complaint level and the systemic level, the service systems can be improved and people better served.

Stakeholders support expansion to better reach diverse communities, rural communities and isolated residential settings. The majority of stakeholder survey respondents are supportive of the use of volunteer DD Ombuds as they will extend the reach of the program across the state.

Stakeholders expressed support for more coordination with parent groups and with self-advocacy groups. Advocates support the hiring of people with developmental disabilities to provide peer education, outreach, and support peers to develop skills to be their own advocate.

Stakeholders supported the use of volunteers to monitor services, provide information about resources, and handle low-level complaints. Some stakeholder preferred paid positions instead of volunteers, others stated that volunteers must be well-trained and supervised. Several mentioned the need for a volunteer coordinator to ensure a solid volunteer program.

See Appendix A for detailed summary of stakeholder input.

Expansion of the DD Ombuds services focus on the key tasks:

- Provide information on the rights and responsibilities of people receiving developmental disabilities administration services or other state services;
- Investigate, upon its own initiative or upon receipt of a complaint, issues related to a person with developmental disabilities;
- Monitor procedures of the department to carry out its responsibilities in the delivery of services to people with developmental disabilities;
- Review the facilities and procedures of state institutions state-licensed facilities and residences which serve persons with developmental disabilities;
- Recommend changes, at least annually, to procedures for addressing the needs of people with developmental disabilities to service providers, the department and legislators.

Key areas of focus for expansion

- Reach people with developmental disabilities in rural areas and isolated settings.
- Reach people with developmental disabilities from diverse communities.
- Increase visits to people with developmental disabilities living in certified and licensed residences.
- Increase number of complaints resolved/closed from people living in the community.
- Increase capacity to respond to incidents which affect groups of people with developmental disabilities, such as a facility closure or provider decertification.
- Increase capacity to provide self-advocacy trainings and support.
- Increase capacity to work with policy makers on improvements to the service system.

Proposed DD Ombuds Maintenance Budget

The first step is to ensure stability of the current DD Ombuds program. The program is currently funded through a budget proviso. The Long Term Care Ombuds is funded in the maintenance budget.

Proposal: Beginning in SFY 2021 the DD Ombuds budget is included in the WA Department of Commerce maintenance budget each biennium with cost of living and position step raises each year. **Justification:** The maintenance budget appropriation stabilizes funding, provides for cost of living and step increases which promote staff retention and eliminates potential staff reductions. It also eliminates the need to re-bid the contract every two years which disrupts the work of the DD Ombuds and threatens its independence and authority.

Proposed DD Ombuds Program Staffing Expansion

The State DD Ombuds maintains direct control over DD Ombuds program services. No subcontractors will be used to perform the duties of the program. The DD Ombuds staffing consists of paid staff and volunteer positions. Expansion includes plan to maintain current staff positions: State DD Ombuds, Regional DD Ombuds, Legal Counsel, Self-Advocacy Educator, and Office Assistant and add the paid staff positions of Certified DD Ombuds, a Volunteer Coordinator, an eastside Self Advocacy Educator and Office assistants/data managers. Volunteers will be recruited and trained to assist with DD Ombuds work such as monitoring visits and complaint resolution.

Proposal: In SFY 2022, SFY 2024 and SFY 2026 add 3 Certified DD Ombuds each biennium.

Justification: The Certified DD Ombuds provide key DD Ombuds services (complaint investigation and resolution, monitoring and rights education) and will be able to reach rural areas and isolated settings. DD Ombuds will be hired who speak languages other than English in order to provide services to people with developmental disabilities from diverse communities.

Proposal: In SFY 2022 a Self-Advocacy Educator will be added to work on the eastside of the state. **Justification:** This position connects a peer to people with developmental disabilities to inform them of their rights, teach them self-advocacy skills and how to solve complaints about their services. Experience has shown, once people know about the DD Ombuds and self-advocacy they are more likely to contact our office or talk with a DD Ombuds in person. Advocates from eastern Washington requested a self-advocate educator for their area.

Proposal: On advice from non-profit sector consultants, add a Volunteer Coordinator in SFY 2022 to recruit, train and retain volunteer DD Ombuds. **Justification:** A dedicated staff person will effectively manage the volunteer program. Other DD Ombuds staff will be able to focus on providing direct services. The Volunteer Coordinator develops and implements a statewide recruitment, training and retention plan to meet target number of certified and non-certified volunteer. The Volunteer Coordinator utilizes the certified DD Ombuds training curriculum.

Proposal: Increase the numbers of Office Assistant/Data Managers as staff numbers grow.

