Empowering residents through their Resident Council

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The Right to Form a Resident Council

Where did this come from?

The Answer Is…

* The 1987 Nursing Home Reform Act.
* Guaranteed residents a number of important rights to enhance their nursing home experience and improve facility-wide services and conditions.
* Among these rights is to form and hold regular **private meetings** of an organized group called a **Resident Council**.

The Federal Law includes

* The right to organize and participate in resident groups in the facility.
* The facility **must provide** a resident group with **private meeting space**.
* Staff or visitors may only attend the meetings **at the group's invitation**.
* The facility **must provide a designated staff person** responsible for providing assistance and responding to written requests that result from group meetings.
* **The facility must listen to the views and act upon the grievances and recommendations of residents and families concerning proposed policy and operational decision affecting resident care and life in the facility.**

Licensure Tags

F243

§483.10(f)(5) The resident has a right to organize and participate in resident groups in the facility.

(i) The facility must provide a resident or family group, if one exists, with private space; and take reasonable steps, with the approval of the group, to make residents and family members aware of upcoming meetings in a timely manner.

(ii) Staff, visitors, or other guests may attend resident group or family group meetings only at the respective group's invitation.

(iii) The facility must provide a designated staff person who is approved by the resident or family group and the facility and who is responsible for providing assistance and responding to written requests that result from group meetings.

§483.10(f)(6) The resident has a right to participate in family groups.

§483.10(f)(7) The resident has a right to have family member(s) or other resident representative(s) meet in the facility with the families or resident representative(s) of other residents in the facility.

Licensure Tags (cont.)

F244

§483.10(f)(5)(iv) The facility must consider the views of a resident or family group and act promptly upon the grievances and recommendations of such groups concerning issues of resident care and life in the facility.

(A) The facility must be able to demonstrate their response and rationale for such response.

(B) This should not be construed to mean that the facility must implement as recommended every request of the resident or family group.

WV State Nursing Home Regulations 64CSR13

§64-13-5. Quality of Life.

5.7. Access and Resident and Family Groups and Councils.

Each resident shall be encouraged and assisted with exercising his or her rights as a resident of the nursing home and as a citizen or resident of the United States. The resident shall be assisted with voicing grievances and recommending changes in policies and services without fear of reprisal, interference, coercion, punishment, or discrimination.

5.7.d. Resident and Family Groups and Councils.

5.7.d.1. Residents have the right to organize, maintain, and participate in resident groups in the nursing home.

5.7.d.2. A resident's family has the right to meet in the nursing home with the families of other residents.

5.7.d.3. The nursing home shall provide a resident or family group with private space for meetings.

5.7.d.4. The nursing home shall provide assistance for resident or family group meetings, if requested.

5.7.d.5. Staff or visitors may attend resident or family group meetings only at the group's invitation.

5.7.d.6. The nursing home shall respond in writing to oral and written requests from resident and family council meetings. Resident councils and family councils shall be encouraged to make recommendations regarding nursing home policies.

5.7.d.7. The nursing home shall provide a designated staff person responsible for providing assistance and responding to written requests that result from group meetings.

5.7.d.8. When a resident or family group exists, the nursing home shall listen to the views and act upon the grievances and recommendations of residents and families concerning proposed policy and operational decisions affecting resident care and life in the nursing home.

Now that we reviewed the laws…

How do we empower our residents and the Resident Council?

Basic Philosophy of Resident Council

Why resident councils are important to residents.

* The basic philosophy of resident councils is that residents can and should have a say in the decisions that affect their lives within both their homes and the larger community.

* Residents come to the facility with the talents, skills and knowledge developed over a lifetime of living.

* Each resident regardless of age or ability, has a unique contribution to make to the council and the management. Residents are in a special position to recommend changes which might help the home better meet their needs and interests.

* Only they know how it feels to live there. Only they know if services are right for them.

* Residents' ideas can help improve the services for the entire home.

* Giving residents as much control over their lives as possible is important to residents' physical and emotional well being.

Resident Councils can…

* Be a forum for Self-Determination
* A vehicle for resolving Problems and Complaints
* Promote a sense of Community and Belonging.
* Represent residents in the Larger Community.

What does the PERFECT Resident Council look like?

There is no one “perfect” resident council, however, the residents determine how, if, the council will be structured etc…

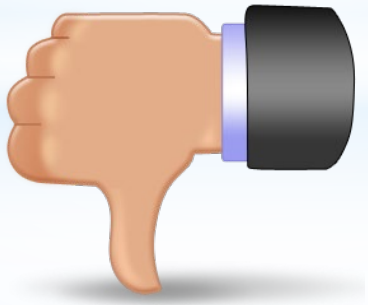
There are two basic models, but a Resident Council can taken any form the residents agree upon. Residents should be offered this information as options but the final decision of how the council will looks is the residents’.

