



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
September 2024

Agency: Office of the Long Term Care Ombudsman

Facility: 830 D Street NE, Salem, OR 97301

[ ] New [x] Revised

This position is:

- [x] Classified
[ ] Unclassified
[ ] Executive Service
[ ] Mgmt Svc – Supervisory
[ ] Mgmt Svc – Managerial
[ ] Mgmt Svc - Confidential

SECTION 1. POSITION INFORMATION

a. Classification Title: Compliance Specialist 3
b. Classification No: C5248
c. Effective Date:
d. Position No:
e. Working Title: Deputy Residential Facilities Ombudsman
f. Agency No: 11400
g. Section Title:
h. Budget Auth No:
i. Employee Name:
j. Repr. Code: AI
k. Work Location (City – County): Salem - Marion
l. Supervisor Name (Optional): Leslie Sutton, Residential Facilities Ombudsman
m. Position: [x] Permanent [ ] Seasonal [ ] Limited Duration [ ] Academic Year
[x] Full-Time [ ] Part-Time [ ] Intermittent [ ] Job Share
n. FLSA: [x] Exempt [ ] Non-Exempt
If Exempt: [ ] Executive [ ] Professional [x] Administrative
o. Eligible for Overtime: [ ] Yes [x] No

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.

The mission of the Residential Facilities Ombudsman (RFO) program is to protect individual rights, enhance quality of life, improve care, and promote dignity of life for Oregonians living in care settings licensed or certified by the State of Oregon, through Intellectual/Developmental Disabilities (I/DD) and Mental Health (MH) programs. Our scope of authority includes all individuals living in the 2,500 or more licensed or certified residential settings of 10 different types, serving both children and adults in virtually every Oregon county statewide. These settings are monitored by two separate and distinct state agencies; The Oregon Department of Human Services as well as the Oregon Health Authority in cooperation with the Community Care Organizations (health plans).

Settings for Intellectual/Developmental Disabilities include: Residential Training Homes for adults; Residential Training Facilities for adults, Adult Foster Homes. Settings for Intellectual/Developmental Disabilities for children include: Residential Training Homes for children, Residential Training Facilities, Children's Foster Homes and Children's Host Homes. Mental Health settings include: Residential Treatment Homes, Residential Treatment Facilities for adults and Adult Foster Homes. Individuals in these

settings receive services across a spectrum of state programs and agencies including, but not limited to: Oregon State Hospital, Office of Developmental Disability Services (DHS), Child Welfare (DHS) Behavioral Health for adult and child (OHA) and Oregon Psychiatric Security Review Board (PSRB).

The primary role of the RFO program is to receive, identify, investigate, advocate and resolve complaints made by and on behalf of residents. This is achieved through the collaboration of the RFO program of paid staff and a network of trained and certified local ombudsman volunteers who investigate each complaint while educating residents about their rights. Additionally, the role of the RFO program is to identify trends, evaluate policy and make recommendations for change to improve the health, safety, welfare and rights of residents across both residential systems of care. The RFO program monitors the complex residential care system which, in addition to facilities, includes a number of state and local agencies for children and adults under the Department of Human Services and the Oregon Health Authority. The program then advocates and participates in proposed changes to statewide policies, procedures, ORS and OAR that affect care of residents. The Residential Facilities Ombudsman makes recommendations as needed to the Legislature and the Governor on residential care issues.

The RFO program is one of three programs residing within the Office of the Long Term Care Ombudsman (OLTCO) which also includes the Long-Term Care Ombudsman and the Oregon Public Guardian and Conservator programs. The mission of the (OLTCO) collectively is to protect individual rights, promote independence and ensure quality of life for Oregonians living in care facilities and for Oregonians in need of public guardianship. The OLTCO functions separately and independently from any other state agency.