Justification: Provide adequate administrative support and data management.

Proposal: Recruit and train volunteers with an increase each biennium. **Justification:** The LTC Ombuds Program successfully utilizes volunteers to assist with its work. The DD Ombuds will utilize trained and certified volunteers to expand its services to more people with developmental disabilities.

Paid Staff and Volunteer expansion plan. Position descriptions are found in Appendix B

Position Type Paid Positions	Current	Add in SFY 2022-2023	Add in SFY 2024-2025	Add in SFY 2026-2027	Total
1. State DD Ombuds	1				1
2. Regional DD Ombuds	2.5				3
3. DD Ombuds Legal Counsel	.5				
4. Certified DD Ombuds*	0	3	3	3	9
5. Self-Advocacy Educator	1	1			2
6. Volunteer Coordinator*	0	1			1
7. Office Assistant/Data Manager	.5	.5	1	1	3
	Current	2022-2023	2024-2025	2026-2027	Total
Total Paid Staff	5.5	11	15	19	19

Position Type Volunteer Positions	Current	Add in SFY 2022-2023	Add in SFY 2024-2025	Add in SFY 2026-2027	Total
8. Certified DD Ombuds Volunteer*	0	30	60	60	150
9. Volunteer (Advisory committee, Research intern, Storyteller, Admin, DD Ombuds intern)	15	15	15	15	60
	Current	2022-2023	2024-2025	2026-2027	Total
Total Volunteers	15	60	135	210	210

(*indicates new position types.)

Proposed Annual Outcomes with Expansion

Increased capacity to provide self-advocacy trainings and support.

Increased services to people with developmental disabilities in rural areas and isolated settings.

Increased services to people with developmental disabilities from diverse communities.

Increased number of complaints resolved/closed from people with developmental disabilities and their legal representatives living in the community.

Increased visits to people with developmental disabilities living in their own home, family home or certified and licensed residences.

Increased capacity to respond to incidents which affect groups of people with developmental disabilities, such as a facility closure or provider decertification.

Increased capacity to work with policy makers on improvements to the service system.

Annual Outcomes	Current SFY 2019	SFY 2022-2023	SFY 2024-2025	SFY 2026-2027
Number of community education and self-advocacy sessions	108	225	300	375
Number of complaints closed/resolved	228	500	1000	1500
Number of monitoring visits to facilities and residences	270	450	900	1250
Number of systemic reports	2	3	3	3
Number of systemic improvements	6	8	10	12

Community education and self-advocacy sessions - Each program staff can conduct on average 25 community education session per year to connect with diverse communities, present information on the DD Ombuds and give trainings on advocacy, complaint resolution and systemic issues important to people with developmental disabilities.

Complaints resolved/closed - This is a count of complaints that are resolved and closed each year. Complaints are when the DD Ombuds takes action on behalf of a person with a developmental disability rather than providing information and referrals. Each Regional DD Ombuds can close/resolve 50 complaints annually. Each certified DD Ombuds staff can close/resolve up to 75 complaints each year. We estimated each certified DD Ombuds volunteer can close 5 complaints per year.

Monitoring visits - This counts the number of face-to-face visits to a facility or residence of a person with a developmental disability. Teams of two DD Ombuds staff visit people to let them

know about the DD Ombuds, their rights and how to solve their concerns. We estimate that each staff team can visit 75 facilities or residences a year. Each volunteer team will visit at least 10 residences a year.

Systemic reports – Reports on systemic issues provide information to policy makers about a particular issues related to developmental disability services and makes recommendations for system improvements. At least one additional report will be completed each year.

Systemic improvements – The DD Ombuds makes recommendations to state agencies and the legislature which result in changes to practice, procedure or policy. We estimate increases in the numbers of positive changes in practice, procedure and policy.

