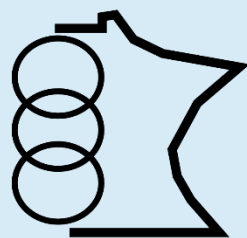




## Resident Council Manual for Nursing Home Residents



**Office of  
Ombudsman for  
Long-Term Care**

PO Box 64971, St. Paul, MN 55164-0971 | (651) 431-2555 or (800) 657-3591 | [mn.gov/ooltc](https://mn.gov/ooltc)

## About Resident and Family Advisory Council Education (RFACE)

The Office of Ombudsman for Long-Term Care is a service of the Minnesota Board on Aging. The office advocates for adults needing or receiving long-term care services and promotes person-directed living that respects individual values and preferences and works to preserve individual rights.

The office provides educational resources and assistance to people living in nursing homes and boarding care homes and their families about:

1. Self-advocacy in relation to quality of care, services, and life
2. Resident rights
3. Laws and regulations
4. Resident and family councils

The Office of Ombudsman for Long-Term Care have staff available to help develop and strengthen family and resident councils in nursing homes through its Resident and Family Advisory Council Education (RFACE) program. For more information on Resident and Family Advisory Council Education (RFACE) or to request RFACE educational resources, please contact the Office of Ombudsman for Long-Term Care.

### Contact Us

The Office of Ombudsman for Long-Term Care

**Phone:** 651-431-2555 or 1-800-657-3591

**Email:** [MBA.OOLTC@state.mn.us](mailto:MBA.OOLTC@state.mn.us)

**Website:** [mn.gov/ooltc](http://mn.gov/ooltc)

## Resident Council Overview

A resident council is an independent, organized group of residents who live in a nursing home and meet on a regular basis to advocate and enhance the quality of life for all residents.

## Resident Council Purpose

A resident council discusses and addresses concerns about resident rights, quality of care, and quality of life. Specifically, resident councils:

- Empower residents to exercise their rights.
- Promote communication and understanding among residents, families, and staff.
- Suggest improvements to long-term care service supports and policies.
- Serve as a forum to exchange news.
- Engage residents to actively participate in the decision-making process within their own home.

Resident councils provide a voice for residents that creates change in an organized way. Every resident council is unique and members decide how to organize their council.

Resident councils may:

- Meet monthly with an agenda.
- Use the Learning Circle to conduct meetings or gather information with informal sharing.
- Elect leaders and create committees.

## Council Benefits

Residents are empowered when they understand their rights in their daily lives.

- Empowered residents are active and engaged in relationships among other residents, families, friends, and staff.
- Empowered residents are partners in problem-solving.
- Empowered residents are informed about the nursing homes operations and participate in decisions that affect their lives.

## Nursing Home Staff and Resident Councils

Federal and state laws guarantee nursing home residents several important rights including the right to form and hold a resident council. Federal law includes the following requirements for resident councils:

- The nursing home must provide the resident council with a private space for meetings.
- The nursing home must take reasonable steps, with the approval of the resident council, to make residents and family members aware of upcoming meetings, in a timely manner.
- Staff, visitors, and other guests may attend a resident council meeting only at the council's invitation.
- The nursing home must provide a designated staff person who is approved by the resident council and the facility to be responsible for providing assistance and responding to written requests from the resident council.
- The nursing home must consider the views of the resident council and must respond promptly to the grievances and recommendations of the council, but a facility is not required to implement every request recommended by the council.

## Organizing a Resident Council

There should be an established resident council at your nursing home. Ask a staff member if one is already meeting and how to join. What to do if there is not currently a resident council meeting at your nursing home? How can nursing home residents start a resident council? Here are some simple steps to start a resident council.

- Talk with other residents; two or more residents are enough to begin planning.
- Ask the administrator to assign a designated staff person. This staff person needs to be approved by the residents.
- Engage with the designated staff person to assist in organizing meetings and arranging a private space.
- Decide on the date, time, and agenda for the first meeting.
- Post this information in areas that are easy for the residents to see and read.
- Make sure residents with vision loss receive this information verbally, and all residents receive this information in a language they can understand.
- If interested, invite staff (employees or volunteers of the nursing home) and visitors.

