

RESIDENT COUNCIL HANDBOOK

A Guide to Building a Long-Term Care Resident Council



A publication courtesy of the
Florida Long-Term Care Ombudsman Program
and the Florida Department of Elder Affairs.



**FLORIDA
OMBUDSMAN PROGRAM**
ADVOCATING FOR QUALITY LONG-TERM CARE

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About the Florida Long-Term Care Ombudsman Program

The work of the Florida Long-Term Care Ombudsman Program began in 1975 after the passage of the Older Americans Act. This federal act grants additional protections for residents of nursing homes. The program mission is to improve the quality of life for long-term care residents. This mission is carried out by staff and volunteers, called ombudsmen, who are specially trained to handle long-term care issues. Ombudsmen promote resident-directed care that respects the values, preferences, and rights of each resident. In Florida, ombudsmen advocate for and protect the health, safety, welfare, and rights of people living in long-term care homes such as nursing homes, assisted living facilities, and adult family care homes.

The Ombudsman Program has provided this guide as a resource for people interested in forming or improving a long-term care resident council. A resident council is an organization of people living together in a common place. The council represents residents' interests and provides a way for them to help make decisions on the way their home is operated.

A council's most important and defining feature is that it is made up of residents, directed by residents,

and works for residents. Residents elect or recruit council leadership, control their own meetings, decide who to invite, and determine council priorities. Residents coordinate with staff to schedule available meeting space within the facility. Even when the council asks staff to assist in organizing meetings or projects, it is the residents who govern what is discussed, what decisions are made, and what actions will be taken.

Every council has an opportunity to positively impact the lives of all residents in their home. These residents experience unique daily challenges and understand the details of their home lives more intimately than anyone else. While ombudsmen advocate on their behalf, they do not share the daily experiences of residents who are bound together by a common home life. The council draws residents together toward a common cause, increases a sense of shared community, and builds strong alliances among neighbors.

The resident council is the most effective starting point for addressing more common community-wide concerns regarding daily living. The ombudsman shares the goals of the council to promote and protect residents' independence, rights, and dignity. The role of the ombudsman is to support and empower residents, beginning with providing information about the benefits of having a strong council. When it comes to collaborating on



daily decision-making regarding the home environment, no one is more qualified to speak about concerns and preferences or more effective at spurring change within the home than the residents. The ombudsman is a valuable resource to residents who have not established a council and to councils that are unable to resolve common grievances.

The ombudsman is a strong ally and often speaks to the home administration on behalf of the residents. After receiving a complaint, the ombudsman will interview both residents and staff to determine facts. If issues are found, the ombudsman will work with the resident(s) and the facility to resolve the issues. If a solution is unattainable, the ombudsman will submit the information to appropriate state and federal agencies for follow-up and

continue to advocate on behalf of the resident(s). The ombudsman works to resolve concerns to the satisfaction of the residents. Residents choose how and to what extent they will utilize the services of the ombudsman.

The home is required to post the Ombudsman Program contact information prominently, where residents can easily see it. This information is generally found on a large poster in a highly visible area. Residents who are concerned about the quality of life in their home are encouraged to contact the local ombudsman by calling the number listed below. All calls are confidential and callers may choose to remain anonymous.

The Ombudsman Program offers training and education opportunities for those wanting to learn more about residents' rights, resident councils, and family councils. Request more information at:

FLORIDA LONG-TERM CARE OMBUDSMAN PROGRAM

4040 Esplanade Way
Tallahassee, Florida 32399-7000

1-888-831-0404

ltcopinformer@elderaffairs.org
OMBUDSMAN.MYFLORIDA.COM

The Importance of Supporting Resident Councils

Communal living in a long-term care home is a partnership of cooperation, communication, and companionship among residents and staff. Ideally, residents look out for each other and discover friendships in their new home community. Moving into a congregate setting is sometimes difficult, and council participation may help residents by providing a social network where there are opportunities to be active and learn important information. A resident council advocates for the well-being of all residents by offering a forum for residents to contribute to the decision-making process within their home.

The home administrator plays a pivotal role in helping the resident council be an effective part of the community culture. The administrator serves as a positive role model to all by showing a willingness to work in partnership with residents to make the council successful. When the administrator recognizes the importance of a council, other staff are more likely to be supportive of council formation and resident participation.

Resident councils provide opportunities to create mutually supportive relationships in efforts to improve the care and services in the home. Council members and the administrator can work

collaboratively to address concerns, complaints, and recommendations. There are many benefits to council members and the administrator partnering with all staff to discover solutions to common problems through dialogue.