Expansion Plan Budget

	SFY 2020-2021 BIENNIUM CURRENT BUDGET	SFY 2022-2023 BIENNIUM NON-EXPANSION BUDGET	SFY 2022-2023 BIENNIUM EXPANSION BUDGET	SFY 2024-2025 BIENNIUM EXPANSION BUDGET	SFY 2026-2027 BIENNIUM EXPANSION BUDGET
Salaries	725,692	813,894	1,350,784	1,798,218	2,283,052
Benefits	253,310	260,446	440,200	614,187	808,015
	979,002	1,074,340	1,790,984	2,412,404	3,091,067
External Services - Operational	19,654	22,000	28,857	35,714	35,714
External Services - Program	26,748	26,748	26,748	26,748	26,748
Staff Development	15,580	15,580	31,160	39,573	48,675
Staff Program Travel	34,258	36,000	68,516	87,015	107,029
Board of Directors	3,830	3,830	3,830	3,830	3,830
Advisory Council	3,832	5,500	6,000	6,000	6,000
Communications	16,690	16,700	35,626	45,245	55,651
Office Rent	69,116	75,336	120,000	135,000	155,000
Postage	2,440	2,500	5,400	6,858	8,435
Insurance	5,978	6,200	8,342	10,484	12,626
Printing	4,800	4,800	9,600	12,192	14,996
Publications and Dues	9,760	9,760	9,760	9,760	9,760
Leasing & Licensing	4,880	5,000	16,000	20,320	24,994
Fixed Assets	15,860	15,860	48,000	60,960	74,981
Supplies	9,272	9,272	18,544	23,551	28,968
TOTAL	1,221,700	1,329,426	2,227,367	2,935,655	3,704,474

Explanation of Budget Line Items

The DD Ombuds operates as a program of Disability Rights Washington. Programs are charged their fair share of operating costs from which they benefit based on a federally approved formula for cost allocation which employs the direct cost method.

Salaries - The “Salaries” account includes employee salaries and hourly wages. A program is charged to this account based on actual time spent on program activities as recorded in a computer based time sheet software program. Non-direct staff such as our certified public accountant and receptionist are charged proportionately to a program based on the fair share formula mentioned above. Staff salaries includes 2.5% cost of living and 2.5 % step raises each year. Also, contributing to the differences in this account across each biennium is the increase in the number of staff and the promotion of three staff to supervisory roles. The increase in the number of staff is responsible for the increases of most of the accounts below with program travel and office rent being the most impacted.

Benefits - The “Benefits” account includes FICA, SUTA, L&I, 401K contributions, paid sick, vacation and holiday leave as well as health, disability and life insurance, mass transit benefit, and other minor benefits specified in DRW’s Employee Manual.

External Services - Operational – This account is for the costs of doing business as a nonprofit corporation that benefit all programs and consequently proportionately allocated across all programs. Examples of this include our annual financial audit performed by independent audit firm, legal fees associated with personnel matters, fees for computer network development and maintenance, data and video backup services and fees for website and computer platform development and maintenance. Prorated share of financial audit, IT support, corporate counsel, Website support, maintenance, licensing, data and video back up services.

External Services - Program – This account is for costs paid to an external individual or entity for translation and interpretation of foreign and sign languages; disability related accommodations (in wages); outreach and training expenses (meeting room rental, display tables at conferences, etc.); Intellectual property licensing; Self-Advocacy Support (stipends, travel, events); prorated share of Meltwater Media Analytic Program.

Staff Development – This account includes costs for registration fees for both continuing education for professional development and training on content specific to a program’s activities. An example of the former would be a Continuing Legal Education (CLE) course covering an ethics subject. An example of the latter would be attending a conference covering the need for systemic reform of community based services for people with disabilities. Includes travel for staff development activities.

Staff Program Travel - Mileage, meals, hotel, ground transportation, and airfare for staff work-related travel to monitor facilities and residences, reach people in rural and isolated settings and connect with diverse communities. Typically, this account is generously funded because the DD Ombuds offers statewide services and our staff need to travel to all corners of the state. Travel costs incurred for the purpose of “Staff Development” are charged to that account.

Board of Directors - Prorated share of DRW Governance board meeting expenses. The Board of Directors consists of 11-15 members from all corners of the state. Standing committees include

the Executive Committee, Joint Planning and Evaluation Committee, Legal Committee, and a Finance and Audit Committee required by the Sarbanes-Oxley Act. Costs charged to “Board and Advisory Councils” account include: 1). Transportation, lodging and food for travel to quarterly meetings and periodic committee meetings; and 2).the cost of accommodations services needed for member participation (i.e. sign language interpreter); 3). Other meeting related costs; 4). Conference or webinar attendance for member training; and 5). Costs associated with All Agency meetings typically held every other year.

Advisory Council - DD Ombuds Advisory Committee quarterly meeting expenses. The DD Ombuds advisory Committee consists of 7-10 members from varies parts of the state representing people with developmental disabilities and parents of children with developmental disabilities.). Transportation, lodging and food for travel to quarterly meetings; and 2).the cost of accommodations services needed for member participation (i.e. sign language interpreter); 3). Other meeting related costs; 4). Conference or webinar attendance for member training.

Communications – Costs charged to this account include prorated share of phone, internet, conference line, website hosting, social media ads, Survey Monkey.

Office Rent - Prorated share of leased office space in Seattle, Olympia and Spokane based on the direct cost allocation.

