

Family Councils in Residential Care/Assisted Living/CCRCs

One of the best ways to improve care is to organize and participate in a family council. A family council is an organized group of relatives and friends of residents who meet regularly to discuss and address concerns about residents' quality of care and quality of life. Relatives and friends of residents in Residential Care Facilities for the Elderly (RCFEs) - sometimes called "Assisted Living" or "Board and Care" - have the right to organize and participate in a family council. (HSC 1569.158;; CCR 87468.2(d)) *These laws apply equally to Residential Care Facilities for the Elderly (RCFEs) as well as to Continuing Care Retirement Communities (CCRCs) since all CCRCs are licensed as RCFEs.*

Purpose of a Family Council

The primary purpose of a family council is for families, as a group, to influence the quality of residents' care. Whatever affects the residents' lives is a proper concern of the family council, whether it's the role of the administrator, the day-to-day care, adequate staffing, meals and snacks, respect for resident rights or the activity program.

Family councils are not "gripe" sessions. An effective family council allows its members to meet without facility staff to share concerns, provide mutual support, and to submit the group's concerns and recommendations to the administrator or designated staff liaison.

By presenting a united voice with mutual concerns, members need not fear being isolated and threatened by retaliation, and they can address the problems of **all** residents, rather than a few. Family councils help prevent problems and guide members on how to assert their rights and seek action on shared concerns.

Benefits of a Family Council

Family councils offer a forum to communicate with the facility staff. Facility staff should be invited to specific meetings at specific times to discuss specific concerns. For example, if one concern involves activities, invite the activity coordinator to talk to the council, answer questions and address these concerns. It's always better to have the staff on your side, if possible, since they are the ones who provide the care.

Family council members benefit directly from sharing information, support and encouragement. By working together to solve problems, families feel less isolated and powerless.

Family Council Rights

California law sets forth the rights of family councils in RCFEs, and also the obligations of facilities with regard to promoting and supporting family council development. (HSC 1569.158) Family council rights and facility obligations include the following:

- Family members, friends or representatives of two or more residents have the right to form a family council.
- The facility must provide the council with adequate space on a prominent bulletin board or other posting area to display notices, minutes, newsletters or other information pertaining to the operation or interests of the family council.
- The facility must respond in writing to written concerns or recommendations of the family council within 14 days regarding any action or inaction taken in regard to those concerns or recommendations.

- The facility shall include notices of the family council meetings in routine mailings, and shall inform family members and representatives of new residents of the council's existence and of the time, place and date of meetings and the name of the Family Council representative.
- If there is no family council, the facility shall provide written information to families of new residents of their right to form a family council.
- For facilities with a licensed capacity of 16 or more, they must designate a staff liaison who is responsible for providing assistance, arranging meeting space and responding to requests that result from family council meetings.
- Facilities are prohibited from willfully interfering with the formation, maintenance or promotion of a family council. "Willful interference" includes discrimination or retaliation for participating in a family council, refusal to publicize meetings or provide appropriate space for meetings, or failure to respond to written requests in a timely manner.
- Violation of the law can result in a citation and penalty of \$250 per day.

Getting Organized

Organizing a family council can seem like a big job but it does not have to be. It is usually best to keep organizing activities simple. To get started, take these steps:

- Recruit a few like-minded family members to plan and sponsor a first meeting;
- Meet with the administrator to make arrangements and seek cooperation; and
- Publicize the meeting.

It is a good idea to involve the residents in the meeting. Make interested residents feel welcome. Their voices are the ones that seldom get heard.

Although the council will need to select leaders at some point, it is very common for this process to be informal at first while family members are getting to know one another.

Contact CANHR to get more detailed information about planning and promoting family council meetings, seeking administrative support from the facility, and setting up a leadership structure. Learn from the experience and success of others!

Communicating Concerns

If there are many concerns about the facility, the family council must choose its issues wisely. It is unrealistic to expect all of your concerns to be dealt with at once. Identify the issues and then prioritize. Select a concern or two of direct importance to residents, or choose less serious issues first, and see how the administrator responds. The issues and/or concerns should be agreed upon at the end of each meeting, and the format and tone of conveying the message should also be agreed upon. Will the concerns be dealt with in a meeting with the administrator or designated staff liaison or will the request be in writing?

Generally, it is important to put your message in writing! If you don't put it in writing, don't expect a timely response. It should be directed to the administrator or the designated staff liaison. Be concise and direct. Give examples of the problem without using residents' names. Whenever possible, make recommendations or ask for specific outcomes with reasonable deadlines.

Information and Support

Supporting family councils is a top CANHR priority! CANHR staff members are available to answer your questions, make suggestions, and can sometimes meet with your family council.

CANHR has great information to help you plan, organize, and effectively run your family council. A booklet, "[Organizing Family Councils in Long Term Care Facilities](#)," (pdf) gives helpful organizing suggestions and includes a sample letter to the administrator, minutes and a recommendation tracking form. Another valuable resource is CANHR's free DVD: [Family Councils: Making a Difference](#). Free for those involved in organizing

family councils, it shows how families can create change in nursing homes but the information is readily transferable to residential care/assisted living facilities.

To download or order these materials, visit the Family Councils section of the CANHR website, or call us at 800-474-1116. CANHR also offers a wealth of information on residents' rights and other important topics such as theft and loss, eviction protections, and refunds. Visit our website at www.canhr.org, or call us for publication information.

HSC refers to California Health and Safety Code §1569.158; and CCR refers to the California Code of Regulations, Title 22, Division 6, Chapter 8: Residential Care Facilities for the Elderly.