When councils are new or when there is no one available to facilitate a council meeting, the council can choose to hold a meeting without a chairperson. They may also choose to ask a staff assistant, the ombudsman, or other volunteer to facilitate the meeting. Staff, visitors, and other guests may attend council meetings only by invitation. The council may choose to invite the administrator, staff, and other guests, including ombudsmen, to meetings to listen or to speak about the role and the services they provide. This gives residents an opportunity to ask questions directly and receive an immediate response. Staff must consider concerns of a council and act promptly upon any grievances or recommendations regarding policy and operational decisions affecting the residents' quality of life and care. Regularly invited guests should excuse themselves at least for a portion of the meeting so that the council feels free to bring up any issues privately.

Resident councils and the home administration may have good success in coming together to share new ideas in the spirit of collaboration and transparency. Many issues can be resolved



before becoming a larger problem through sharing experiences, preferences, and challenges.

There are many ways the administrator can help improve the efficacy and sustainability of resident councils. Below are some examples:

- Encourage full engagement with residents by making allowances for a colleague to cover the staff assistant's regular duties while they are directly supporting council activities and meetings.
- Schedule time during each shift for staff to work on resolving issues raised by the council. This not only accelerates the joint problem-solving process and improves quality, but also demonstrates responsiveness to residents' needs.
- Encourage staff to put the people first by asking residents, "What does a good day look like for you?" Staff can then look at how they can partner with residents to achieve goals.

The home administrator and staff show support for resident councils by ensuring that:

- Residents have an opportunity to learn about the council and are encouraged to join and actively participate in activities and social events.
- During orientation, all staff and volunteers learn about the culture of the home and its support for the council.
- Private space, with minimal noise and distractions, is reserved for council meetings.
- The staff assistant to the council is allocated protected time to assisting the council, as required.
- Additional staff and volunteers are available to help all participating residents arrive at council meetings on time.
- Residents receive physical assistance, as required, to be able to participate fully in council meetings and activities.

Resident Council Overview

During the 1960s and 1970s, increased awareness of living conditions in long-term care homes motivated the formation of many advocacy organizations whose purpose was to help address long-term care issues. Subsequently, resident councils began to emerge and became recognized as valuable instruments for residents to exercise their rights, express their interests, and resolve their concerns.

The 1987 Nursing Home Reform Act requires nursing homes to promote and protect the rights of residents and places a strong emphasis on residents' individual dignity and self-determination. Nursing homes must meet federal residents' rights requirements if they participate in Medicare or Medicaid. In Florida, residents' rights are guaranteed by Florida law not only for nursing homes, but also licensed assisted living facilities, adult family care homes, and other board and care facilities (400.022(i) (e), Florida Statutes). All residents have the right to organize and participate in resident groups in their home and the right to have their family members meet with families of other residents (429.28(1) (l), Florida Statutes). Long-term care residents share the same rights as everyone in the larger community.

BENEFITS

There are many benefits of having a resident council that positively impact residents, family members, and staff. At monthly resident council meetings, surrounded by peers, residents can confidently express concerns without hesitation. These residents may be more likely to be more socially active by getting involved in calendar events and discussing hobbies, interests, and goals. Council meetings are a good place for residents to bring up what activities and services they would enjoy in their home.

Council meetings also provide a forum where concerns with staff are addressed. Managerial staff are often invited to attend meetings to answer questions and address resident concerns. Residents may provide helpful advice to one another regarding concerns not related to the home, but to another resident. Collaborating in this way may help resolve concerns before they become larger issues. Other benefits include the following:

- Residents maintain self-agency and influence.
- Residents exercise independence and personal growth.
- Residents actively engage with peers, families, friends, and care providers.

- Residents make administrators aware of any concerns and constructively participate as partners in problem-solving.
- Residents keep informed about their home, their community, and their neighbors.
- Residents have a voice in decisions that affect their lives.
- The community is strengthened and enriched through collaborative social engagement.
- Council members may raise funds for council projects, activities, and events for the benefit of all residents.
- Administrators can make better decisions when they develop a deeper understanding of what is important to residents.
- The resident council can have an important role in the home grievance procedure and continuous quality improvement procedure. The council can work with administration and staff to conduct reviews and identify specific issues that are causing resident dissatisfaction. The council can also evaluate how residents feel about new ideas.

COUNCIL GOALS

While each council will be unique, all councils share the general goal to promote a better quality of life in their homes. Below are common goals shared by many councils:

- Empower residents to improve their quality of life and exercise their rights;
- Identify problems and solutions from residents' perspectives;
- Promote understanding and respectful relationships among residents, families, friends, and staff;
- Make suggestions to the administrator about how to improve services, practices, and policies;
- Keep up to date on news and information;
- Enable connections to the community through sponsored events; and
- Raise funds for council projects and activities.

