

Bylaws of
BRUNSWICK COUNTY NURSING HOME/ ADULT CARE HOME
COMMUNITY ADVISORY COMMITTEE
BY-LAWS

The handbook for the Brunswick County Nursing Home/Adult Care Home Community Advisory Committee, published by the North Carolina Department of Health and Human Services and Division of Aging in accordance with the North Carolina General Statutes, G.S. 131-E-128, G.S. 143B-181.18, shall govern all matters not addressed herein, or in any matters which shall be in conflict with these by-laws.

ARTICLE I-NAME

- A. The name of the committee shall be Brunswick County Nursing Home/Adult Care Home Community Advisory Committee. Hereafter shall be referred to as Community Advisory Committee.

ARTICLE II-PURPOSE

- A. The purpose of the Nursing Home/Adult Care Community Advisory Committee of Brunswick County is:
1. To function as representatives of the Office of the State Long-Term Care Ombudsman and the North Carolina General Assembly: G.S. Section 1. (a) 131E-128
 2. To maintain the intent of the Nursing Home and Adult Care Home Bill of Rights
 3. To involve the community to improve the quality of care for residents
 4. To observe nursing home/adult care facilities, work in the best interests of the persons in the homes and assist persons who have grievances with the home and facilitate the resolution of grievances of residents and families at a local level.
 5. To promote community involvement and cooperation with nursing homes
 6. To promote better community education and awareness of issues affecting residents
 7. To work with facility administrations and staff, local agencies and organizations that have impact upon nursing homes and adult care homes
 8. To promote integration of these homes into a system of care for the elderly:
G. S. 131E.128 (a)

ARTICLE III-MEMBERS

- A. Community Advisory Committee members may be appointed by the Brunswick County Board of County Commissioners, contingent upon the designation of the State Long-Term Care Ombudsman: G.S. 143B-181.18; initially for a one-year term, thereafter reappointment is a three-year term. Membership is limited by the North Carolina Statute, G.S. 131-E-128.
1. All Community Advisory Committee members are expected to attend committee meetings, training sessions, and assigned quarterly nursing home and adult care home visits.
 2. Community Advisory Committee members may be removed by the Office of the State Long Term Ombudsman as addressed in Section 1. (c) G. S. 143B-181.18; or by the Board of Brunswick County Commissioners without cause.
 3. Community Advisory Committee members may be deemed ineligible for continued appointment and/or re-appointment, if good faith effort to attend quarterly meetings and facility visitation obligation is not met; do not meet requirements of certification training as addressed in G. S. 143B-181.18 3(b)
 4. Community Advisory Committee member may resign appointment with written notice to the Brunswick County Board of Commissioners, the Chairman of the Community Advisory Committee, and the Regional Ombudsman.

5. Community Advisory Committee shall establish subcommittees of no more than 5 and no less than 3 for each nursing home and adult care home as addressed G.S. 131E-128 (b) 2

ARTICLE IV-RESPONSIBILITIES

- A. Community Advisory Committee member participation is, but not limited to the following:
 1. Participating in fifty-one percent or half plus one of all scheduled visits to facilities annually
 2. Preparing Community Advisory Committee Quarterly/Annual Visitation Report, DHHS DOA-022/2004, as requested by Chairperson or designee
 3. Completing the Committee Member Activities Record; DHHS-DAAS-001
 - a. Includes all activities, i.e. training sessions, quarterly meetings, nursing home visits and adult care home visits, etc.
 - b. Signed, dated and sent to Ombudsman by end of the quarter.
 4. To keep abreast of long term care issues through on-going training and technical assistance through the office of the Regional Ombudsman so as to provide current and relevant information to facilities.
 - a. Attend training sessions: 10 hours required (8 hours available at the quarterly meetings)
 - b. Attend quarterly committee meetings-three of four (75%); 2 unexcused absences may lead to removal from your appointment. See Article III, A3
 - c. Attend annual (October) refresher/recertification course offered by Community Advisory Committee/Regional Ombudsman
 - d. Attend Department of Aging, Ombudsman, etc. programs offered
 - e. To receive and/or investigate complaints; document complaint information

