Family Council Manual

OFFICE OF OMBUDSMAN FOR LONG-TERM CARE
PO BOX 64971, ST. PAUL 55164-0971 • (651) 431-2555 or toll free (800) 657-3591
Resident and Family Advisory Council Education

Family Council Manual

About Resident and Family Advisory Council Education (R-FACE)

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 preserves individual rights.

The Office provides educational resources and support to persons who live in nursing homes and boarding care homes and their families about:

1. Self-advocacy in relation to quality of care and life;
2. Rights and responsibilities;
3. Care and services;
4. Regulations that apply to homes and residents; and
5. Resident and Family Council organization and maintenance.

This service is called R-FACE: Resident and Family Advisory Council Education.

For more information on Resident and Family Advisory Council Education (R-FACE) or to request R-FACE educational resources contact the

Office of Ombudsman for Long-Term Care
(651) 431-2555 or (800) 657-3591
Email: MBA.OOLTC@state.mn.us.
# Table of Contents

- Family Council Overview ................................................................. 3
- Council Benefits .................................................................................. 4
- Nursing Home Staff and the Family Council ....................................... 5
- Organizing a Family Council ................................................................. 6
- Family Council Membership and Leadership ...................................... 7
- During a Family Council Meeting ......................................................... 8
- After the Meeting .................................................................................. 9
- Family Council Functions .................................................................... 10
- Educational Topics ............................................................................... 11
- Problem Solving .................................................................................. 12
- Other Resources .................................................................................. 13
- Working with Your Staff Liaison ......................................................... 14
FAMILY COUNCIL OVERVIEW

A Family Council operates by and for families of persons who live in nursing homes and boarding care homes. Family Council participants advocate for the well-being of their relatives by partnering with them in promoting and enhancing quality of daily life.

Residents who consider close friends or associates “family” may also participate in the family council.

In Minnesota, Resident and Family Councils emerged in the 1970s. In 1985, Minnesota created the Resident and Family Advisory Council Education (RFACE) program that offers education resources for Resident and Family Councils.

In 1987 important federal nursing home legislation called the Omnibus Reconciliation Act (OBRA) was enacted. One of the reforms included the right of nursing home residents and their families to form councils.

Family Council Purpose

- Respect and promote resident directed living and quality of resident life
- Advocate for resident rights and quality care and services
- Suggest improvements in services, practices and policy
- Receive important information about the home’s operations
- Receive education about rights and regulations
- Partner with residents and Resident Council on joint events
- Share experiences and seek support among family members
Council Benefits:

1. **Families learn about the long-term care network** and the role of regulatory agencies to promote an understanding of the home’s obligations and operations.

2. **Residents benefit from increased involvement with families.** Discussing what's working well and what needs improvement, sharing activities, and working together on projects promotes partnership and cooperation among the councils.

3. **Families engage with nursing home employees.** Councils may invite the administrator, social service, dietary and nursing staff to meetings to explain their responsibilities and department operations.

4. **Families give input into decisions.** Family Councils may give ideas about topics such as remodeling plans, family events or systemic problems.

5. **Groups are effective.** An organized group of family members can positively influence the individual home, or all homes by contacting their legislators, attending a resident rally or testifying at a committee. Management of the home cannot interfere with Council.
Nursing Home Staff and the Family Council

- While some resident and family councils invite the home’s staff as observers or presenters, staff may only be involved by invitation. Also, staff are not voting members, council facilitators or group leaders. The management of a home cannot interfere with a council and has a responsibility to promote and support the council.

<table>
<thead>
<tr>
<th>Home’s responsibilities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator designates a staff person to be a liaison between the council and the administration</td>
</tr>
<tr>
<td>Designated staff person (Staff Liaison) provides assistance for council meetings and responds to written requests that result from group meetings</td>
</tr>
<tr>
<td>Provides a private space for council meetings</td>
</tr>
<tr>
<td>Respects staff or visitors attendance only with the group's invitation</td>
</tr>
<tr>
<td>Acts upon the grievances or recommendation of residents and families concerning proposed policy and operational decisions that affects resident care and life</td>
</tr>
</tbody>
</table>
ORGANIZING A FAMILY COUNCIL

- Talk with other families who may be interested;
- Decide the date, time and agenda for the first meeting (at later meetings the group can decide day of week, time of day, frequency and length of on-going meetings;
- Engage the Staff Liaison to assist in arranging a private space and organizing a meeting;
- Post meeting information in accessible locations around the home; inform families at care conferences; during resident events and by e-mail or US mail;
- If interested, invite residents, staff (employees or volunteers of the home) and other guests.