When councils are new, or when no resident agrees to lead council meetings, the group can lead them, run the meetings without a leader, or members can ask the designated staff person.

The designated staff person is not a member of the council and may only attend with the invitation of council members.

## Resident Council Membership and Leadership

Resident council members share these traits and tasks:

- Understands that the council represents every resident.
- Understands the resident council's purpose and benefits.
- Believes the council can positively affect the lives of residents.
- Understands and promotes resident rights and respects confidentiality.

- Encourages all members to speak freely.
- Listens and communicates well.
- Maintains objectivity and leads members to agreement.
- Works collaboratively with the designated staff person and administration.

Residents who do not attend regularly can still be involved by meeting with council members to discuss concerns, discuss ideas with the designated staff person or participate in surveys. This information can then be shared at the next council meeting.

## Resident Council Attendance and Recruitment Ideas

- Send invitations to every resident. (See resident council resources for sample invitation)
- Inform residents and staff about the role and benefits of the council.
- Regularly promote the council to encourage resident participation.
  - Post announcements on every bulletin board and activity calendar.
  - Ask facility staff to include council information in the new resident packet.
  - Talk about the council's successes during resident events.

## First Resident Council Meeting

Here are some ideas to help you plan the first meeting. It is not a requirement to do all of these things. You have choice in what you do in your meetings.

### Planning the Meeting

- Decide (at least temporarily) the day of the week, time of day, frequency, and length of regular meetings.
- Announce and post the meeting notice where residents will see it.



- Verbally inform residents who have vision loss.
- Provide information in the language resident can understand.
- One or two days prior to the meeting, consider personal invitations or reminders.
- Verify the meeting space with the designated staff person.
- Ask the designated staff person for assistance when necessary.
- Ask staff if it is possible to offer refreshments during the meeting.

## During the Meeting

- Invite each resident to introduce themselves. Residents can give their name and make a short introduction of their interests or background. A Learning Circle may be used for introductions. (See resident council resources)
- Explain the role and benefits of a resident council.
- Ask a resident to facilitate the current meeting.
- Agree upon a resident who is willing to serve as a regular council meeting leader and about the length of time in this role e.g., one year. Things to also consider:
  - Two residents as co-lead.
  - Council members rotate as a leader.
  - Ask or invite a Certified Ombudsman Volunteer and/ or Regional Ombudsman to be a regular attendee and share information at the meeting.
- Discuss taking notes or minutes.
  - Could a resident do this? Could the staff designated staff person take notes if the council asks them to?
- Vote how the council wants to store or post the meeting notes/minutes.
- Discuss the use of a Learning Circle at each meeting.
- Discuss or decide on having officers such as a president, vice president, treasurer, or recorder. Officers are not necessary but may give structure to the council.
- Distribute and review resident rights. Consider a formal presentation on resident rights at a later meeting by a Regional Ombudsman, Council Specialist or Certified Ombudsman Volunteer.
- Ask and discuss ideas about what topics, issues, or concerns to address. Gather this information from residents through individual interviews, a discussion group, or a survey.

- Decide details of regular council meetings i.e., frequency, day, time of day, and length. This decision may be delayed until a second or third meeting when more residents may attend.
- Discuss the idea of creating committees to address topics that are short-term or permanent. These decisions may naturally occur as topics and concerns arise. For example, some resident councils have regular food committees to give input to the dietary manager on food choices or to share concerns about certain meals.
- Discuss the best method to communicate concerns or ideas to the administration. Some councils use the Council Action Form (see resident council resources), the nursing home's grievance procedure form, or some ask the designated staff person to report progress on issues verbally at each meeting.

## **After the Meeting**

Retain the minutes or documentation of requests for action by staff, the agenda, and copies of any submitted council action forms and/or grievance forms.

The designated staff person is responsible for responding to written requests from the council meetings, while being mindful that specific details of discussion held during council meetings are confidential.

## **Discussing and Identifying Shared Interests**

When starting a new council, or renewing the purpose of an existing one, be mindful of listening for individual and common interests. Responses help determine the council's purpose, goals, and what topics should be addressed immediately or later.

## **Promoting the Resident Council**

To determine resident awareness of the council, ask:

- Do all residents know about the council?
- Are all residents invited to attend?
- How many residents participate?



