§ 33.28 Independent developmental disability ombudsman program.

(a) There is hereby established by the office for people with developmental disabilities the independent developmental disability ombudsman program for the purpose of assisting individuals with developmental disabilities to access services and preserve their rights.

(b) Such ombudsman program shall have the following duties, including, but not limited to identifying, investigating, referring and resolving complaints that are made by, or on behalf of individuals relative to access to services provided by the office for people with developmental disabilities or care coordination or other providers certified and/or authorized by the office to provide services to people with developmental disabilities, and access to initial and continuing intellectual and developmental disability services and supports.

(c) Notices and materials provided to individuals by the office for people with developmental disabilities, providers of services, and the health homes serving individuals with developmental disabilities shall include the name, phone number and website address of the independent developmental disability ombudsman program established by the office for people with developmental disabilities pursuant to this section. The phone number shall be available for forty hours every week.

(d) Funds available for expenditure pursuant to this section for the establishment of an independent developmental disability ombudsman program may be allocated and distributed by the commissioner of the office for people with developmental disabilities, subject to the approval of the director of the budget, but only after the commissioner of the office for people with developmental disabilities holds a request for proposal process for the establishment of an independent developmental disability ombudsman program. The commissioner of the office for people with developmental disabilities shall consider all competitive proposals submitted through such request for proposal process and shall determine which proposal submitted is appropriate for the establishment of an independent developmental disability ombudsman program. In making such determination, applicants who demonstrate experience providing advocacy or assistance to people with developmental disabilities, or experience tracking and reporting on case activities while protecting individual confidentiality shall receive deference for the award.