

**§7923. Residents' council**

**1. Establishment; composition.** Each long-term care facility shall inform residents of their right to establish a council. This information must be given to all residents and a family member or designated representative for those residents on admission and must be posted prominently in the facility.

The administrator shall assist residents in establishing a residents' council, if the residents choose to establish one. If there is no council, at least once each year residents must be given the choice to establish one. A majority vote prevails.

The council shall draw up bylaws. The council may meet as often as specified in the bylaws, but at least quarterly. No employee or representative of the facility may be a member of the council. Family members may sit on the council, but may not be members.

[PL 1991, c. 69, §5 (AMD).]

**2. Responsibilities.** The council has, but is not limited to, the following responsibilities:

A. To review and make recommendations to strengthen the facility's policies and procedures relating to residents' rights; [PL 1981, c. 445 (NEW).]

B. To establish procedures for informing all residents about their rights; [PL 1981, c. 445 (NEW).]

C. To serve as a forum for obtaining and disseminating information, soliciting and adopting recommendations for facility programming and improvement, and early identification of and recommendations for orderly resolution of residents' problems; [PL 1981, c. 445 (NEW).]

D. To inform the administrator about the opinions and concerns of the residents; [PL 1981, c. 445 (NEW).]

E. To find ways of involving the families of residents in the facility; and [PL 1981, c. 445 (NEW).]

F. To notify the Department of Health and Human Services and the long-term care ombudsman when they are constituted. [PL 1999, c. 384, §3 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

Records of council meetings and decisions shall be prepared and disseminated by the council, which may request the assistance of the designated staff member and shall be kept on file in the facility, available at all times to residents and family members or designated representatives.

[PL 1999, c. 384, §3 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

**3. Assistance.** Except as provided in this subsection, the administrator shall designate a staff member, not related to the administrator, to assist the residents' council. In small long-term care facilities in which no staff members are unrelated to the administrator or owner of the facility, the administrator may designate a staff member who is related to the administrator.

[PL 1991, c. 69, §5 (AMD).]

**SECTION HISTORY**

PL 1981, c. 445 (NEW). PL 1991, c. 69, §5 (AMD). PL 1999, c. 384, §3 (AMD). PL 2003, c. 689, §B6 (REV).

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