GUIDE

Call the ombudsman and the elder legal aid program before you pay a lawyer.

When a parent gets a discharge notice or a benefits letter, two public programs were built for that exact week. On November 9, 2026, HHS named who is funded to run them.

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The letter says your mother has to leave the nursing home by a date closer than anyone expected. It is late, there is work in the morning, and the first search results are law firms. One fact sets the order for the week ahead. Federal nursing home rules require the facility to send a copy of that same notice to the long-term care ombudsman. The public advocate for residents is already on the paper trail, so the family's first call goes there.

A nursing home discharge notice already goes to the ombudsman, which makes the ombudsman the first call

When an older parent faces a facility discharge or a benefits dispute, the first lines of the family's plan belong to the long-term care ombudsman and the Older Americans Act legal assistance program, reached through the area agency on aging, before anyone pays a private lawyer. A nursing home discharge shows why the ombudsman comes first. Under 42 CFR 483.15(c)(3)(i), a facility that transfers or discharges a resident must give written notice, and "The facility must send a copy of the notice to a representative of the Office of the State Long-Term Care Ombudsman." The federal rules already expect the ombudsman to see that letter. Calling the ombudsman follows the path the rules already set.

The long-term care ombudsman program exists, in ACL's words, to "identify, investigate, and resolve complaints made by or on behalf of residents" of long-term care facilities. Discharge or eviction is one of the five most frequent nursing facility complaints on ACL's program page. The

same page reports that ombudsman programs "resolved or partially resolved 71% of all complaints to the satisfaction of the resident or complainant." That is 71% of all complaints, a category list that includes discharge and eviction.

Minnesota's Office of Ombudsman for Long-Term Care states: "All services provided by our program are free." The same office lists discharge or eviction concerns and public benefit programs among the complaints it investigates, and it counts friends and family members among the people it serves.

Older Americans Act legal assistance takes on benefits cutoffs, evictions and facility transfers

Legal assistance under Title III-B of the Older Americans Act is the program for a dispute with a benefits office, a landlord or a facility. ACL calls it part of the essential core of services the act funds and counts approximately 1,000 OAA-funded legal services providers nationwide.

The priority issues ACL lists match the hardest weeks of caregiving: access to public benefits, including Social Security, SSI, SSDI, Medicaid and Medicare; foreclosure or eviction proceedings; guardianship; and elder rights protections for older people transferring from long-term care facilities. A Medicaid termination letter and a nursing home discharge notice both sit on that list.

ACL says these services are specifically targeted to "older individuals with economic or social needs," and the page publishes no income limit. A family should not rule itself out by guessing. The local provider decides whether it can take the matter, and asking is how a family finds out.

The area agency on aging is the route to the local ombudsman and legal provider

The area agency on aging is the local office of the aging network, and it is the route to the ombudsman and the legal assistance provider who serve a parent's county. The Eldercare Locator, a public service of the Administration for Community Living, finds the area agency on aging by location. A family can also call 1-800-677-1116 to reach trained staff, and the site accepts text messages.

One call to the area agency on aging covers three things: the name of the long-term care ombudsman for the parent's facility, the Older Americans Act legal assistance provider for the county and how to reach its intake, and what to have ready before calling them, starting with

the notice and the date printed on it. These are navigation questions, not legal ones. The answers decide whom the family calls next.

HHS named the funded legal aid and ombudsman grantees on November 9, 2026

On November 9, 2026, HHS and the Administration for Community Living announced more than $9.7 million in new elder justice awards. The headline framing was abuse and financial exploitation. The part that helps a family more is quieter: the announcement names the organizations funded to deliver legal help and to support ombudsman programs.

Four Legal Assistance Enhancement Program grants, totaling $1.9 million over two years, went to Legal Aid Services of Oklahoma Inc., the Skokomish Indian Tribe, the Southern Nevada Senior Law Program and Utah Legal Services Inc. According to the announcement, each project will take on a priority legal issue under the Older Americans Act. A three-year award of $1,549,221 went to the National Consumer Voice for Quality Long-Term Care to run the National Long-Term Care Ombudsman Resource Center, which will provide training and technical assistance to 53 State Long-Term Care Ombudsman programs.