ARTICLE V-CONFIDENTIALITY

- A. Sec 712 (5) (C) (iii) of the Older Americans Act requires that North Carolina must establish procedures to protect the confidentiality of resident's records and the identity of the complainant with disclosure only at the discretion of the State Ombudsman or the person designated by the State Ombudsman to disclose files and records. The ombudsman's "discretion" does not include the right to disclose the name of a complainant or the resident's oral consent which is documented contemporaneously in accord with state policy or as required by court order. North Carolina law also stipulates that the committees observe the same confidentiality requirements.
 1. Use Complainant Form DHHS-DAAS-9115 (Rev. 2017), or Resident Consent Form, DHHS-DAAS-9112 (Rev. 2017)
 - a. Completed documentation to be given to Chairperson or designee at nursing home visitation or Regional Ombudsman
 - b. Regional Ombudsman shall be informed of complaint/complainant as determined by Chairperson or designee for follow up
 2. Failure to maintain confidentiality may lead to release of committee appointment
 3. Annual Confidentiality statement reviewed, dated, and signed

ARTICLE VI-COMMITTEE STRUCTURE

- A. Officers and Duties
 1. The officers of the Community Advisory Committee shall consist of a Chairperson, Vice-Chairperson and Secretary, elected annually (October)
 2. All officers may succeed themselves

3. No more than one office shall be held simultaneously by any member
4. Chairperson responsibilities
 - a. Shall preside at all meetings and public hearings
 - b. Shall set the agenda
 - c. Shall appoint standing and/or ad hoc committees
 - d. Shall decide all matters of order and procedure unless a majority call for a final decision
 - e. Shall vote as an Advisory Committee member on any issue before the committee
 - f. All official committee communication with the Brunswick County Board of Commissioner, state and local officials shall be conducted through the chairperson
 - g. Shall call executive sessions as needed with notice to the Regional Ombudsman; following the outlined North Carolina Statute G.S. 143-318.11

5. Vice-Chairperson responsibilities

- a. Vice-Chairperson will assume duties of the Chairperson in his/her absence.

6. Secretary responsibilities

- a. Shall keep the minutes of the Community Advisory Committee
- b. Shall carry on routine correspondence
- c. Shall maintain the files of the Community Advisory Committee
- d. Shall give written copies of the written minutes to the Regional Ombudsman and Community Advisory Committee members before the next scheduled meeting; upon request, provide written copies to the Brunswick County Manager or Board of County Commissioners

ARTICLE VII-MEETINGS/ORDER OF BUSINESS

- A. Quarterly meetings are held the 4th Tuesday of January, April, July, and October, at 10:00 AM
 1. Held at the Brunswick County Emergency Services Building
 2. Address: 3325 Old Highway, Bolivia, NC
- B. Attendance: see Article IV,3 (a), (b), (c)
- C. Quorum of two thirds (2/3) of membership must be present to pass any order of business
- D. All meetings shall be conducted in accordance with normally accepted parliamentary procedure
- E. All meetings shall be open to the public except where confidentiality is required or permitted by law
- F. The order of business at any meeting may be altered at the discretion of the Chairperson or presiding officer
- G. Cancellation of meetings
 1. Whenever there is no business for the Advisory Committee, the chairperson, with the consent of all subcommittee chairpersons, may dispense with the regular meeting by giving notice to all members, to the clerk of Brunswick County Board of Commissioners, and Regional Ombudsman not less than seven (7) days prior to the time set for the meeting

ARTICLE VIII-BY-LAW REVIEW/AMENDMENT

- A. To amend/review by-laws a committee of three shall be appointed by the Chairperson
- B. A notice of any proposed change in these by-laws shall be sent to all committee members ten (10) days prior to the meeting involved
- C. An amendment to these by-laws shall be made by a two thirds (2/3) majority of all the members present
- D. By-Laws shall be reviewed annually (October)

ARTICLE IX-SUPERCEDE

A. Upon adoption, these by-laws shall supersede any other by-laws governing the activities of the Community Advisory Committee

Barbara Voorhees

Signature of Chairperson

July 24, 2018

Date

Revised April 24, 2018