MODEL RESIDENT COUNCIL GUIDELINES

Model resident councils are possible and share these qualities:

- Residents, not staff, oversee council meetings and activities at all times.
- The council receives support, but not interference, from staff.
- Residents feel comfortable speaking freely about their concerns, care, rights, and activities without being intimidated, silenced, or labeled as complainers.
- Residents are treated with dignity and respect, and taken seriously by staff.
- Residents' concerns are promptly and courteously addressed by staff.
- The council has a clear purpose to hear and arbitrate grievances both among residents and between residents and the home administration.

Getting Started

Whether organizing a new resident council or working within an existing one, the same basic principles lend to success. It takes just one interested and committed person to get things rolling, but it takes many people working together to make a successful council. The staff assistant, ombudsman, or other volunteer may aid in facilitating a meeting for a new or existing resident council.

New meeting facilitators or council officer(s) may find it helpful to speak with the administrator, activity coordinator, social service director, and others about the history of the resident council within the home. This will help the council members learn what has been done in the past and possibly allow them to avoid any previously encountered pitfalls.

Helpful tips to organize a resident council are listed below.

- Talk with other residents to begin planning for a resident council.

Our council serves a number of important functions, which benefit residents and staff alike. The basic principal of a resident council is that residents should have a say in decisions that affect their lives within their homes and the larger community. Residents of the council have established a good sense of understanding and trust with administration.

~ Wendy Rosario, The Fountains at Lake Pointe Woods

- Ask the administrator to assign a staff assistant to the resident council.
- Engage the staff assistant to help with organizing meetings and arranging a private gathering space.
- Decide on the date, time, location, and agenda for the first meeting. Post this information throughout the home in places easily seen by residents.
- Ensure disabled residents receive the information in a way that is accessible to them. For example, make sure blind residents are given the information verbally.
- Invite staff and visitors, if agreed upon by the council.

COUNCIL ROLES

Residents

Residents make up the membership of the council. They make council decisions, control any donated contributions, meet to discuss concerns, and work to improve the quality of living conditions that affect all residents.

Officers

Many councils elect or recruit members to serve as officers in roles such as president, vice president, secretary, and treasurer. These officers provide leadership service to the council.

Staff Assistant

A resident council may choose to receive help from a staff assistant. The staff assistant helps to assist the progress of the council and its members by facilitating meetings and events, and by helping residents attend meetings. Facilitating is not “doing for” but “helping get done.” Staff assistants may attend staff meetings when invited by the council.

EFFECTIVE MEMBERSHIP AND LEADERSHIP

Council members may increase productivity by doing the following:

- Recognizing that the council represents all residents;
- Understanding the purpose and benefits of the council;
- Believing the council can positively impact resident quality of life;
- Realizing the strength in working together toward a common goal;
- Knowing Residents’ Rights;
- Respecting the confidentiality of other council members;
- Encouraging council members to speak freely about their concerns;
- Taking time to listen to concerns and ask questions to clarify uncertain statements;

- Helping council members come to agreement on issues;
- Encouraging members to invite their families and friends to meetings; and
- Working collaboratively with staff and administration to improve residents' quality of life.

Resident Council Structure

There is no right or wrong way to organize a resident council. Organization can range from highly structured councils with bylaws, officers, and committees to smaller groups that meet informally with staff to discuss life in the home. Regardless of the complexity of the structure, there is a shared goal among councils to work on behalf of all residents' needs. Listed below are two common types of council structures.

TOWN MEETING MODEL

This type of council tends to work better in smaller homes and usually has the following traits:

- Every resident is a member of the council, attends council meetings, and is encouraged to participate.
- The council is directed by elected officers such as president, vice president, secretary, and treasurer.
- Monthly meetings follow a planned agenda that allows

residents opportunities to comment and participate in decisions.

- Officers plan meetings and ensure the council is fulfilling its purpose.
- The council may enlist a staff assistant to help facilitate meetings and events. The council may elect to invite the staff assistant to participate in meetings.
- Additional committees are organized as needed to address various concerns identified by the council, for example, a meal committee, an activities committee, and a smoking safety committee.

REPRESENTATIVE MODEL

This model is often preferred in more populated homes where a town meeting model may be impractical due to large numbers of residents attending meetings. This model can operate in the same way as a town meeting model. The difference is that instead of all residents attending, residents elect or recruit representatives to attend on their behalf. Often, the representatives are elected or recruited from various areas of the home, such as floors or wings. However, this does not prohibit any resident from attending the council meeting and having his or her voice heard.

Organizational Tools

AGENDA

An essential first step in conducting an effective meeting is in planning and preparing an agenda. A written agenda is an important way to help participants stay organized and focused during a meeting. It is helpful to complete and distribute the agenda a few days in advance of the meeting so that everyone can be prepared. The staff assistant may offer suggestions, but the council should provide most of the input into agenda items. Some items are routine in every agenda, including reviewing minutes of the previous meeting, old business, requests from a suggestion box, and any new business the council may have. Usually, agendas follow a pattern like the following:

1. Welcome and Introductions

All participants are given a warm welcome, with special attention given to new residents. Introductions are made, and a roll call may be given. The council may wear name tags to help residents become acquainted. After the welcome and introductions, the council reviews its purpose and the reasons for the meeting.