Postage - Costs allocated this account include a program’s fair share of postage based on the direct cost allocation method.

Insurance – Costs allocated to this account include the prorated share of general business, including property insurance; professional liability and management errors and omission insurance; fidelity bonds for check signers and 401(k) administrators.

Printing – Costs allocated to this account include printing brochures, letterhead, envelopes, business cards and other promotional materials.

Publications and Dues – Costs allocated to this account include the prorated share of coalition fees or dues, NDRN membership fees and services, Washington State Bar dues; Westlaw.

Rental, Leasing & Repair – Cost allocated to this account include the prorated share rental and repair of equipment used by the program. Equipment rental and repair includes copiers, postage meter, postage meter maintenance contract, extended computer warranties, offsite storage space and general equipment repair.

Fixed Assets and Software - Costs allocated to this account include computer and audiovisual equipment, software, and other equipment. Items charge to this account cost \$750.00 or more. Staff members’ computers every three to four years.

Supplies - Costs allocated to this account include office supplies such as paper, pens, and items costing less than \$750.

Summary

The Developmental Disabilities community supports the expansion of the DD Ombuds program to serve more people with developmental disabilities and their families. There is recognition that by expanding the DD Ombuds work at the individual complaint level and the systemic level, the service systems can be improved and people better served.

Stakeholders support expansion to better reach diverse communities, rural communities and isolated residential settings. The majority of stakeholder survey respondents are supportive of the use of volunteer DD Ombuds as they will extend the reach of the program across the state.

The DD Ombuds modeled its program after the LTC Ombudsman Program but does not yet have the resources to cover the State or to implement a volunteer program. The expansion plan details the model of regional offices, paid DD Ombuds and well-trained DD Ombuds volunteers, an additional self-advocacy educator and a volunteer coordinator.

The plan proposes a graduated increase in paid staff and use of volunteers over the next three biennium. Phase one would be to stabilize the certainty of the funding for the program by moving the DD Ombuds budget into the maintenance budget. Then in SFY 2022-2023 a volunteer coordinator, self-advocacy educator and three DD Ombuds are added. Staffing is increase by 3 DD Ombuds and an Office Assistant the next two biennium. The Volunteer coordinator is responsible for recruiting and training the target number of volunteers to work with DD Ombuds staff. The result will bring an increase in the number and diversity of people who have access to the DD Ombuds and services to assist them with their concerns. The DD Ombuds will also have increased capacity to address systemic issues and advocate for service improvements.

Do you have questions, comments or input on the DD Ombuds expansion plan?

Contact:

Betty Schwieterman, State Developmental Disabilities Ombuds

833.727.8900 ext.209

betty@ddombuds.org

Appendix A

Stakeholder Input for the DD Ombuds Expansion Plan

The DD Ombuds collects information on an ongoing basis regarding its work and its future expansion. Information is collected from the DD Ombuds Advisory committee, during trainings and outreach, focus groups and meetings with self-advocacy groups, parent groups, community members, service providers and state agencies.

Support for language access and reaching diverse communities

DD Ombuds Advisory Committee in April 2019 gave stakeholder input into the expansion plan. They identified language access as a pressing need as summarized in this quotation:

“Language access should be a priority in everything you do. Some people will only be able to access your services if you connect with them in their own language. Important to get that right. This is hard work, and the way you are doing this work is good, so that people understand what we are doing and what we are talking about. If you get diversity right, and if you have language access, your complaint numbers will go up. People don’t know they have somewhere to go with their problems, yet. The DD Ombuds will be a trusted source when there is no other place to go. This influences whether or not people get help. This goes for people who are undocumented or afraid of the government, too.”

The DD Ombuds held a focus group with Vietnamese individuals with developmental disabilities and their families in June 2019. Participants reported difficulties accessing DDA services because the system is hard to understand, the process takes a long time, materials are not always translated and interpreters or Vietnamese speaking staff are not always available. The participants told the DD Ombuds language access was the most important issue for them followed by a simplified DDA application process. The group recommended the DD Ombuds connect with the Vietnamese community in-person through community centers, churches and organizations such as Open Doors for Multicultural Families and recommended DD Ombuds staff speak Vietnamese or use trusted interpreters.

The DD Ombuds held a focus group with Latino/Latina individuals and their families in June 2019. Participants identified language access and building trust in their community as priorities. They want the DD Ombuds to provide services in person, have Spanish speaking staff or use interpreters, and to translate DD Ombuds materials into different languages.

