TEXAS Health and Human Services

Form 8628
December 2024

State Long-Term Care Ombudsman Program

Acknowledgement of Ombudsman Access to Confidential Record

Upon request, a certified ombudsman or State Ombudsman provides a copy of this form to the requesting facility for its records.

As a certified ombudsman or State Ombudsman, I have authority to access confidential records about a resident, regardless of format, when conditions in 26 TAC Section 554.413 or 26 TAC Section 553.269 are met. Access includes getting a copy of the record.

Resident Name	Facility Name

Select one. I have:

- ◯ Consent from the resident
- ◯ Consent from the resident's legally authorized representative (LAR) LAR Name: _____
- ◯ Authority to access without consent per 26 TAC Section 88.201

Accessed records. Check all that apply:

- ☐ Medical
- ☐ Social
- ☐ Financial
- ☐ Incident report
- ☐ Other, specify: _____

Per 26 TAC Section 88.2(15), an incident report is a document created by a long-term care facility about an abnormal event involving a resident, including an accident or injury.

Accessed records are protected under the confidentiality laws that apply to the State Long-Term Care Ombudsman Program. The records may only be released per program disclosure requirements or by a resident or LAR. If health information is released to other parties, it may no longer be protected by privacy regulations.

Ombudsman Printed Name	**Ombudsman Signature**	**Date**

A nursing facility and assisted living facility must allow a certified ombudsman and the State Ombudsman access to resident information and records per state rules.

- Nursing Facility Requirements for Licensure and Medicaid Certification
  26 TAC Section 554.413 Access and Visitation Rights
- Licensing Standards for Assisted Living Facilities
  26 TAC Section 553.269 Access to Residents and Records by the Long-Term Care Ombudsman Program
- State Long-Term Care Ombudsman Program
  26 TAC Section 88.2 Definitions
  26 TAC Section 88.201 Access to Facilities, Residents, and Resident Records
  26 TAC Section 88.202 Notification to LTC Facility of Authorization to Access Resident Records