2. Review Past Minutes

Many councils review the minutes from the past meeting. This helps remind everyone of what happened at the last meeting and helps new residents and guests stay informed.

3. Information – Reports

Council officers or representatives may each take a few minutes to discuss residents' needs, concerns, and activities. Any existing committees may also choose to review recent activities.

4. Unfinished Business

The council often reviews unfinished business from the previous meeting and discusses completed actions and whether the issue has been resolved. This is a time to share successes and identify unresolved concerns. The council may invite a staff member to address unresolved concerns at the meeting.

5. New Business

After discussing past business, the council brings forward new ideas and concerns. An active council continuously works at each meeting to identify any new resident concerns and ways to improve quality of life.

6. Guest Speakers

The council may invite a guest speaker to present at the meeting. The guest speaker can be anyone the council chooses, from within or outside the home. It may be helpful for the council to alternate between meetings with a guest speaker and meetings without a guest speaker to provide time for focusing primarily on residents' input. Guest speakers can often take up valuable time of the council.

7. Resident Concerns

For the sake of time, councils may choose to discuss issues affecting all residents at meetings and refer any residents with specific personal concerns to the grievance committee, social services staff, the ombudsman, or other appropriate resources qualified to address resident concerns.

8. News

The home administrator and staff may ask to be put on the agenda to share important information and news. The council may appreciate the administrator requesting time at a meeting to introduce new staff members to residents. It is at the discretion of the council whether any person other than a resident is granted meeting attendance.

9. Social Time

The council may plan time for refreshments and a social activity following meetings. This provides residents opportunities to get to know one another and expresses gratitude to members for their attendance.

BYLAWS

Council bylaws are written guidelines by which the council operates. Bylaws give members direction on council procedures and should be established early in the organizational process. Bylaws should be clear, simple, and short, with each section containing only one idea.

Bylaws usually contain the following sections:

- Council name;
- Council purpose;
- When and how meetings will be conducted;
- Membership criteria;
- Criteria for replacing an officer or representative who can no longer serve;
- Officer titles, responsibilities, and term of office;
- Nomination and election procedures;
- Names and functions of committees;
- Criteria for choosing residents to serve on committees;
- Management of funds; and
- Procedure for amending bylaws.

After the proposed bylaws are written, council members should read them carefully and offer suggestions before voting on whether to pass them.

See page 20 for a sample of council bylaws.

MEETING ETIQUETTE

Attendees

- Limit social chatter – meetings are to discuss resident concerns and ideas.
- Allow others time to share by keeping comments brief and relevant.
- Listen carefully to others and ask questions for clarification.

Parliamentary Procedures

- Speakers should ask to be heard and wait to be recognized to speak.
- Everyone listens respectfully to the speaker.
- The presiding officer has the last word and acknowledges those who wish to speak.
- When voting, a simple aye or nay vote is taken.

Administrator and Staff Interactions

- Always use a format for requests and responses and submit in writing for council records.
- Be precise regarding requests and recommendations made to staff.
- The president presides at all meetings and is the official speaker for the council.
- The president serves as the liaison between the administrator and the council.

MINUTES

Minutes are simple, short, and direct notes that record information discussed at the meeting.

Accurate notes should be taken of all happenings at each council meeting. These serve as a record of who attended and what business transacted. Minutes provide records for absent members to inform them of what took place. Minutes are also an important record of the actions of the administrator in response to residents' concerns. The secretary normally takes the minutes or designates someone to do it in his or her place.

Tips for Taking Minutes

Provide a brief, complete description of discussions and activities, written legibly (or typed) in easily understood language. Include the following:

- The presiding person's name;
- Names of attending members and any invited guests;
- Name of who is taking the minutes; and
- The date and time of the meeting.

Minutes may be taken by hand, but should be typed later so that clear copies can be made. Typing may be done by a resident, volunteer, or staff member. If possible, a copy should be provided to every resident and staff member. Minutes should be posted throughout the home in



multiple easy-to-see locations such as employee break rooms, lobby and reception areas, and bulletin boards.

Residents who are unable to read independently should receive assistance from a staff member who can read the minutes to them if they desire. The administrator and all managerial staff or department heads should receive their own copies of the minutes to share with the staff they supervise. Families and other interested parties should also be informed about council minutes. A complete copy of the minutes can be mailed out to these parties or a synopsis of the minutes can be included within a home newsletter.

See page 24 for a sample meeting minutes template.