Every Family Council is unique however, a typical council meets regularly and has an agenda. Some use parliamentary procedures or the Learning Circles to conduct meetings or gather information. Some may elect leaders and create committees. Hosting an educational topic or planning a special event are common council functions.

In partnering with residents and employees families have the power to champion resident rights in day to day life to create a home in which residents enjoy living, families enjoy visiting and employees enjoy working.
Family Council Membership and Leadership

Council members share these traits and tasks:

- Understands the purpose of the council (federal and state law).
- Promotes Resident Rights and respects confidentiality.
- Defines goals and knows responsibilities of the Council.
- Meet with Resident Council members to share ideas.
- Believes the council can positively impact resident life.
- Displays a positive attitude and enthusiasm.
- Inspires participants toward their common goal of quality of life and services.
- Encourages all members to participate and speak freely about their situation.
- Listens and communicates well; identifies facts, clarifies what is heard and said.
- Maintains objectivity and leads members to agreement.
- Welcomes members to invite their resident family member to council meetings.
- Works well with the staff liaison and administration.
During a Family Council Meeting

- Invite each family member to introduce her/himself and invite a brief remark about their interests or background. A Learning Circle may be used for introductions. (See Resident Council Resources.)

- Explain the role and benefits of a Family Council.

- Ask a family participant to facilitate the current meeting.

- At this or a later meeting, discuss and decide on-going council facilitation options:

  o One family member willing to serve for a specific time period,
  o Two members as co-facilitators,
  o Council members rotate as a facilitator,
  o Group facilitation, no facilitator or
  o Ask a volunteer from the Office of Ombudsman for Long-Term Care.

- Decide details of on-going council meetings: frequency, day, time of day and length. This decision may be delayed until a second or third meeting when more families may be in attendance.

- Discuss taking minutes or notes of the meeting. Although taking minutes isn’t required, having them may help to track what occurs during meetings.

- Discuss the use of the Learning Circles for each meeting.
Discuss or decide having officers such as a president or vice president, treasurer or recorder. Officers are not necessary but may give structure to the council. Officers may also function in the facilitator role as described above.

- Distribute and review Resident Rights. Consider a formal presentation on rights at a later meeting by the Regional Long-Term Care Ombudsman.

- Solicit and discuss topics, issues or concerns to address. Gather information from the Resident Council and from families and residents who don’t attend Council meetings using individual interviews, a discussion group or a survey.

- Discuss creating committees to address topics that are short-term or permanent. These decisions may naturally occur as topics and concerns arise.

After the Meeting

- Type the meeting notes or minutes.

- Review the draft for distribution at the next meeting if possible or distribute, review and accept changes at the next meeting.

- Retain notes, requests for action, minutes, agendas and Council Action Forms.

The staff liaison is responsible for responding to written requests from council meetings while being mindful that specific details of discussion held during council meetings are confidential.
1. **Educational** – Invite speakers (within or outside the home) to learn about resident rights, nursing home regulations and operations or any related long-term care topic or issue.

2. **Projects within the home or new project** - Participate in current projects such as helping plan Family Nights or assisting the Resident Council in fundraising projects or create new initiatives of interest to residents.

3. **Problem-Solving** – Address identified common problems for residents (call lights not promptly answered; lack of activity; food quality.)

4. **Welcoming Committee** – Members contact families of new residents to offer information, support and council meeting invitations.

5. **Outreach** - Arrange for a kiosk or bulletin board for Family Council information, create a council newsletter or write a column for the nursing home newsletter.

6. **Other ideas:** Sponsor a social event for families and residents; participate in legislative issues; write a family handbook; fundraise for special projects; give an "Employee of the Month" award; include the name and phone number of the council contact person in the new resident packet and involve residents in the broader community in resident and family events and projects.
Educational Topics

- Care Concerns
  - Pressure Sores
  - Restraints
  - Responding to call lights
- Care Conference & Individualized Care Plan
- Common Diseases
- End of Life Issues
- Legislative Issues
- Long-Term Care Ombudsman Program
- Medical Assistance
- Medicare
- Medications
  - Use of antipsychotics
- Memory Care
- Nursing Home Survey
- Nutrition and Hydration
- Paying the NH bill
- Person Directed Care/Living
- Physician’s Role
- Problem Solving
- Resident Rights
- Regulations of the home
- Vulnerable Adult Act

Projects

<table>
<thead>
<tr>
<th>Fundraising</th>
<th>Resident Events</th>
<th>Family Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bake sales, raffles, farmers market days, garage sales for resident events or items such as musical instruments, big screen TV, and kiosks.</td>
<td>Visiting programs, gift shop, shopping assistance, mobile library, holiday parties, community outings, gardening, coffee shop.</td>
<td>Welcome committee, guide to the home, family support group, resource library.</td>
</tr>
</tbody>
</table>
Problem Solving - Addressing a Concern and Reaching a Solution

**Identify and define the problem or concern** from the residents’ perspective. Council members determine whether a concern is an isolated event, an ongoing problem for one person or a concern of several residents.