Support for designation and independence of the DD Ombuds

Twenty-seven disability advocacy and service organizations signed and sent a letter of support of the DD Ombuds program to the Department of Commerce on January 14, 2019.

The letter was written in response to the rebidding process out of concern for preservation of the independent nature of the DD Ombuds and the trusting relationships the program has built. The community expressed continued support of the program and its continued growth.

Organizations who signed the letter included self-advocacy and parent groups: ADAPT WA, Allies in Advocacy, Arc of King County, Arc of Spokane, Arc of Washington State, Center for Justice, Center on Human Development and Disability, Clallam Mosaic, Clark County Parent Coalition, Community Employment Alliance, Developmental Disabilities Council, King County Parent & Family Coalition, Kitsap County Parent Coalition, Kittitas Parent Coalition, Open Doors for Multicultural Families, Partnerships for Action Voices for Empowerment (PAVE), People First of Washington, Rooted in Rights, Seattle Commission of People with Disabilities, Self-Advocacy in Leadership (SAIL), Snohomish County Parent Coalition, South Sound Parent Coalition, Spokane Center for Independent Living, Spokane County Parent Coalition, Spokane Human Rights Commission, Washington Attorneys with Disabilities Association (WADA), Washington Initiative for Supported Employment, Washington State Independent Living Council, Washington State LTC Ombudsman Program, Washington State Senior Citizen's Lobby and Yakima County Parent Coalition at Community Seeds.

Support for DD Ombuds Designation

The Department of Commerce collected stakeholder input in 2016 and 2018 regarding the rebidding process for the DD Ombuds contract. The DD Ombuds includes this input into developing the expansion plan:

- Clarify intent of legislation and the statute was for a one-time competitive solicitation for a private, independent non-profit organization that would be designated as the office of the developmental disabilities ombuds in perpetuity.
- Running biennium solicitations are disruptive to the service delivery of the office of the developmental disabilities ombuds, dissolves trust from community members, ignores sunk costs of contractor, sends the wrong message, and creates potential talent flight of current contractor's employees.
- Changing contractors would be disruptive to the service delivery of the office of the developmental disabilities ombuds.
- Participate with advocates and department of commerce on seeking clarification on the statute's competitive solicitation intent, timing, and continued designation of contractor.

Support for continuation of DD Ombuds duties

The Department of Commerce incorporated stakeholder input collected in 2016 and 2018 into the solicitation's request for proposal requirements for the work of the DD Ombuds where they were consistent with statute. The DD Ombuds has incorporated these items consistent with statute into its work and/or includes this input into developing the expansion plan:

- Share aggregate complaint resolutions with developmental disabilities administration to identify gaps and problems with the developmental disabilities service deliveries models that department of health and social services can solve systematically.
- Complete a memorandum of understanding with the other state's Ombuds programs, where the memorandum must include what each ombuds office would be responsible for where their mandates overlap so there is no duplication of services.
- Review state institutions, state-licensed facilities, hospitals, and residences where services to persons with developmental disabilities occur.

- Define how ODDO works with all the other developmental disabilities advocacy groups and parent coalitions who also receive referrals from individuals and families.
- Provide self-advocacy education to individuals with developmental disabilities.
- Deliver communication products showing they are responsible, respectful, and culturally competent in their interactions, communications and outreach efforts.
- Deliver systemic level monitoring, investigating, reporting and making recommendations on the delivery of development disabilities services;
- Deliver resident-directed, complaint-based, person centered ombuds services utilizing paid staff and a significant number of volunteer ombuds to resolve investigations / complaints on the delivery of development disabilities services;
- Deliver communication products that embrace the philosophy of the Washington State Allies in Advocacy's "A Proclamation for the Dignity and Rights of All Human Beings", Americans with Disabilities Act (ADA), and federal civil rights law.

Stakeholder Input Survey

The DD Ombuds collected information through an email survey during September and early October 2019. The survey was sent to statewide parent, self-advocacy and provider groups. 72 people filed out the survey with the majority (60%) of the respondents being parents or family members of a person with a developmental disability and 25% of respondents being providers. 5% of respondents identified as having a developmental disability. The survey consisted of 4 main questions: How would the expansion of the DD Ombuds services most benefit you or the individual/families you work with; How would you like to see the DD Ombuds incorporate volunteers into its services; The DD Ombuds plans to thoroughly train its volunteers. Are there specific topics that you believe the DD Ombuds should include in volunteer training; and Do you have any other comment/input about the expansion of DD Ombuds services or DD Ombuds volunteers?