**b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:**

The primary purpose of this position is to advocate for the rights of Residential Facilities residents and ensure that these facilities and the state's regulatory agencies are operating in alignment with various rules: regulations, statutes and policies ranging from federal, state, agency and type of facility. This role investigates and identifies a wide variety of rule violations, this includes obtaining and reviewing information and records, conducting interviews, performing site inspections, compiling relevant information and researching various rules to determine violations of rules. They will prepare analysis or reports for courts, provide testimony at hearings, represent residents at administrative hearings, or provide expert analysis to attorneys of regulatory agencies on rules or situations of non-compliance. Once violations of rules are identified, this position will effect compliance in various ways and will track/monitor violations until issues are resolved and compliance is met.

The RFO Deputy position is responsible to independently plan, manage, and direct all program advocacy and compliance functions in a designated area of the state, coordinating senior-level problem-solving, mediation, negotiation and engagement with state and local partners. Part of these duties include supervision of several part time trained and certified volunteers who provide the equivalent of several professional level FTE staff.

The position works to identify compliance trends, patterns or gaps within their area of the state, they identify solutions or actions around the failures of policies, rules, programs or other related local and state human service and regulatory agencies. The position provides technical expertise, consultation and recommendations to executive management regarding long-term care systems improvement, drafts new or revised legislation, policies and rule revisions.

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## **SECTION 3. DESCRIPTION OF DUTIES**

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List the major duties of the position. State the percentage of time for each duty. Mark “N” for new duties, “R” for revised duties or “NC” for no change in duties. Indicate whether the duty is an “Essential” (E) or “Non-Essential” (NE) function.

% of Time	N/R/NC	E/NE	DUTIES
40%	R	E	<p><b>Program Coordination &amp; Development</b></p> <ul style="list-style-type: none"> <li>• Independently plan and coordinate RFO efforts within the region, ensuring advocacy and compliance of regional facilities and residents. Coordinate with community partners and local and state entities as needed on cross jurisdictional issues.</li> <li>• Independently develop and implement an operational plan for a regional district by assessing the need for RFO services (how many providers, what type of providers, how many consumers, what are demographics, etc). Manage and maximize resources to meet those needs to the greatest extent possible. Communicate and enforce regional plans with volunteers to ensure they are operating in alignment with plans and objectives.</li> <li>• Ensure plans are operational – ensure there is RFO presence in facilities, the minimum site visits are completed, ensure complaints are investigated in a timely manner and that priority cases are given proper attention.</li> <li>• Review regional operations plans periodically and make adjustments when necessary, communicate changes to volunteers.</li> <li>• Periodically review regional complaint and investigation data and identify patterns, gaps or areas of concern. Draft reports for Executive Director, draft and recommend revisions to policy or rule, or draft proposed legislation to help resolve larger issues.</li> <li>• Review rule and policy changes put forth by regulatory agencies; provide comments and recommendations on impacts to RFO operations and their ability to provide advocacy within facilities.</li> <li>• Supervise several certified, trained volunteers: onboarding, training, assigning work, reviewing work and providing oversight to all activities and cases of the volunteers in the Deputy’s region. Removing volunteers from program positions, and resolving complaints made against volunteers, if necessary.</li> <li>• Provide guidance and expertise to volunteers related to interpretation and implementation of state and federal laws, polices, and regulations. Take over increasingly complex investigations on behalf of volunteer and resolve violations.</li> </ul>
45%	R	E	<p><b>Case Management, Hearings and Complaint Investigation</b></p> <ul style="list-style-type: none"> <li>• Respond to problems, complaints, concerns or disputes brought forth by residents, staff, family members, medical providers, and any other source. Provide information about rules, statutes and laws that apply and options available.</li> <li>• Investigate potential violations related to residential facility services, programs, staff, or processes that are brought to the attention of the RFO program. This could include quality of</li> </ul>