**Compile a list of action steps** for a solution. Discuss all ideas and possible advantage or disadvantage of each. Do you want further investigation or recommended solutions to the concern?

**Choose the best option.** Informally present the issue by talking with the administrator or key department head or formally do so by using the Council Action Form or Resident Complaint Form.

**Make a copy** of the Form to retain with the Council records.

**Give the Form** to the staff liaison or other designated staff. Be willing to meet with staff to discuss the concern.

**Evaluate** 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 in every Minnesota home.

---

**By law the administration must respond to your concern and resident and family groups working together can be a strong collective voice to influence positive changes.**
Other Resources

- Minnesota Department of Health licenses and certifies nursing homes and boarding care homes and reviews Resident and Family Council minutes as part of the survey process.

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

- Stratis Health is Minnesota’s Medicare Quality Improvement Organization which works with beneficiaries, their family, service providers and others to promote quality Medicare services and responds to consumer complaints and inquiries.

- Board of Examiners for Nursing Home Administrators and the Board of Nursing respectively licenses these professionals.

- Minnesota Office of the Attorney General, Consumer Division offers consumer information on various topics and responds to consumer complaints.

Overcoming Obstacles and Building Trust

Family Council members (and residents) may face these challenges:

- Fear of retaliation by the home’s staff and
- Resistance from staff or limited assistance.

Fear of retaliation (real or perceived) happens when we think speaking out may result in a negative outcome. If staff exhibit verbal and nonverbal ways of retaliation to either or both you and your family you are protected by federal law from retaliation which requires the home’s leadership to promptly address this problem.

Arrange a meeting with the administrator or other key staff to discuss these concerns and invite the Regional Ombudsman as the facilitator. Another resource is the Office of Health Facility Complaints at the Minnesota Department of Health.
WORKING WITH YOUR STAFF LIAISON (SL)

The Staff Liaison is the home’s employee assigned or “designated” to:

- Provide assistance and private space for Resident and Family Council meetings and
- Respond to requests resulting from council meetings.

The Staff Liaison empowers both resident and family councils to take ownership of their councils.

The Staff Liaison is not expected to attend Council meetings and, in fact, can only attend by invitation from the resident or family. The SL role is to be of assistance to the councils to the extent members want assistance.

Council members can invite the SL to meetings as a listener.

Councils are resident or family run and directed. Therefore, the staff liaison role does not include facilitation of council meetings unless invited by the council. When functioning as a facilitator, the staff liaison should encourage or remind members to choose a facilitator.

Appropriate Tasks for a Staff Liaison/Designated Staff

Primarily tools for the Staff Liaison include: the Resident Council Manual, Family Council Manual and Resident Rights

- Help as requested with administrative Council tasks
- Maintain confidentiality of discussions within council meetings
- Assist with the recruitment of members and leaders
- Promote awareness and appreciation of the Council
- Explain the home’s policies and procedures
- Inform members of changes/decisions in the home
- Be an effective liaison between members and senior management
- Facilitate group process by Council invitation only
- Invite guest speakers
**Important Skills for a Staff Liaison/Designated Staff**

- Empower council participants
- Respect council autonomy and confidentiality
- Respect council role and functions
- Be available and offer tools to residents and families
- Maintain good boundaries
- Be accurate and consistent in giving information
- Maintain integrity by acting only on information requested by the council
- Work with residents toward continuous quality improvement
- Promote the councils at various resident, family and staff events
- Good communicator and active listener
- Be positive and objective

**Ways to Promote Councils**

- Inform all staff: direct care staff, housekeeping and maintenance staff, senior management, owner or board of directors about the Family Council purpose and support its operation
- Invite a FC representative to serve on the home’s Quality Assurance/Quality Improvement Committee*
- Include FC information in the new resident welcome packet
- Invite a FC member to new staff orientation to explain the FC role
- Give the Staff Liaison time and tools for a successful Family Council
- Invite Family Council leaders to staff meetings
- Respond promptly to FC concerns and requests
- Engage council members to serve on various initiatives of the home

*The home’s committees and confidentiality: When a resident or family member serves on a home’s committee, there is a confidentiality protocol for all participants. The protocol may state that resident or family may participate only during non-confidential discussion and may include signing a confidentiality form.