Town Hall Model

* This is the most commonly used model.
* All residents are given the opportunity to attend the Resident Council meetings and have a direct voice at the meeting.
* With the maximum number of residents in attendance possible, issues that may not be on the agenda can be raised and a greater understanding of exactly how the residents feel about an issue can be determined immediately.
* This model also allows for a larger number of residents to “brainstorm” possible solutions.
* This model can utilize smaller committees to address areas and then bring the results of their discussions to the council at large.
* The resident council president as moderator of the meeting can assist the other residents by summing up their concerns into a more concise statement to be presented to the facility administration.

Town Hall Model Cons

* Possibility for failure to come to agreement.
  * The council must decide if they will accept a majority vote or 100% consensus.
* Loss of order to the meeting.
* Not everyone's issues or opinions may be heard.

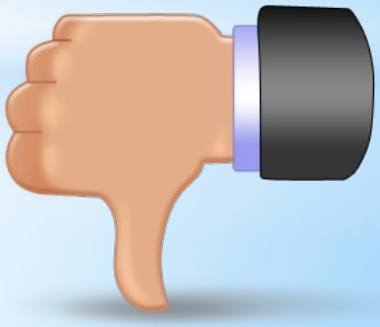


Representative Model

* This model is generally used in extremely large facilities where a meeting place for all the residents to attend may be limited.
* Each hall or floor of a facility elects representatives from their hall or floor.
* These representatives are similar to congressmen, in that, they represent a larger body of constituents.
* The representatives need to be informed of the concerns and issues of the residents they represent.
* Meeting agendas need to be made available ahead of time to ensure the representatives have time to meet with their constituents to gain their views.
* This model has some cons that must be considered.

Representative Model Cons

* Each resident does not have an individual voice or vote.
* Representatives may not voice the concerns/issues accurately or not at all.
* Smaller group, therefore smaller number of residents to come up with possible solutions.
* More frequent meetings maybe necessary.



Resident Council By-Laws

* While not required,
  * by-laws give the resident council
    * Direction
    * Purpose
    * Focus

Sample By-Laws

By-Laws generally contain the following:

* Name – the name of the resident council.
* Purpose
* Membership
* Officers and Their Duties
* Committees
* Elections
* Meetings
* Amendments
* Rules of Order

Purpose

The purpose of the resident council is to:

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

Membership

Every resident of _____ is a member of the resident council. Every member shall be given the opportunity to vote.

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

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, such as every year, or every six months).

In the event that an officer is/becomes unable to fulfill his or her duties; a special election will be held at the next regularly scheduled council meeting.

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: _____

Other Committees could include:
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.

Elections

Elections of officers/representatives shall be held every _____.

The elections will be conducted using written ballots listing nominations for each office. Nominations will be made at the meeting prior to the election.

Meetings

General meetings of the council will be held every _____.
Note: if you have executive meetings or committee meetings, list date, day, time and locations for those as well.

Amendments

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

Rules of Order

Each general meeting will be conducted according to a written agenda.

Sample Agenda

* Welcome and Introductions
  * Welcome guests and/or new residents
  * Review purpose of the council.
* Reading the minutes from the last meeting.
* Committee or Floor Reports
* Old Business
* New Business
* Announcements

Complaints

* Raising complaints is an important council responsibility, but the council's responsibility shouldn't end here.

* RC should take an active role in solving the problems, rather than leaving it to the staff.

* Come up with suggestions and evaluate the pros and cons.

* Decide on a solution, action or strategy that the council will take by either consensus or a vote.

* Monitor and follow-up

Resident Council Officers

And their roles.

President

* Works with other officers and adviser to develop meeting agenda and lead the meeting.

* Directs the meeting and follows the agenda.

* Ensures that all sides are heard from in an orderly manner and doesn't take sides.

* Acts as a liaison after the meeting with the facility and provides follow-up on concerns before the next meeting.

Vice President

* Fill in for the president if he/she is unable to fulfill leadership duties.

* Other duties could include:
  * Chairmanship of a significant committee.
  * Committee oversight.

Secretary

* Taking notes at the RC meetings
* Distribution of meeting notes
* Ensure proper notice of upcoming meetings is made.

Treasurer

* Keeping a record of council funds that are raised and spent.

* Reports to the council on the status of the treasury.

Staff Adviser

* Be an advocate for the resident
* Be able to work within the administrative procedures and constraints of the facility.
* Act as an enabler and not a director of the council.
* Be sensitive and creative in assisting the council to achieve its maximum level of independence.
* Continually assess and reassess what the residents can do for themselves and providing appropriate staff support.
* Provide information and resources.
* Provides a supportive environment.

How to Encourage Participation of the Residents

Low Resident participation/attendance of Resident Council meetings is probably one of the number one reasons some councils are ineffective.

So how do we change this?

Assessment

* What motivates your residents?
  * Both in general and as individuals
* Are Residents aware of the Council and it's purpose?
  * How are new resident oriented about the Council?
* Are Residents not coming because they are not getting assistance there?
* Would refreshments or a preferred activity before or after the meeting attract more residents?

Resident Motivation

* RC attendance can be sparked by self-interest.