EXPLORATORY MEETING

The committee should plan an exploratory meeting of all residents to gauge interest in forming a council. This meeting may be more successful if scheduled to coincide with a popular activity that many residents will be expected to attend. If there are no residents available to facilitate the exploratory meeting, it may be necessary for a committed and supportive staff member to provide leadership. The purpose of this meeting is to do the following:

- Inform residents of the purposes and benefits of a council.
- Share staff support and commitment to the formation of a resident council.
- Give examples of how councils are effective in other homes. Invite members of a resident council from another home to speak about their council.
- Take a vote to determine if there is interest in organizing a council.
- If there is an interest, select a committee of four to six people (including residents, staff, and volunteers) to organize and plan the first meeting.

PLANNING THE FIRST MEETING

- Decide (at least temporarily) the date, time, location, frequency, and duration of regular monthly meetings.

- Announce and post meeting notices where residents will see them.
- Verbally inform residents who have vision loss.
- One or two days prior to the meeting, consider sending out personal invitations, reminders, or the agenda.
- Verify with the staff assistant that the meeting space is available.
- Ask the staff assistant for assistance when necessary.

Resident Engagement

At least 10 percent of all residents should attend the council meeting. If not, consider the following:

- Make sure residents who use wheelchairs or Geri chairs receive staff assistance in getting to the meeting place on time.
 - Offer residents preferred refreshments at the meeting.
 - Change the meeting time to meet residents' needs. Right after lunch or late in the evening may not be the best option for a meeting. Meetings scheduled just before or after a popular activity may be more successful.
 - Publicize meetings on the calendar and in other ways, such as flyers, invitations, reminders, agendas, and announcements.
- Try to keep the meeting date consistent, for example, the second Thursday of each month.
 - Invite staff members to talk about their specific areas of responsibility and answer residents' questions.
 - Discuss a safety tip or concern, for example, tobacco smoking fires or having "luggage tags" attached to residents' wheelchairs for easy ID.
 - Consider having new staff introduced to residents.
 - Consider having residents nominate an Employee of the Month, or Most Courteous Staff Member, and have a certificate printed and displayed for that employee.
 - The council may invite residents' family members and friends to a meeting with a meal and charge a nominal fee per person.
 - Coincide the council meeting with a themed day of activities and meals (i.e., Western Day, Prom, Red Carpet).
 - Consider having residents vote on a day when a low-cost meal is delivered by a food establishment with funds provide by residents.

Common Problems and Possible Solutions

Understanding can be increased by identifying problems from the residents' perspectives. The council helps determine which concerns are isolated events, an ongoing problem for an individual, or affect multiple residents. The council may provide possible solutions after defining a problem from the residents' perspective. Council members can then discuss the advantages or disadvantages of each solution and determine whether they are ready to proceed with providing their recommendations to staff or whether further investigation is needed.

The council may either informally present the issue to the

administrator or appropriate staff member, or formally put forth the concern using a Council Action Form or the home's Resident Grievance form. It is important to keep copies of any forms given to staff to retain for council records. The council should be prepared to meet with the administrator and staff to discuss the problem and recommend actions that may be taken to resolve the issue. The council then evaluates whether the problem was resolved to residents' satisfaction. If the problem was not resolved, the council will work to determine why. The council may contact the ombudsman to assist with unresolved problems. The following are more common problems and possible solutions that are encountered by a council:



SCARCITY OF LEADERSHIP DUE TO DISABILITIES

Redefining officer roles can encourage resident participation. Potential officers may be more willing to participate if they know there are others who can substitute for them in case they become ill or incapacitated due to disability.

LACK OF RESIDENTS' RIGHTS EDUCATION

Consider discussing residents' rights at a council meeting. The Florida Long-Term Care Ombudsman Program offers Residents' Rights training and education opportunities for residents, family members, staff, and others. Contact the local ombudsman by calling 1-888-831-0404.

LACK OF LEADERSHIP TRAINING

If a resident has never been involved in a resident council before, they may be hesitant to take on a leadership role. Providing leadership education may increase resident willingness to participate in leadership roles.

ADMINISTRATION OR STAFF INTERFERENCE

Staff may assist the resident council if requested or needed, but staff must not interfere with the council.

FEAR OF RETALIATION BY STAFF

Fear of retaliation (real or perceived) happens when people are worried that if they speak out, they may experience a negative outcome.

If we desire the privacy of a closed meeting, activity staff will remain close-by, but out of ear-shot. We work closely with the Activity Director to plan events. We vote on and help implement new facility policies and for our own programs at times so they run smoother if there are issues with tardiness, etc. The Activity Director works with us, other residents, and the other departments to put the Resident Council's plans into action. We talk about our rights, and make good, and sometimes new, friends.

*~ Diana Jefferson,
Resident Council
President
Life Care Center
of Citrus County
Lecanto, Florida*

Residents are protected from retaliation by federal and state law. The administrator must respond to and remedy any displays of verbal or nonverbal signs of retaliation by staff members.

