

*Ombudsman Office*

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## Ombudsman Office

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**T**he creation of the Ombudsman Office reflects the department's philosophy to listen and be responsive to the individuals whose lives we affect. Within this context, the Ombudsman Office defines a complaint as a "statement of dissatisfaction" and regards all complaints as valid until determined otherwise. The office upholds the following mission statement: We respect every person's right to complain and to be responded to with respect and dignity.

The Ombudsman Office acts as a neutral third party for inquiries related to case-specific complaints by:

- ◆ providing a fair and impartial review process for eligible complainants through research of prior and current case actions to ensure that the department's policy and procedures were followed;
- ◆ ensuring that the complainant receives due process; and
- ◆ making recommendations to PRS program areas to revise case actions if it is determined that program area's policies and procedures were not followed.

The Ombudsman Office does not have statutory authority to:

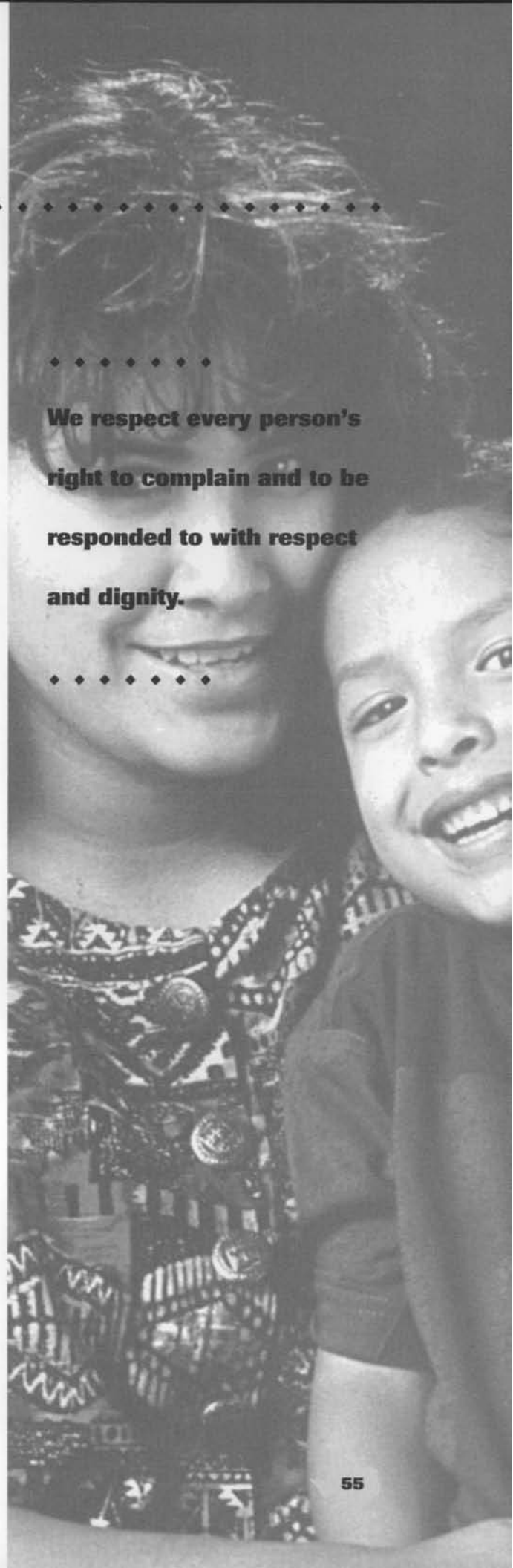
- ◆ overturn court actions or affect their outcomes;
- ◆ alter or dictate placement options for children, force a competent adult to accept services, initiate closure or license revocation of a child-care facility; or
- ◆ release case-specific information to individuals who do not have the legal authority to receive such information.