* Residents are looking for RESULTS. Is your council providing results and making a difference? Why or why not?

* Recognition. We all crave recognition. Are residents given the opportunity to make a difference and is this recognized publically.

* Identify issues of interest to Residents.
  * Survey residents from time to time, to determine what topics they would like the council to consider.

* Socialization – another opportunity to socialize with other residents and perhaps partake of refreshments that may be offered.

RC Publicity!!!!!

* Inform New Residents
  * Orientation packet
* Follow up with a personal invitation by a council member or officer.
* Publicized Activities
  * A bulletin board designated just for Resident Council.
    * Large print and eye level for both Residents in wheelchairs and ambulatory Residents.
    * Copy of the last council meeting minutes.
    * Announcement of next meeting time and place.
    * List of RC officers (with their pictures and room numbers if they agree)
  * Announcements the day before and day of the meeting including time and place.

Assistance

* Ensure that the residents who need assistance to attend the meeting are getting that assistance.
  * Ensure all staff are made aware of the importance to assist residents to the meeting area and that it is the Right of the Resident to attend the meeting if they wish.
  * *4.2.a. All members of the nursing home staff shall ensure that every resident under their care is accorded all rights set forth in Sections 4 and 5 of this rule. State Regulation*

* Devise some way for bed or room-bound residents to be informed on council activities, and have input into meetings.

Best Practices

as Recommended by Residents

Regarding Food

* Resident food committee that meets monthly with the Dietary Director.
* Residents invite the Dietary Director to the council meeting to discuss food concerns, likes/dislikes.
* Music played in the dining room during meals to make the dining experience more enjoyable.
* Fine dining experiences, rather than eating on trays.
* Offer a snack during the resident council meetings to attract more residents to participate.
* Meal of the Month chosen by the residents.

Facilitate the Specific Needs of their Council

* Concerns raised by the council are written up and then given to each of the department heads to be addressed.

* Copies of the previous council minutes are posted on each unit for residents to review and residents can request their own copy.

* Residents are given an opportunity to speak amongst themselves during the meeting without staff present.

* A suggestion box for residents to make anonymous suggestions or complaints.

Specific Needs cont.

* Resident Council President visits individual Residents to reinforce the importance of the RC and to collect Resident concerns and grievances.

* The facility responds in writing to the grievances and concerns of the RC in 30 days and the response is presented to the entire RC.

* If a staff member or dept. head is invited to the council meeting that they attend the meeting.

* Council meetings are held on the same day and time every month.

Addressing Relationships of Residents and staff

* The RC select a monthly staff member to receive “RC Employee Award” or Certificate of Appreciation.
* “I caught you doing something Good!” Program in which residents can individually recognize a staff member who has gone above and beyond for the residents.
* When a new facility policy is proposed, the facility provide this the RC to review and comments at least 30 days prior to planned implementation. *This is required in the WV Regulations 4.5.a. Inform a resident of his or her rights and responsibilities under this rule and all rules governing resident conduct, prior to or at the time of admission and within thirty (30) days of any changes to the rules regarding residents’ rights, and the resident shall acknowledge receipt of this information in writing.*

Programs Initiated for the Residents

* RC invite the DON to speak on health issues concerning residents (i.e. dehydration, arthritis, incontinence, etc…)
* RC developed a Welcoming Center for all new Residents.
* RC officers given volunteer badges to wear daily to assist other residents to identify them should they have a question or concern.

* RC developed and created a newsletter, “Resident Voice”
* RC fundraisers to purchase items the group wanted as a whole. (i.e. sound system to be used during RC, awning for the porch, welcome baskets for new residents, food for bird feeders).
* Group therapy or support groups.
* Community participation – donations to charities, money or services (assisting with stuffing envelopes).

Best Practices from an Ombudsman perspective

* Residents need to be as much in control of the RC as possible. Staff should only give as much assistance as needed.
* Consider developing a county or area wide Resident Council Organization. The resident council presidents could come together and meet to share information on common concerns.
* A key element to the success of your RC is staff understanding, support and involvement.
* The only staff member in attendance should be the staff adviser. Other staff should encourage residents to attend and assist to getting to the meeting if needed. Staff members wishing to address the council need to ask to be placed on the agenda. If a staff member is invited to attend the RC meeting, they need to attend the meeting.

BP from an Ombudsman perspective cont.

* See obstacles, whatever they may be, merely as challenges to be overcome and then look for ways to overcome them!
* Posting an agenda several days in advance of the RC meeting could help increase attendance.
* Remind staff not to be disrespectful of the residents' autonomy by interrupting the meeting for blood pressures, medications, baths, or for their own purposes. Residents should only be taken out of the meeting if they request it.
* When promoting council activities, it is crucial to remember that residents have a variety of physical and mental problems.
* Review at least one Resident Right at each meeting.
* Review the Ombudsman role, name and contact info at each meeting.

Resident Council Meeting In Progress

STOP

Please DO NOT Enter unless you are a Resident or at the Councils request!