

## **231.42 Long-term care resident's advocate duties.**

The Iowa commission of elder affairs, in accordance with section 712 of the federal Act, as codified at 42 U.S.C. § 3058g, shall establish the office of long-term care resident's advocate within the department. The long-term care resident's advocate shall:

1. Investigate and resolve complaints about administrative actions that may adversely affect the health, safety, welfare, or rights of residents in long-term care facilities, excluding facilities licensed primarily to serve persons with mental retardation or mental illness.
2. Monitor the development and implementation of federal, state, and local laws, regulations, and policies that relate to long-term care facilities in Iowa.
3. Provide information to other agencies and to the public about the problems of residents in long-term care facilities, excluding facilities licensed primarily to serve persons with mental retardation or mental illness.
4. Train volunteers and assist in the development of citizens' organizations to participate in the long-term care resident's advocate program.
5. Carry out other activities consistent with the state long-term care ombudsman program provisions of the federal Act.
6. Administer the resident advocate committee program.
7. Report annually to the general assembly on the activities of the resident's advocate office.

The resident's advocate shall have access to long-term care facilities, private access to residents, access to residents' personal and medical records, and access to other records maintained by the facilities or governmental agencies pertaining only to the person on whose behalf a complaint is being investigated.

86 Acts, ch 1245, § 1016

C87, § 249D.42

C93, § 231.42

99 Acts, ch 129, §13; 2003 Acts, ch 141, §11; 2005 Acts, ch 45, §10