- Do residents know about council accomplishments?
- Do residents know when and where the council meets?
- Do residents receive assistance in getting to meetings?
- Are staff promoting and encouraging resident participation in the council?

## **Discussion Ideas**

The following are discussion ideas that the resident council may use to understand what issues or concerns there may be.

- Are menu choices satisfying?
- Are additional activities or events wanted?
- Are physical exercise needs being met?
- Is privacy respected?
- Are requests for help promptly answered?

## **Other Discussion Topics**

- Physical comfort and safety
- Enjoyment or contentment
- Meaningful things to do
- People are treated with dignity and respect
- Person-centeredness
- Autonomy/choice

## **Resolving General Care and Service Concerns**

- Are my favorite foods and beverages available?
- What happens when no one responds to my requests for assistance?
- How do I find missing clothing?
- Can my spouse visit every day?

## Promoting Activities and Interests

- Can I continue my interest in gardening or painting?
- Can my spouse have meals with me?
- Are cultural events offered?
- Sharing individual resident stories

## Offering Education and Informing Residents

- Resident rights
- Changes in the nursing home policies or operations
- Political candidates' debates and voting rights

## Overcoming Obstacles and Building Trust

Resident council members and any resident may face these challenges:

- Fear of retaliation by the nursing home staff.
- Resistance from staff or limited assistance.

Fear of retaliation, whether real or perceived, happens when residents believe speaking out may result in a negative outcome. Residents and their family are protected from retaliation by both federal and state law.

If staff exhibit verbal or nonverbal signs of retaliation, to either a resident or their family, then residents should inform the social worker, grievance office, administrator, or charger nurse. Staff are required to promptly address this problem. If you do not feel comfortable talking to a someone on staff about retaliation, you can contact your Regional Ombudsman directly. A meeting can be arranged between the administrator, or other key staff, to discuss these concerns with the Regional Ombudsman.

## Contact for Assistance:

- **The Office of Ombudsman for Long-Term Care**

Phone: 1-800-657-3591 or 651-431-2555

- **Office of Health Facility Complaints**

Phone: 651-201-4200

- **Minnesota Adult Abuse Reporting Center**

Phone: 1-844-880-1574

## Addressing a Concern and Reaching a Solution

- **Identify and define the problem or concern from the residents' perspective.** The resident council determines whether a concern is an isolated event, an ongoing problem for one person or a concern for several residents.
- **Compile a list of action steps for a solution.** Discuss all ideas and the likely pros and cons of each. Do you want further investigation or recommended solutions to the concern(s)?
- **Choose the best option.** At this point, decide to informally present the issue (by talking with the administrator or key department head) or formally by using the Council Action form or the nursing home's resident complaint/grievance form.
- **Make a copy of the form to retain with the council records.**
- **Give the form to the designated staff person** or other designated staff. Be willing to meet with staff to discuss the concern(s).
- **Evaluate a satisfactory resolution of the problem.** If not resolved, why not?
- **Request assistance from the Office of Ombudsman for Long-Term Care.** A Regional Ombudsman is assigned to advocate for residents across Minnesota in every nursing home.

By law, the administration must respond to resident council concerns. If the administration does not support the council or respond to its concerns, the Regional Ombudsman at the Office of Ombudsman for Long-Term Care can suggest a course of action.

## Other Resources

- **Minnesota Department of Health** accepts complaints about alleged violations of resident rights and regulations from individuals and the council itself.

Phone: (651) 201- 4201 or toll-free: (800) 369-7994

website: [health.state.mn.us](http://health.state.mn.us)

- **Minnesota Board of Examiners for Nursing Home Administrators** licenses nursing home administrators.

Phone: (651) 201-2730

Website: [mn.gov/boards/beltss/](http://mn.gov/boards/beltss/)

- **Minnesota Board of Nursing** licenses registered nurses and licensed practical nurses.

Phone: (612) 317-3000 or toll-free: (888) 234-2690

Website: [mn.gov/boards/nursing/](http://mn.gov/boards/nursing/)

- **Minnesota Adult abuse Reporting Center (MAARC)** takes reports of abuse, neglect, exploitation, or other concerns that may be investigated by the Minnesota Department of Health.