Although House Bill 7, 72rd Texas Legislature, requires the department to establish a system for receiving and cataloguing complaints, the Texas

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Board of Protective and Regulatory Services and the department's executive director exceeded requirements by directing staff to create the Ombudsman Office Automated Tracking System and to offer a statewide toll-free number (1-800-720-7777) for convenient customer access. The system, implemented in June 1994, allows data input, transmittal and receipt of information from the department's regions, retrieval of data, and compilation of statistical reports. In 1995, the Ombudsman Office will be able to provide an annual statis-

tical report reflecting trends in the types and outcomes of complaints it receives.

The Ombudsman Office assumed the responsibilities of the Office of Youth Care Investigations that were transferred to PRS under the provisions of House Bill 1510 during the 73rd Legislative session. Those responsibilities include maintaining a record of reports of abuse or neglect in state-operated facilities and conducting reviews of cases after an Administrative Review of Investigative Findings (ARIF) has been conducted at the regional level. From Sept. 1, 1993 to Aug. 31, 1994, the Ombudsman Office reviewed 40 requests for ARIFs.

The Ombudsman Office handled 1,301 cases from Sept. 1, 1993 through Aug. 31, 1994. Of those, 4.3 percent or 57 cases were identified as questionable (substantive or action recommended). This reflects a 95.7 percent case total validity rate for all departmental programs.

As part of the department's Total Quality initiative, the Ombudsman TQ team developed a brochure to educate legislative staff about the office's roles and responsibilities. Another brochure, now in preparation, will inform the public and program consumers about the services offered by the Ombudsman Office.

The Ombudsman Office has been in operation for less than a year. During that time, the accomplishments have been considerable, and the initiatives that are planned for the coming year go well beyond statutory requirements in an effort to listen to and serve those whose lives PRS affects.

# Ombudsman Office

## Ombudsman Office Annual Report

Fiscal Year 1994

Element	Definition	Number
Intake	Telephone Inquiry	925
	In-person Inquiry	13
	Written Inquiry	363
Type	Legislative	154
	Executive Officer (governor, lieutenant governor, attorney general, Health and Human Services Commission)	93
	Other agency	40
	Public: advocacy or general citizenry	336
	Consumer (involved in a PRS case or receiving PRS services)	678
Program	<b>Adult Protective Services</b>	70
	◆ Community Investigations	58
	◆ Facility Investigations	12
	<b>Child-care Licensing</b>	41
	◆ Residential Licensing	7
	◆ Day-care Centers and Registered Family Homes	34
	<b>Child Protective Services</b>	1173
	◆ All services	
	Program Not Applicable	17
	Category of Inquiries	Investigation
Administrative Reviews		40
Staff Conduct		210
Service Plan Delivery		66
Placement/Guardianship		114
Procedural/Timelines		186
Case Findings		92
Denied Application, Corrective Action, or Revocation		
a. Adoption		13
b. Foster Care		11
c. Licensing	1	
Miscellaneous or Procedural Inquiry	223	

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Findings	<b>Substantive:</b> Agency action is questionable (i.e. compliance with agency policy, procedure, or standards of conduct were in question), but does not affect final case status	37
	<b>Unsubstantiated:</b> Ombudsman Office concurs with agency action	771
	<b>Inconclusive:</b> Disputed information that cannot be substantiated	66
	<b>Action Recommended:</b> Corrective or additional PRS case action recommended by the Ombudsman Office	20
	<b>Information Only:</b> The complainant receives further information or explanation of the agency's role (Includes information and referral to community resources)	277
	<b>Misdirected Inquiries:</b> PRS involvement is not applicable	59
	<b>Status Pending:</b>	27
	Other State Agencies	<b>Texas School for the Deaf</b>
Valid		0
Invalid		5
(3 Non-applicable)		
<b>Texas School for the Blind and Visually Impaired</b>		10
Valid		3
Invalid		7
<b>Texas Youth Commission</b>		319
Valid		78
Invalid		203
(38 Pending)		
<b>Total Reported</b>		<b>337</b>