LACK OF ADMINISTRATION AND STAFF SUPPORT

The support of an administrator impacts the staff they supervise. If the administrator does not support the resident council, other staff may be more likely to have negative attitudes toward the council. A lack of support by the staff can present itself in different ways, such as staff taking over the council for their own purposes, interfering with the council business, resisting the council, and limiting assistance to the council. Some staff may avoid helping those residents who need assistance

getting to meetings. Other staff may show a lack of support by not reminding residents of meetings or being dismissive of the council's work. Such a lack of support can be discouraging and stifling for residents. The importance of the administrator's active, consistent, and open support for the council cannot be emphasized enough.

See obstacles, whatever they may be, merely as challenges to be overcome and then look for ways to overcome them!



APPENDICES



Appendix I: Sample By-Laws

I. NAME

The name of our resident council shall be *(name of council)*.

II. PURPOSE

The purpose of the resident council is to do th following:

- Give residents greater participation in affairs within their own home;
- Suggest improvements and assist administration in providing better programs, surroundings, and services;
- Promote friendship and understanding among residents; and
- Provide and receive necessary information for the benefit of all residents.

III. MEMBERSHIP

Every resident of *(name of facility)* is a member of the resident council. Every member shall be given the opportunity to vote.

Note: Some councils have representative members from each wing, building, or floor who make up the council. This structure needs to be developed before by-laws are written.

IV. OFFICERS AND THEIR DUTIES

Officers of the council shall be:

- **President (Chair)** shall preside over all meetings
- **Vice President (Vice Chair)** presides in the absence of the president
- **Secretary** records and maintains minutes of each meeting
- **Treasurer** responsible for all financial business of the council

Officers of the council shall be elected every *(period of time)*. If an officer becomes unable to fulfill the position duties, a special election will be held at the next regularly scheduled council meeting.

V. COMMITTEES

Executive Committee

The council shall have an Executive Committee whose purpose is to give direction and organization to the council.

The Executive Committee will include *(list of members)*

Note: The Executive Committee is made up of the Officers, and if the council so chooses, the Committee Chairs.

SAMPLE

Standing Committees

The Council shall also have the following standing committees as needed:

- **Welcoming** to greet new members and orient them to the facility
- **Sunshine** to prepare greeting cards for residents in the hospital, and those who have birthdays - they may send cards to families who have lost a loved one
- **Food** to serve as a liaison between dietary services and the residents for suggestions and improvements
- **Activities** to serve as a liaison with the activities staff to plan and set up recreational programs
- **Grievance** to listen to concerns and provide an opportunity for discussion before the full council meets to follow up on complaints with the administrator or ombudsman

Each standing committee will select a chairperson who will serve for *(period of time)*. Temporary committees can be established by appointment on an as-needed basis.

VI. ELECTIONS

Elections of officers/representatives shall be held every *(period of time)*. The elections will be conducted using written ballots listing nominations for each office. Nominations will be made at the meeting prior to the election.

VII. MEETINGS

General meetings of the council will be held every *(day, time, location)*.

Note: If you have executive meetings or committee meetings, list date, day, time and location for those as well.

VIII. AMENDMENTS

Amendments may be made to the bylaws at any regular or special meeting of the council by 2/3 vote, providing suggested changes have been read at the previous meeting. Amendments will go into effect immediately.

IX. RULES OF ORDER

Each general meeting will be conducted according to a written agenda. Robert's Rule of Order will be followed unless the council wishes to change or add to the rules based on the determination of the group.

Appendix II: Sample Council Meeting Agenda

COUNCIL MEETING AGENDA

Date: (month/day/year)

Location: (meeting location)

- 1.** Welcome
- 2.** Review Council purpose
- 3.** Introductions
- 4.** Read last meeting minutes
- 5.** Unfinished/previous business: reports, action form responses, project progress
- 6.** New business: announcements, new issues, or concerns
- 7.** Education topic and discussion: (insert topic)
- 8.** Adjourn meeting

SAMPLE

Appendix III: Sample Council Discussion Topics

Offering education is a key function of a council. Some councils prefer a flexible discussion format with invited speakers and topics. The Long-Term Care Ombudsman or the staff assistant may suggest speakers and resources within and outside the home. Listed below are several topics to consider for discussion.