Phone: 1-844-880-1574

## Resident Council Committees

Ideas for committees within a resident council

**Welcome Committee:** Welcomes new residents and may include personal visits to offer friendship and support. Assists with social gatherings to welcome residents and family members, accompanies new residents to a meal or planned activity, and distributes written invitations to the council.

**Ad Hoc Committees:** Established for a specific, temporary purpose such as working on voter registration, organizing a candidate's forum, or giving suggestions on remodeling project.

**Recreation or Social Committee:** Helps plan and coordinate with staff events such as picnics, trips to local venues, inviting guest speakers or performers.

**Grievance Committee:** Listens to concerns and report to the appropriate department supervisor, who then relays the results of these discussions at council meetings. Shares the Resident's Bill of Rights and communicates the needs of residents who wish to remain anonymous.

**Sunshine Committee:** Sends greeting cards to residents and whomever they choose. This can be a popular and valuable service that promotes a sense of belonging within the home.

**Dietary Committee:** Meets with the dietary supervisor, typically once a month, to convey food concerns, review menus and give suggestions about meals and snacks, then shares this information at council meetings.

## Working with your Designated Staff Person

The designated staff person used to be called the “staff liaison.” Some nursing homes might still use this term. The resident council must agree with the choice of designated staff person and may want to vote yearly their approval or disapproval of the designated staff person.

The designated staff person is the nursing home employee assigned or “designated” to:

- Provide assistance and private space for resident council meetings.
- Respond to requests from council meetings.
- Assist in making sure all the residents know about the meeting.
- Help organize mobility assistance for the residents who need it to get to the meeting.
- Assist members with problem-solving concerns.
- Maintain confidentiality of discussions within council meetings.
- Assist with the recruitment of members and leaders.
- Explain the nursing homes policies and procedures and inform council of any changes/decisions in the nursing home.
- Assist in typing, posting, and distributing council meeting announcements. Verbally informing residents who have hearing loss.
- Assist in typing council meeting notes/minutes for resident council record retention and for inclusion in the resident newsletter.
- If requested, invite guest speakers.

The designated staff person is not expected to attend council meetings and, in fact, can only attend by invitation from the resident council. The designated staff person role is to be of assistance to residents to the extent residents want assistance. Therefore, the designated staff person role does not include facilitation of council meetings unless invited by the council. When functioning as a facilitator, they should encourage or remind members to choose a resident facilitator. Residents can invite the designated staff to meetings as a listener.



Ideally resident councils are resident ran and directed but what is most important is that residents have a way to get together and have their collective voice heard. The format or style of the meeting is less important than the opportunity to get together as a group and talk about residents shared concerns.

## Other Ways to Promote Councils

- Include resident council information in the new resident welcome packet.
- Invite a resident council member to new staff orientation to explain the resident council role.
- Give the designated staff person time and tools to be successful in the position.
- Invite resident council leaders to staff meetings.
- Engage council members to serve on various initiatives in the nursing home.

## Resident Council Role in Nursing Home Survey

A survey is the method used by states and the federal government to determine whether a home has permission to operate based on its measurement against state and federal rules. These rules are basic standards for the care and comfort of all residents.

Minnesota surveyors:

- Review various records
- Observe care and services given to residents
- Interview staff
- Interview residents (with resident consent) about the care and services and their opinion on their quality of life and person-centered care.
- Interview resident councils – *this is currently on hold as a requirement, but your council can ask the survey team for a meeting when they are in your building.*
- Interview family council representatives – *this is currently on hold as a requirement, but your council can ask the survey team for a meeting when they are in your building.*

Survey dates are not pre-announced to staff or residents. Residents and family members may request an interview on the day the surveyors arrive at the home. The Regional Ombudsman or their Certified Ombudsman Volunteer may assist in helping you contact the surveyors while the surveyors are in the building.

Your name is kept confidential when you talk to a surveyor and is not included in the public report of the survey.

At the end of the survey, an “exit interview” is held for surveyors to review their initial findings with the nursing home administration. All residents, their families, the Regional Ombudsman and/or Certified Ombudsman Volunteer may attend but are not invited to speak. Once the public report of the survey is completed and is received by the nursing home, it must be posted in a public location. Failure to meet a state rule is called a "violation." Failure to meet a federal rule is called a "deficiency." Some resident councils invite the administration to meet with the council to go over the survey results with them and ask questions.

