

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

November 17, 2020

**FROM**

**SHARON NEVINS, Director, Department of Aging and Adult Services**

**SUBJECT**

Standard Employment Contract Templates for the Ombudsman Program

**RECOMMENDATION(S)**

1. Approve standard employment contract templates for the Ombudsman Program for the period of November 21, 2020 through November 20, 2021, for the positions indicated below:
  - a. Field Coordinator
  - b. Program Supervisor
2. Authorize the Director of Department of Aging and Adult Services to execute the employment contract templates and amendments to extend the term of the contracts for a maximum of two successive one-year periods on behalf of the County, subject to review by County Counsel.

(Presenter: Sharon Nevins, Director, 891-3917)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item does not impact Discretionary General Funding (Net County Cost). All costs associated with these positions are state and federally funded. Adequate appropriation and revenue for these contract positions have been included in the Department of Aging and Adult Services' (DAAS) 2020-21 budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

Ombudsmen are independent, objective individuals who advocate for the dignity, quality of life, and quality of care for all residents in long-term care facilities. They are authorized by federal and state law to receive, investigate, and resolve complaints by, or on behalf of, residents in long-term care facilities, skilled nursing facilities, and Community Care-licensed board and care homes. DAAS has received an increased allocation from the State Long-Term Care Ombudsman Program to supplement local Long-Term Care Ombudsman programs. This supplemental funding will allow DAAS to fill the recommended Ombudsman Program Field Coordinator (Field Coordinator) and Program Supervisor contract positions, which provide needed services to San Bernardino County's elderly population. To ensure their employment positions are always filled expeditiously when turnover occurs, DAAS is requesting approval of employment contract templates to be executed by the Director of DAAS.

The recommended employment contract templates shall be effective November 21, 2020 through November 20, 2021, subject to the termination provisions of the contracts.

## **Standard Employment Contract Templates for the Ombudsman Program November 17, 2020**

Authorization is requested for the Director of DAAS to execute individual employment contracts including allowable amendments to extend the contract term for a maximum of two successive one-year periods. Notwithstanding the foregoing, either party may terminate the contract at any time without cause, upon 14 days prior written notice to the other party. The County may terminate the contract immediately for just cause.

The DAAS Program Supervisor, under the working title Local Ombudsman Program Coordinator, is a crucial position to the Ombudsman Program that ensures compliance with laws, regulations, policies and procedures, and ensures the safety, dignity and quality of life for County residents living in licenses long-term care settings. Due to an extended vacancy of this position and the difficulty in recruiting a viable candidate, a contract position was determined to be the most efficient and feasible solution for filling this vital position.

The Field Coordinator position receives, relays, and investigates complaints of elder abuse; ensures allegations are prioritized and followed up on within the guidelines established by the State of California and local programs; visits unassigned long-term care facilities; manages recruitment of and provides assistance to volunteers; and responds to after-hours calls from the Ombudsman 24-Hour State Crisis Line. Field Coordinators report to the Local Ombudsman Program Coordinator.

In October 1995, DAAS began providing Ombudsman services directly to long-term care facilities, due to the lack of qualified non-profit agencies able to provide such services. Under Welfare and Institutions Code 15650(a), the Ombudsman program is responsible for investigation of all allegations of elder abuse occurring within facilities licensed for the elderly. DAAS provides and coordinates Ombudsman services through the utilization of contract employees who are responsible for program oversight, recruitment, and training of program volunteers. All staff and volunteers responsible for the delivery of Ombudsman services are trained and certified by the California Office of the State Long-Term Care Ombudsman prior to providing services.

### **PROCUREMENT**

Not applicable.

### **REVIEW BY OTHERS**

This item has been reviewed by Human Resources (Gina King, Human Resources Division Chief, 387-5571 ) on November 10, 2020; County Counsel (Cynthia O'Neill, Supervising Deputy County Counsel, 387-5455) on November 10, 2020; Human Services Contracts (Jennifer Mulhall-Daudel, Contracts Manager, 388-0241) on November 9, 2020; Finance (Chris Lange, Administrative Analyst, 388-3893) on November 10, 2020; and County Finance and Administration (Tanya Bratton, Deputy Executive Officer, 388-0332) on November 10, 2020.

**Standard Employment Contract Templates for the Ombudsman Program  
November 17, 2020**

Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales

Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: November 17, 2020



cc: File - Aging & Adult Services w/attach  
CCM 11/19/2020