- Resident rights and person-directed/person-centered living
- Culture change in long-term care (enhancing quality of life and services)
- Communication with direct care staff
- Using the grievance procedure to resolve care concerns
- Understanding physical and chemical restraints
- Health care directives and decision making
- Health and wellness initiatives and nutrition services
- Family involvement in the care plan
- Physician's role in the home
- Nursing services in the home

- Understanding medications and pharmacy services
- Information about various health issues
- Pressure sore prevention
- Art appreciation and other creative pursuits
- Legislative issues affecting long-term care residents
- Elder abuse awareness
- Hospice care and coping with grief and loss
- The Florida Long-Term Care Ombudsman Program
- Federal and state long-term care regulations
- Transportation services
- Other available community resources, such as services for vision or hearing loss, public libraries, parks and recreation, senior centers and clubs, support groups and social networks, educational events, museums, civic and cultural events, and music venues

Appendix IV: Sample Meeting Minutes

Resident Council Minutes	
Facility Name	Date
	Time Started
	Time Adjourned
Officers in Attendance	
Residents in Attendance	
Invited Staff and Visitors in Attendance	
Minutes of Previous Council Meeting <ul style="list-style-type: none"><input type="checkbox"/> Read and approved as read<input type="checkbox"/> Read and approved as corrected<input type="checkbox"/> Council concerns from previous meeting were reviewed and accepted	
Old Business <p>List follow-up from last month's minutes and identify person responsible. Move issues that were not resolved to New Business.</p>	

SAMPLE

New Business				
Department Overview/Develop Action Plan				
Issue	Goal	Action	Participants	Resolution
				<input type="checkbox"/> Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/> Partially Resolved <input type="checkbox"/> Action Needed
				<input type="checkbox"/> Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/> Partially Resolved <input type="checkbox"/> Action Needed
				<input type="checkbox"/> Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/> Partially Resolved <input type="checkbox"/> Action Needed
				<input type="checkbox"/> Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/> Partially Resolved <input type="checkbox"/> Action Needed
Compliments/Notes of Appreciation				
Residents' Rights Review				
Speaker Summary				
Facility Policies of Procedures Developed/Revised/Updates in the Past 30 Days				
Date and Time of Next Meeting				

SAMPLE

Appendix V: Sample Council Action Form

Council Action Form

To: _____

From: _____

Date: _____

Council Name: _____

Resident Council Family Council

Concern: _____

Recommendations/Solutions: _____

Please return to the Council member (name) _____

by (date) _____

Implementation Date: _____

Staff Signature: _____

Staff Title: _____

Staff Response (additional space on back): _____

SAMPLE

Appendix VI: Nursing Home Residents' Bill of Rights

Residents of nursing homes shall not be deprived of any rights, benefits or privileges guaranteed by law and the Florida and United States Constitutions.

YOU, AS A LONG-TERM CARE RESIDENT, HAVE THE RIGHT TO:

- Civil and religious liberties.
- Private and uncensored communication.
- Visitation by any individual providing health, social, legal, or other services and the right to deny or withdraw consent at any time.
- Present grievances and recommend changes in policies and services free from restraint, interference, coercion, discrimination, or reprisal. Includes the right to have access to the ombudsmen and other advocacy groups.
- Organize and participate in resident groups.
- Participate in social, religious, and community activities that do not interfere with the rights of others.
- Examine results of recent facility inspections by federal and state agencies including the plan of correction if applicable.
- Manage his/her own financial affairs. A quarterly accounting will be furnished to resident or legal representative.
- Be fully informed, in writing and orally, of services available at the facility and of related charges for such services.
- Refuse medication and treatment and to know the consequences.
- Receive adequate and appropriate health care, protective and support services within established and recognized standards.
- Privacy in treatment and in caring for personal needs.
- Be informed of medical condition and proposed treatment and be allowed participation in planning.
- Be treated courteously, fairly, and with the fullest measure of dignity.
- Be free from mental and physical abuse, corporal punishment, extended involuntary seclusion, and from physical and chemical restraints except those ordered by resident's physician.

- Be transferred or discharged only for medical reasons, the welfare of other residents or nonpayment of a bill.
- Choose physician and pharmacy.
- Retain and use personal clothing and possessions.
- Have copies of rules and regulations of the facility.
- Notification prior to room change.
- Information concerning bed-hold policy for hospitalization.
- Receive a thirty (30) day written notice of discharge or relocation and challenge such notice.

WHEN A NURSING HOME DISCHARGES A RESIDENT

Federal law prevents nursing homes from discharging (removing) or transferring (moving to another facility) a resident except for the following reasons:

- The resident's welfare cannot be met at the facility.
- The resident's health has improved sufficiently so the resident no longer needs the services provided by the facility.
- The health or safety of individuals is endangered.

- The resident has failed, after reasonable and appropriate notice, to pay or have paid under Medicare or Medicaid for residence at the facility.
- The facility closes.

A nursing home must give residents 30 days' written notice prior to discharge or transfer. A resident who thinks the above rights have been violated must request a hearing in writing within 90 days by sending the form given to them by the facility to: Office of Appeals Hearings, 1317 Winewood Boulevard, Building 5, Room 203, Tallahassee, FL 32399-0700. (Telephone: 1-850-488-1429) Requesting a hearing within 10 days stops the removal of the resident until the hearing process is completed. A resident may request assistance from the Long-Term Care Ombudsman Program by calling toll-free 1-888-831-0404. All calls are confidential.