These awards put both programs on the public record by name, funded in 2026, with a national center supporting every state ombudsman office. Anyone can check that record. A family weighing whom to call first can rely on it.

The strongest objection: the deadline is real and the public programs are small

The strongest case against putting the ombudsman and legal assistance first is the deadline. A discharge notice gives a date. Legal assistance programs are targeted and finite, and a provider may have no room for a new matter this week. Next to the need, $1.9 million spread across four grantees over two years is small. An ombudsman is an advocate, not a lawyer. Read that way, sending a frightened family to two public programs first spends days they do not have.

Follow one nursing home discharge notice through its week to test that. On the day it arrives, the facility has already been required to send a copy to the ombudsman, so the first call reaches the office the federal rules put in the loop. Discharge is one of the five most frequent nursing facility complaints that office handles, and in Minnesota the office states its services are free. The same afternoon, the area agency on aging names the legal assistance provider, whose priority list includes older people transferring from long-term care facilities. Both calls fit inside the first day, alongside the deadline, not in front of it. First does not mean instead of.

If the legal assistance provider cannot take the matter, that is a no from one program on one day. ACL describes the Legal Assistance Enhancement Program as supporting outreach, intake and partnerships, so asking that provider who else can help is a request the network is funded to answer. Hiring a private lawyer then becomes a decision made with information, not a reflex at midnight.

The size objection also misreads the awards. The four LAEP grants add to a base program that ACL counts at roughly 1,000 providers. They show a system that is funded, maintained and named, which is what a family needs to know before the first call.

The action plan for a discharge notice puts the free calls on the first lines and dates each one

An action plan for a nursing home discharge notice has a fixed order. Line one is the long-term care ombudsman, who the facility was required to copy on the notice. Line two is the Older Americans Act legal assistance provider, named by the area agency on aging. Line three is the date printed on the notice. Paid help goes on line four, when the public programs cannot take the matter or the family prefers it.

Each line carries the program's name, where it was found and the date someone checked it. Rules and phone lines change by state and by year, and a dated line shows which answer is current.

Unknown is a real line in that plan. If nobody has confirmed whether the county's legal provider takes facility transfer cases, the plan says so and names the program to ask. It never calls a family ineligible for something nobody checked.

> First does not mean instead of: the public programs go at the top of the plan, alongside the deadline, not in place of a lawyer.

Most readers will see the November 9 announcement as another federal step against elder abuse. For a family holding a discharge notice, it is a dated public record that the ombudsman and legal assistance programs are funded and named. The notice has already gone to the ombudsman. The family's first call can go there too.

Further reading

1. Administration for Community Living, the November 9, 2026 elder justice awards announcement (originally published on HHS.gov), naming the LAEP grantees and the ombudsman resource center award acl.gov/news-and-events/announcements/hhs-invests-97-million-prevent-elder-abuse-and-exploitation
2. Administration for Community Living, the Long-Term Care Ombudsman Program page: what ombudsmen do, top complaint types and resolution rate acl.gov/programs/Protecting-Rights-and-Preventing-Abuse/Long-term-Care-Ombudsman-Program
3. Administration for Community Living, the Legal Services for Older Americans Program page: Title III-B legal assistance, priority issues and targeting acl.gov/programs/legal-help/legal-services-elderly-program
4. Administration for Community Living, the Legal Assistance Enhancement Program page: what LAEP funds and its Title IV authority acl.gov/programs/legal-help/legal-assistance-enhancement-program
5. Eldercare Locator, ACL's public service for finding local services for older adults, with its phone line eldercare.acl.gov

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Most families never find out what they qualify for. Answer a few questions and get a personalized list of the programs, benefits and services available where you live. Free, about 5 minutes.