Summary of stakeholder survey input: Several themes emerged for the survey respondents' answers. All respondents who were familiar with the work of the DD Ombuds expressed support for expansion. Over 10 percent of respondents suggested work to increase the DD Ombuds reach to diverse communities. Other supportive suggestions includes support for self-advocacy, and more collaboration with parent groups. Although about 10 percent of respondents expressed concern with using volunteers in place of paid DD Ombuds, the majority thought well-trained and supervised volunteers are a way to expand the DD Ombuds program.

Support for expansion of the DD Ombuds

Survey responses carried the following themes:

DD Ombuds services: need more DD Ombuds staff time to work on complaints and monitoring; there is a need for increased advocacy both at the individual and systems levels. Many people mentioned the value of the DD Ombuds services, the need to reach people who are isolated, and ways to support parents during crisis. It was also suggested to consider satellite offices. Several respondents suggested the addition of a Self-Advocacy Educator for the eastside of the state to help people know and understand their rights, how to contact the DD Ombuds, how to

solve problems and navigate the system. The Executive Director of the Arc of WA suggested DD Ombuds staff add monitoring visits to people who have recently moved from the institutions.

Rural access: Respondents said there is a need for DD Ombuds to reach rural areas, and eastern Washington needs more than one DD Ombuds, “Many rural communities just don’t have an active voice or even know the DD Ombuds is available. “Rural communities are underserved.”

Reach diverse communities: Respondents said there is a need to support culturally diverse families, “DD service systems are complicated to understand and require specific knowledge to access.” “Families who have limited English language and/or come from cultures that aren't accustomed to self-advocacy would greatly benefit from expanded Ombuds service.”

Language access: Respondents identified language access as a key issue. A service provider said “we have worked with many diverse families who have struggled to get appropriate response from DDA, likely due to high caseloads and not clearly understanding the process or being able to communicate their needs.” “Families, especially families with a home language other than English face linguistic and cultural barriers in the form of systemic racism that makes their effort at accessing supports even harder.”

Systemic issues: Respondents identified many systemic issues for the DD Ombuds to address including lack of affordable, accessible housing; DDA services are not person-centered; confusing and lengthy DDA eligibility process; lack of DDA services for children and adults even after eligible; lack of staff for supported living and caregiver retention; lack of temporary services when parent is ill; 13,000 clients of DDA do not have services and no case manager, meaning their needs are not documented; transition to adult services often leads to no services and increased isolation; respite services are too far away; the lack of integration of DD and mental health services; need different options from being dropped off at the hospital; need improvements in the abuse response system; need support when in crisis; “it is nearly impossible to find qualified, reliable workers”; and “unable to find respite care.”

Support for self-advocacy, peer mentors and collaboration with parent groups: Advocates from the eastside of the state expressed support for a Self-Advocacy Educator for eastside of the State. Advocates support the hiring of people with developmental disabilities to provide peer education, outreach, and support peers to develop skills to be their own advocate. Respondents expressed support for more time to collaborate with parent groups across the state.

Use of volunteers: The majority of respondents are supportive of the use of volunteer DD Ombuds as they will extend the reach of the program across the state. They suggested volunteers could monitor services, provide information about resources, and handle low-level complaints. About 10% of the respondents expressed some concern about using volunteer DD Ombuds as they preferred paid DD Ombuds. Some respondents suggested sources for volunteers such as partnering with colleges, universities, law schools, advocacy groups, parent coalitions and others who support people with developmental disabilities. Other suggestions

included: look at a peer mentoring volunteer program, develop parent partners, ensure a solid volunteer program by having a volunteer coordinator, look to the LTC Ombudsman Program as a successful model, and be sure to have the resources to properly train and supervise the volunteer.

Input from State Agencies

The DD Ombuds meets quarterly with Developmental Disabilities Administration, quarterly with Residential Care Services and twice a year with Complaint Resolution Unit, the intake for complaints against providers. The DD Ombuds is an active participant on the APS stakeholder group for changes to the Vulnerable Adult Abuse Statute; the Assisted Living Quality Measures workgroup; the Health Care Authority and Developmental Disabilities Administration work group on DD and mental health; DDA Self-Advocacy Committee; and the Developmental Disabilities Council DD Waiver Quality Assurance Committee. State agency staff have expressed appreciation for the information, input and recommendations the DD Ombuds brings to them about what the DD Ombuds sees in the community and in facilities, the types of complaints received and the systemic issues identified.