			<p>care, personal rights, medication, meals, hygiene, or many other violations. Investigate subsequent violations that stem off original complaint or site visit.</p> <ul style="list-style-type: none"> <li>• Through statutory authority and subpoena power, request and review care facility records, regulatory agency records, licensing information, medical or psychiatric records, or other relevant information. Conduct interviews, gather facts and data and analyze related rules, policies, statute to substantiate if various rule violations occurred. Ensure all applicable rules/rule sets are analyzed for the appropriate type of facility, resident and age.</li> <li>• Identify and resolve rule violations. Advocating facts on behalf of residents by interpreting, explaining, and compelling compliance with: federal and state statutes, waivers, Oregon Administrative Rules, Code of Federal Regulations, federal CMS policies on residential settings, related internal and external communications, and contract language/residency agreements between state entities, CCOs, residents and care providers. Resolution may be gained through phone/in person discussion, formal e-mail or memo, mediation, training, negotiation or involvement of executive leadership of regulatory agency.</li> <li>• Develop cooperative strategies for complaint resolution in concert with the affected parties by bringing parties together and presenting facts so that the parties can work toward an understanding, resolution, or agreement.</li> <li>• After parties have reached resolution/agreement, continue to track and monitor violations to ensure issue has truly been resolved. If issue still persists, re-engage with appropriate parties and track until resolved.</li> <li>• Prepare for hearings before Administrative Law Judges regarding eviction or move-out-notices. Building a case through discussion, records review, meeting with counsel, DHS and others to effectively ensure the resident is supported and engaged with all parties of the hearing throughout the hearings process. Represent residents at administrative hearings as needed.</li> </ul>
5%	R	E	<p><b>Technical Consultation &amp; Advice</b></p> <ul style="list-style-type: none"> <li>• Provide statewide expertise to internal colleagues and external partners on Oregon's residential facilities system and issues impacting Oregonians living in these settings. Provide expert level clarification and interpretation on various rules and statutes, rule violations and gaining compliance.</li> <li>• Provide guidance to licensing, regulatory agencies, case managers and guardians in potential violation situations.</li> <li>• Provide thorough training on applicable rules to state and local organizations or facility staff as a result of compliance negotiations.</li> <li>• Provide training to new volunteers for onboarding as well as ongoing volunteer training. Provide training and consultation to other LTCO staff as needed.</li> </ul>
5%	R	E	<p><b>Building Collaborative Partnerships</b></p> <ul style="list-style-type: none"> <li>• Initiate and actively participate in meetings with external stakeholders, community partners, local and state workgroups, task forces, and advisory committees to build</li> </ul>

			collaborative partnerships and cooperation. <ul style="list-style-type: none"> <li>Utilize and work with the RFO program team to make recommendations, improve and update program processes, systems, trainings, communications, and standards.</li> <li>Represent RFO on project teams, meetings, strategy focus groups, committees, working groups, and public meetings.</li> <li>Use person-centered care to analyze complaints, gather relevant information, and pursue effective strategies to support advocacy, equity, and person-centered resolution.</li> <li>Develop communication and promotional plans designed to build and maintain positive relationships with the residents, certified volunteers, other agencies, related service programs, community partners and the public.</li> </ul>
5%	R	NE	Other special projects as assigned.

## SECTION 4. WORKING CONDITIONS

**Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.**

- Frequently communicate with individuals who are experiencing challenges with their residential care service provider and/or some part of the residential and long-term care system and may be upset or irate.
- Regularly requires ongoing, on-site visits to homes and facilities without prior knowledge of resident intensive behavioral supports, unpredictable verbal or physical reactions to visitor presence, communication needs or secure/hardened living environments.
- Daily interaction with individuals experiencing a range of receptive and expressive communications abilities and types, which could include; American sign language, braille, augmentative communication devices, aided and unaided communication systems, writing, eye movement and gestures.
- Frequently talking with residential setting owners, providers, staff, family members and case management who may be defensive in their communications.
- Daily subject to fluctuating workloads and priorities in dealing with highly complex and sensitive issues.
- Frequently requires an altered work schedule or occasionally in excess of normal scheduled hours to meet client needs, high-volume and/or time-sensitive workload or agency priorities.
- Daily requires extensive use of digital technology including computers, information collection software/systems, and cell phones.
- Frequently requires public speaking and attending meetings in environments not managed by the agency.
- Frequent in state travel. Occasional overnight travel may be required.
- Occasional travel requires that the employee have a valid driver's license.