The survey team meets with the resident council during their survey. The following is an example of interview categories and sample questions the survey team may ask the council.

Topic	Sample Questions
Council/Group	Does the nursing home provide staff support to assist your council? Do they provide a private meeting place?
Grievances	Has the resident council voiced a grievance to the facility? Is the council comfortable voicing concerns or complaints? What process is used to submit requests or complaints? Does staff help resolve problems?
Rights	Are you aware of the resident Bill of Rights? Do you know how to contact the Office of Ombudsman for Long-Term Care or the Office of Health Facility Complaints?
Dignity	How do staff treat residents here, including residents who can't speak for themselves? Do you think staff treats the residents with respect and dignity?

Abuse & Neglect	Are call lights answered promptly? Are you aware of any instances where residents have been abused or neglected?
Privacy	Can you meet privately with your family member? Do you observe staff knocking on doors before entering resident rooms? Are residents given privacy when receiving services?
Activities	Tell us about the activity program. Do residents attend events outside of the home?

## Resident Council Resources

### Facilitation of a Meeting

The role of the facilitator can be both challenging and rewarding. If you have a resident council president, they usually are the facilitator. If you do not, you can assign one for a length of time or have a new member volunteer at each meeting.

The facilitator:

- Guides the flow of discussion
- Responds to questions; clarifies possible misunderstandings
- Empowers members to achieve their objectives

### Tips for Guiding Discussion

#### Guide the Subject Matter of the Discussion

- At the beginning of the meeting, clearly state what the meeting agenda includes and decisions that may need to be made.
- Make sure the group has all information. Ask and respond to questions.
- Keep discussion on topic.
- Look for areas of agreement and possible compromises.

- Recognize when decisions have been reached and close the discussion when:
  - More facts are needed or there is not enough information to proceed.
  - Views from absent members are needed.
  - Members need more time for consideration or discussion with others.
  - Changing events will alter the decision soon.
- Clarify and repeat decisions made by the group.
- Acknowledge and recognize participation by participants.

### **Guide the Discussion**

- Start the meeting on time and keep track of time. Some facilitators designate a timekeeper.
  - Encourage participation of all members.
    - Ask opinions of quiet members.
    - If someone monopolizes discussion, ask them to speak more briefly.
    - Suggest brainstorming of topic ideas for sharing among the group.
    - Break into small groups for discussion.
  - Be mindful of silence because it may mean:
    - General agreement.
    - No contribution to make.
    - Need of more information.
    - Afraid, shy, disinterested, or angry.
    - Can't hear or see what is happening.
  - Encourage participation by each member by use of the Learning Circle.
  - Respect various viewpoints.
  - Suggest a quick break, especially when a discussion has become tense.
  - End the meeting on a positive note. Thank the group for its accomplishments.
- Successful meetings show that members:
- Leave with more knowledge.
  - Know what their responsibilities are, if any.
  - Feel their time was well spent, their views heard and respected.
  - Know when the next meeting will be held.

## Council Discussion Topics

Offering education is a key function of a resident council. Some resident councils may prefer a flexible discussion format and topics. Resident councils can also invite guest speakers. The Office of Ombudsman for Long-Term Care or the designated staff member may suggest speakers and resources.

### Topic ideas

- Resident rights and person-directed/person-centered living
- Resident care conferences and family involvement in the care conference
- Communications with direct care staff
- How to use the grievance procedure/resolving care concerns
- Understanding physical and chemical restraints
- Health care directives and substitute decision making
- Health and wellness initiatives and nutrition services
- Physician's role in the nursing home
- Understanding medications and pharmacy services
- Information about various health issues
- Pressure sore prevention
- Art appreciation and other creative pursuits
- Legislative issues and action
- Hospice care within the home and coping with grief and loss
- The Office of Ombudsman for Long-Term Care training services - Stand up for Yourself and Others
- Federal and state nursing home regulations
- Minnesota Department of Health inspections
- Nursing home reimbursement system
- Transportation services
- Community resources available to residents:
  - Services for sight loss