Appendix B

Staff and Volunteer Position Descriptions

Current Paid Positions

State DD Ombuds - Ensures compliance with all requirements of the DD Ombuds contract; Oversees the assignment and work related to the DD Ombuds Scope of Work Objectives; Serves as liaison with the Department of Commerce and Washington State Legislature; Oversees outreach to diverse racial and ethnic communities; Ensures timeliness of the submission and quality of all program deliverables; Develops and implements work plans for outreach and monitoring; Develops information on rights and responsibilities of persons receiving developmental disabilities services and/or other state services; Staffs the work of the DD Ombuds Advisory Committee; Recruits, hires, trains, and supervises Regional DD Ombuds, Self-Advocacy Educator, DD Ombuds, DD Ombuds Legal Counsel, and Office Assistant; Oversees the recruitment, training, certifying and supervising of volunteer ombuds; Acts in compliance with all program and fiscal protocols; Oversees the development of protocols for use by the DD Ombuds; and Negotiates memorandums of agreement with other state Ombuds programs.

Regional DD Ombuds - Reports to State DD Ombuds; Delivers person-directed, complaint-based, person-centered services; Provides information on rights and responsibilities of persons receiving developmental disabilities services and/or other state services; Monitors service delivery to persons with developmental disabilities; Identifies concerns and recommends changes in procedures to be considered for inclusion in DD Ombuds report to the Legislature; Reviews state institutions, state licensed facilities and residences where services to persons with developmental disabilities occur; Advocates to address rights violations to protect people with disabilities from abuse; Represents the Office of DD Ombuds, its clients and constituents at meetings with support and service providers; Conducts investigations into abuse and neglect and other rights violations; Performs other fact-finding duties related to the work of the Office of DD Ombuds; Collects accurate and sufficient information regarding complaint allegations, as well as relevant written policies, regulations, directives, and client record information; Interviews witnesses and other involved parties as necessary to ascertain facts; Prepares correspondence, investigative reports, and other written materials; Monitors the conditions of facilities where individuals with disabilities live to discover problems that may be appropriate for Office of DD Ombuds action; Completes monitoring reports and submits them to the State DD Ombuds; Participates in the development of any recommendations for changes in procedures to state agencies, governor's office and state legislature on the work of the ombuds and recommendations for person-centered and systemic system delivery changes; Assists with the recruitment, training, and supervision of volunteer ombuds; and Supervises DD Ombuds and volunteers in delivering complaint-based, person-centered services.

Self-Advocacy Educator - Reports to State DD Ombuds; Provides information on rights and responsibilities of persons receiving developmental disabilities services or other state services; Creates and posts content to DD Ombuds Website and Social media; Recruits and trains self-advocates to produce storyteller videos; Presents information on DD Ombuds services, rights and responsibilities to advocates with developmental disabilities; Monitors service delivery to

persons with developmental disabilities; Identifies concerns and recommends changes in procedures to be considered for inclusion in DD Ombuds report to the Legislature; Serves as a nonvoting member of the DD Ombuds Advisory Committee; Serves as the DD Ombuds liaison to self-advocacy groups across the state; Assists in the recruitment of volunteer ombuds; and Assists with outreach efforts to create awareness of the DD Ombuds and its services.

Legal Counsel (required by contract) - Reports to State DD Ombuds; Responsible for reviewing and revising Ombuds services protocols to ensure they meet all new requirements of the new Office of DD Ombuds; Drafts DD Ombuds monitoring protocols and tools; Reviews all reports and informational materials for legal accuracy; Assists in the training and certifying of DD Ombuds volunteers; Provides legal counsel to the State DD Ombuds; Assists in developing procedures for the protection of confidentiality; Addresses any external interference with independence and authority of the DD Ombuds; Participates in the development of any recommendations for changes in procedures to state agencies, governor's office and state legislature on the work of the ombuds and recommendations for person-centered and systemic system delivery changes; and Acts in compliance with "Section 7 - Legal Services" of the Special Terms and Conditions included in the RFP.

Office Assistant/Data Manager - Reports to State DD Ombuds or Regional DD Ombuds; Provides photocopying services; Maintains caller and visitor confidentiality; Maintains publication inventory and tracks publications in database; Provides timely mailing assistance; Replies to general information requests with accurate information; Does data entry into to the Disability Advocacy Database (DAD) for DD Ombuds data; Runs data reports; Provides clerical and administrative support to Office of DD Ombuds employees; Maintains files; Provide logistical support for meetings; Makes travel arrangements for staff and volunteers; Directs phone online inquiries to the appropriate staff members; Forwards voicemail from the general mailbox to the appropriate staff member; Greets visitors to the organization in a professional and friendly manner; Tracks the availability of staff and contact information for out-of-office staff when appropriate; and Uses disability respectful language.