There may be times that a position or an individual must be located full-time, on-site, within traditional business hours. Times when on-site presence can be required include but are not limited to training, performance, business alignment, accommodations, or resource availability.

To be eligible for remote work, staff must have a home workspace that meets all applicable technology, security and safety requirements including the ability to provide protection of confidential information. Staff are responsible for obtaining an appropriate broadband internet connection for working remotely.

Staff working remote shall:

- Meet all responsibilities and perform all duties as if their role was performed in a traditional work setting.

- Comply with all agency policies, guidelines, and management directives.
- Maintain a professional demeanor in the performance of all duties.
- Meet and maintain performance expectations.
- Be available each week during established work hours, as determined by the business need.

LTCO is committed to diversity. Diversity efforts reinforce respectful treatment of others in the workplace. These efforts focus on identifying ways to work better together, reducing conflict by increasing understanding, improving collaboration, fostering teamwork, and increasing productivity and quality of services delivered by LTCO. You are responsible to promote and foster a diverse and discrimination/harassment-free workplace; establish and maintain professional and collaborative working relationships with all contacts; contribute to a positive, respectful, and productive work environment.

Working in a team-oriented environment requires participative decision making and cooperative interactions among staff and management. This includes maintaining regular and punctual attendance; performing all duties in a safe manner; and complying with all policies and procedures.

**SECTION 5. GUIDELINES**

**a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.**

ORS 443.380 to 443.394 establishing the Residential Facilities Ombudsman and RFO program.  
 Protection & Advocacy for Individuals with Developmental Disabilities (PADD) (42 U.S.C. § 15001, P.L. 106-402)

Protection & Advocacy for Individuals with Mental Illness (PAIMI) (42 U.S.C. § 10801, P.L. 106-310)

ORS 441.400 - 441.419

OAR(s)

Program policy and procedure

Federal and state laws, regulations and policies relating to residential care facilities under Department of Human Services Intellectual and Developmental Disabilities and Oregon Health Authority Behavioral Health

Licensing standards, policies and guidelines: DHS, OHA, Multnomah County

Community Health Organization (CCO)/Mental Health Organization (MHO) rules and guidelines

Oregon abuse and neglect laws for Intellectual and Developmental Disabilities (Adult), Intellectual and Developmental Disabilities (Children), Behavioral Health (Adult)

Guardianship law and standards

**b. How are these guidelines used?**

These Federal and State statutes, rules and policies are used to provide the framework for the work of the Deputy Ombudsman. Guidelines are often written vague; often there are gaps and/or overlapping and conflicting information, causing much room for interpretation for the Deputy.

**SECTION 6. WORK CONTACTS**

**With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?**

Who Contacted	How	Purpose	How Often?
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*Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".*

Residential and Residential Treatment facility administrators, owners and other staff	In person, written, telephone	Interview and communicate with to investigate, mediate, and resolve complaints; Explain program services; Interpret program policies and procedures; Develop and present trainings on law and policy; and interpret and advise on federal and state laws and regulations.	Regularly
Residential and Residential Treatment facility residents	In person, telephone	Explain program services; Identify, investigate and resolve complaints; and discuss and advise on options for resolving issues on behalf of the residents.	Regularly
Family and friends of residents	In person, written, telephone	Explain program services; Identify, investigate and resolve complaints.	Frequently
State and local community agency directors, managers and staff	In person, written, telephone	Discuss and advise on individual consumer and system issues, trends, and potential resolutions; resolve interagency issues.	Frequently
Attorneys, Guardians Medical Professionals	In person, telephone, written	Explain program services; Interpret program policies and procedures; Investigate and resolve complaints; Provide technical assistance and consultation; and Interpret federal and state laws and regulations.	Regularly
Community Organizations	In person, telephone, written	Explain program services; Investigate and resolve complaints; and provide consultation.	Regularly
Coordinated Health Care Organizations/Mental Health organization health plans	In person, telephone, written	Explain program services; Identify, investigate and resolve complaints; and discuss and advise on options for resolving issues on behalf of the residents.	Frequently