See Section 400.022, Florida Statutes, for complete details.

A print-friendly handout of this Bill of Rights can be downloaded at OMBUDSMAN.MYFLORIDA.COM/PUBLICATIONS.PHP.

Appendix VII: Assisted Living Facility and Adult Family Care Home Residents' Bill of Rights

Residents of assisted living facilities and adult family care homes shall not be deprived of any rights, benefits, or privileges guaranteed by law and the Florida and United States Constitutions.

YOU, AS A LONG-TERM CARE RESIDENT, HAVE THE RIGHT TO:

- Live in a safe and decent living environment, free from abuse and neglect.
- Be treated with consideration, respect and with due recognition of personal dignity, individuality, and the need for privacy.
- Retain and use his/her own clothes and other personal property.
- Unrestricted private communication including receiving and sending unopened correspondence, access to a telephone, and visiting with any person of his or her choice, at any time between the hours of 9 a.m. and 9 p.m. at a minimum.
- Participate in and benefit from community services and activities to pursue the highest possible level of independence, autonomy, and interaction with the community.
- Manage his/her own financial affairs unless the resident (or the resident's legal representative) authorizes the administrator of the facility to provide safekeeping for funds.
- Share a room with spouse if both are residents of the facility.
- Reasonable opportunity to exercise and to go outdoors at regular and frequent intervals.
- Assistance with obtaining adequate and appropriate health care consistent with established and recognized standards.
- Exercise civil and religious liberties including personal decisions. No religious beliefs, practices, nor attendance at religious services, shall be imposed on any resident.
- Present grievances and recommend changes in policies, procedures, and services to the staff of the facility without restraint, interference, coercion, discrimination, or reprisal. This right includes access to ombudsmen volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups.

- (ALF) Be free from physical and chemical restraints other than those prescribed by the resident's physician. The use of physical restraints shall be limited to half-bedrails and only upon the written order of the resident's physician and the consent of the resident or the resident's legal representative. [S. 429.41(1)(k)].
- (AFCH) Be free from chemical and physical restraints. [S. 429.85(1)(k)].
- Thirty (30) days' notice to AFCH residents and forty-five (45) days' notice to ALF residents of relocation or termination of residency except in cases of emergency.

WHEN AN ASSISTED LIVING FACILITY DISCHARGES A RESIDENT

Every resident shall have the right to at least 45 days' notice of relocation or termination of residency from the facility unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days' notice of a non-emergency relocation or residency termination. Reasons for relocation

shall be set forth in writing. In order for a facility to terminate the residency of an individual without notice as provided herein, the facility shall show good cause in a court of competent jurisdiction.

WHEN AN ADULT FAMILY CARE HOME DISCHARGES A RESIDENT

Each resident shall have the right to have at least 30 days' notice of relocation or termination of residency from the home unless, for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care or the resident engages in a pattern of conduct that is harmful or offensive to other residents. If a resident has been adjudicated mentally incompetent, the resident's guardian must be given at least 30 days' notice, except in an emergency, of the relocation of a resident or the termination of a residency. The reasons for relocating a resident must be set forth in writing.

See Section 429.28, Florida Statutes, for complete details.

A print-friendly handout of this Bill of Rights can be downloaded at OMBUDSMAN.MYFLORIDA.COM/PUBLICATIONS.PHP.

Appendix VIII: Sources

How to Organize and Direct an Effective Resident Council: A Technical Assistance Manual of the Missouri Long-Term Care Ombudsman Program, April 2005. dhss.mo.gov/Ombudsman

Resident Council Handbook: Creating Opportunities for Meaningful Decision-making. Resident Councils of Washington, 2001. residentcouncil.org

Adult Home Resident Council Tool Kit, Coalition of Institutionalized Aged and Disabled and the New York State Office of Long Term Care Ombudsman

Department of Health and Human Services. Center of Medicare & Medicaid Services. Federal Register, Vol. 81.

The Resource to Effective Nursing Home Councils. ElderCare Rights Alliance, 2005. eldercarerights.org

Distributed courtesy of Florida's Long-Term Care Ombudsman Program, administered by the Florida Department of Elder Affairs.

I have been Resident Council President for a total of three years and have enjoyed every minute of it. I was recently asked what this meant to me and after some thought, I decided that being Resident Council President meant being a part of making changes happen, listening to other residents' concerns, and working with the administration and all the departments to help make changes that are beneficial for all residents. I feel good when concerns or suggestions that have been brought up are resolved. I know that I am an important part of our facility when our voices are heard and that our views and concerns are valued.

*~ Glenda Phelps, Resident Council President
Eden Springs Nursing and Rehab Center
Crawfordville, Florida*



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