Volunteer - Reports to State DD Ombuds or Regional DD Ombuds; non-certified volunteers take on a variety of roles: Volunteer Advisory Committee members, Research intern, Storyteller, and Administrative.

Staff and Volunteer Positions - Expansion

These paid and volunteer positions would be added to the DD Ombuds program during expansion. Numbers of positions are dependent on funding.

Paid Certified DD Ombuds Staff – Reports to the Regional DD Ombuds covering the region they serve. Trained and certified DD ombuds shall, in accordance with policies and procedures established by the Office of DD Ombuds, and under the supervision of a regional DD Ombuds, have the following duties as assigned: Provide information on rights and responsibilities of persons receiving developmental disabilities services and/or other state services; Monitor service delivery to persons with developmental disabilities; Identify concerns and recommends changes in procedures to be considered for inclusion in DD Ombuds report to the Legislature; Collect accurate and sufficient information regarding complaint allegations, as well as relevant written policies, regulations, directives, and client record information; Visit residents in the assigned facility(s) on a regular basis, with provision made by facilities and ombuds to secure privacy for DD Ombuds carrying out his or her duties; According to program policy, identify, investigate and resolve complaints that relate to actions or decisions that may adversely affect the health, safety, or rights of residents; Participate in the development of any recommendations for changes in procedures to state agencies, governor’s office and state legislature on the work on the DD Ombuds and recommendations for person-centered and systemic system delivery changes; and Carries out other activities that the Regional DD Ombuds determines to be appropriate.

Paid Volunteer Coordinator – Reports to the State DD Ombuds. Organizes, coordinates and manages the recruitment of volunteers; Provides direction, coordination, and consultation for all volunteer functions; Develop, promote, and maintain a wide range of volunteer opportunities within the DD Ombuds offices; Recommends the most efficient use of volunteers, appropriate volunteer/supervisory mix, and future workforce needs to support volunteer program operations; Recruit, interview and place applicants for volunteer work; Conduct and/or arrange for volunteer orientation and training; Develop and manage volunteer policies, procedures, and standards of volunteer service; Evaluate all aspects of volunteer programs to ensure effectiveness and to recommend and implement changes as appropriate; Maintain accurate records and provide timely statistical and activity reports on volunteer participation; Provide ongoing support and guidance for volunteers; Work proactively with DD Ombuds staff to provide accurate information and assistance to the volunteer; Develops and implements a volunteer recognition program.

Volunteer Certified DD Ombuds - Reports to the Regional DD Ombuds covering the region they serve. Trained and certified volunteer DD ombuds shall, in accordance with policies and procedures established by the Office of DD Ombuds, and under the supervision of a regional DD Ombuds, have the following duties as assigned: Provide information on rights and responsibilities of persons receiving developmental disabilities services and/or other state services; Monitor service delivery to persons with developmental disabilities; Identify concerns and recommends changes in procedures to be considered for inclusion in DD Ombuds report to the Legislature; Collect accurate and sufficient information regarding complaint allegations, as well as relevant written policies, regulations, directives, and client record information; Visit

residents in the assigned facility(s) on a regular basis, with provision made by facilities and ombuds to secure privacy for DD Ombuds carrying out his or her duties; According to program policy, identify, investigate and resolve complaints that relate to actions or decisions that may adversely affect the health, safety, or rights of residents; Participate in the development of any recommendations for changes in procedures to state agencies, governor's office and state legislature on the work on the DD Ombuds and recommendations for person-centered and systemic system delivery changes; and Carries out other activities that the Regional DD Ombuds determines to be appropriate.

Volunteer DD Ombuds Intern (non-certified) - Reports to the Regional DD Ombuds covering the region they serve. Trained volunteer DD ombuds intern shall, in accordance with policies and procedures established by the Office of DD Ombuds, and under the direct supervision of a DD Ombuds, have the following duties as assigned: Provide information on rights and responsibilities of persons receiving developmental disabilities services and/or other state services; Assist certified DD Ombuds in monitoring service delivery to persons with developmental disabilities; Identify concerns and recommends changes in procedures to be considered for inclusion in DD Ombuds report to the Legislature; Collect accurate and sufficient information regarding complaint allegations, as well as relevant written policies, regulations, directives; Visit DDA clients with a DD Ombuds on a regular basis; participate in the development of any recommendations for changes in procedures to state agencies, governor's office and state legislature on the work on the DD Ombuds and recommendations for person-centered and systemic system delivery changes; and Carries out other activities that the Regional DD Ombuds determines to be appropriate. DD Ombuds Interns carry out duties with a certified DD Ombuds only.