## SECTION 7. POSITION RELATED DECISION MAKING

### **Describe the typical decisions of this position. Explain the direct effect of these decisions.**

This position determines resolutions to violations of individuals' legal/civil rights, quality of care, and quality of life. The entire RFO program provides advocacy for over 8,500 residents living in residential facilities, and each Deputy provides advocacy for around a thousand residents in their region of the state. The inability for the Deputy to accurately identify and resolve rule violations within their region could have a serious impact on the life and well-being of the residents in the affected facilities.

This position is responsible to know and interpret various sets of rules and statutes, and this can vary depending on state, federal, local jurisdiction, program, facility type, license type, and resident. Rules are often written vaguely, leaving room for much interpretation by this position. Since this role advocates for the resident, they need to interpret and apply rules on behalf of the resident. Because this generally contradicts the interpretation of the regulatory agencies, it requires this position navigating within very complex and subjective compliance situations where there is often little to no precedent. To resolve compliance issues, this role may often negotiate complex and unfamiliar agreements, which may set course for rule and policy revisions.

Responsible to supervise, review work, determine resource allocation, facility assignments, and distribution of workload among several certified volunteers. This position provides guidance, consultation and reviews the work of these professional, certified volunteers.

Make recommendations to executive leadership and partner agencies to address system failures and/or system improvements. Make recommendations to RFO team and leadership what content shall be included in the ORS 441.406 required reporting to the Governor and legislature.

## SECTION 8. REVIEW OF WORK

### Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
Residential Facilities Ombudsman – PEM-D (Program Director)	1140021	In person, phone, email	As Needed	Assignment of tasks and Performance Evaluation

**Note:** If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

## SECTION 9. OVERSIGHT FUNCTIONS

THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

a. How many **volunteers** are directly supervised by this position? \_\_\_\_\_

*(Although this position supervises several part time volunteers, they are not counted as employees for supervisory purposes.)*

How many employees are supervised through a subordinate supervisor? \_\_\_\_\_

b. Which of the following activities does this position do?

- |  |   |
|--|---|
| <input type="checkbox"/> Plan work               | <input type="checkbox"/> Coordinates schedules                    |
| <input type="checkbox"/> Assigns work            | <input type="checkbox"/> Hires and discharges                     |
| <input type="checkbox"/> Approves work           | <input type="checkbox"/> Recommends hiring                        |
| <input type="checkbox"/> Responds to grievances  | <input type="checkbox"/> Gives input for performance evaluations  |
| <input type="checkbox"/> Disciplines and rewards | <input type="checkbox"/> Prepares & signs performance evaluations |

## SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

**ADDITIONAL REQUIREMENTS:** List any knowledge and skills needed at time of hire that are not already required in the classification specification :

This position is subject to a criminal records check, which may require fingerprints. If you are offered employment, the offer will be contingent upon the outcome of a criminal records check.

- Significant experience working with Individuals experiencing an Intellectual or Developmental Disability or chronic Mental Illness
- Ability to interpret and explain law and rule
- Mediation skills
- Advanced communication skills with the ability to persuade and communicate in a variety of forms
- Knowledge of individual differences in ability, communications, personality and interests
- Management principles involved in planning and coordination of people & resources
- Effective delivery of culturally responsive and inclusive advocacy services, including fostering ongoing personal awareness and humility



BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
<i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".</i>		

**SECTION 11. ORGANIZATIONAL CHART**

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

**SECTION 12. SIGNATURES**

\_\_\_\_\_  
Employee Signature                      Date

\_\_\_\_\_  
Supervisor Signature                      Date

\_\_\_\_\_  
Appointing Authority Signature                      Date