- Services for hearing loss
- Public libraries
- Swimming pools
- Senior centers
- Support groups
- Public school/college events for the public
- Parks
- Public museums, civic and cultural events, music venues

## Council Meeting Agenda Example

1. Welcome
2. Review council purpose
3. Introductions
4. Read minutes of last meeting
5. Pending or former business
  - a. Reports, action form responses, project progress
6. New business
  - a. Announcements, new issues or concerns
7. Education topic and discussion
8. Next meeting date and agenda
9. Adjourn

## Meeting Minutes Outline

Meeting minutes are a record of what occurred at each meeting, particularly discussions and decisions. This information is useful to all members, present or absent. Retain each meeting's minutes for historical reference. Consider sharing or rotating the minute keeping or note taking job among members. A last option is asking the designated staff to assist. Some facilities post their meeting minutes. Meeting minutes include information such as:

- Date, time, and place of meeting.



- Who led the meeting and the number of attendees.
- Name and topic of guest speaker, if applicable.
- Main topics discussed.
- Motions made and results of voting, if applicable.
- Tasks to complete between meetings.
- Who recorded the meeting minutes.
- The date, time, and location of the next meeting.

## Council Bylaws Example

Bylaws are not required; however, they may prove useful in identifying and documenting the council purpose, mission, meeting frequency, leadership in the meeting, and meeting notes. The following is an example of bylaws you may want to adapt for you resident council.

### Article One - Name

The name of the organization shall be the ((name of the nursing home) resident or family council) city, state, and zip code.

### Article Two - Purpose

The purpose of the council is to improve the quality of nursing home care and services and the quality of life for residents. The council shall provide an opportunity to share ideas, plan events, gain valuable long-term care information and to be a proactive group that works with nursing home staff to resolve issues and concerns and enhance life in the home and its operations.

### Article Three - Leaders

List the names of your council's leader(s) and their title(s) or role(s). If the leader is absent, the co-facilitator or vice chair shall preside. A secretary shall record and maintain the minutes of each council meeting. All financial business shall be the responsibility of an elected treasurer. Committees may be established as necessary and include members

who choose to serve. The election and appointment of leaders shall be held every year. Nominations are accepted and voted on at the same council meeting.

#### **Article Four - Membership**

Every council attendee becomes a member of the resident or family council. Nursing home staff may attend meetings by invitation only. This includes the designated staff member. Nursing home staff may not be members of the council.

#### **Article Five - Meetings**

Meetings will be held every month on a consistent day (e.g., third Tuesday), at (state the time). Additional meetings may be called by the council at any time with a majority vote.

#### **Article Six - Amendments**

Amendments may be made to the bylaws at any regular or specially called meeting of the council members, by a two-thirds vote, provided the suggested changes are discussed and read prior to voting.

Amendments go into effect immediately unless there is an approved motion stating a specific date.

## **The Learning Circle**

An important communication tool in all stages of culture change, the circle makes everyone equal.

The rules of the circle help those who typically talk and have the most authority be quiet and listen. And it encourages those who are typically shy or don't have much formal authority to speak up.

It can be used as an activity to get people talking or to let everybody weigh in when there is a decision to be made. Here's how it goes:

- One person is chosen to facilitate.

- The facilitator poses a question or issue and asks for a volunteer.
- The volunteer shares their answer or view and then the person sitting to the right or left of that person goes next.
- The process continues around the circle until all have shared.
- There is no crosstalk during the process.
- A person may choose to pass, but after everyone else has shared, the facilitator should offer that person another opportunity to express their views.
- Once everyone has shared, the floor is open for general discussion.

Learning circles should be used often for best results. Regular use of learning circles creates an open environment for learning.

## Resident Council Invitation Example

May 1, 2023

Dear Lucille,

You are invited to your resident council meeting on Tuesday, May 13th at 2:15 pm in the main dining room.

The purpose of the meeting is to ask your ideas and opinion about plans for remodeling the dining room. If you would like assistance to the meeting, please contact Julie Moran (her extension is 456). We look forward to seeing you!

Sincerely,

Mary Smith, Resident Council President



The office of ombudsman for long-term care hopes that this information has been helpful to you. If you need further assistance or would like the Council Specialist to attend a resident or family Council, please feel free to call 1-800-657-3591 or 651-341-9368.