

RESOLUTION APPROVING THE BYLAWS OF THE FORSYTH COUNTY NURSING HOME COMMUNITY ADVISORY COMMITTEE

WHEREAS, the attached proposed Forsyth County Nursing Home Community Advisory Committee Bylaws have been established by more than a two-thirds vote of the Forsyth County Nursing Home Community Advisory Committee at a duly noticed meeting and are hereby presented to the Forsyth County Board of Commissioners for its approval as required and provided therein.

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby approves the attached Forsyth County Nursing Home Community Advisory Committee Bylaws as required and provided therein, subject to a pre-audit certificate thereon by the Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this 18th day of October 2018.

**FORSYTH COUNTY NURSING HOME
COMMUNITY ADVISORY COMMITTEE**

BYLAWS

ARTICLE I. PURPOSES AND OBJECTIVES

The Forsyth County Nursing Home Community Advisory Committee is part of an advocacy network established by N.C. statute 131E-128 to help promote and protect the rights of long-term care residents.

- A. The Committee shall promote community involvement and co-operation with nursing homes and integration of these homes into a system of care for the elderly.
- B. The committee shall promote better community education and awareness of issues affecting residents.
- C. Committee members visit facilities, interact with residents and advocate for quality care in the nursing homes,

ARTICLE II. MEMBERSHIP

The following provisions govern organization and operation of the committee. References to NCGS 131E-28 include reference to that statute or corresponding section of any future statute.

- A. Committee Size. In accordance with NC GS 131E-128(b)(1) the committee shall have 17 members. Ex-officio members shall not be counted in the statutory determination of committee size.
- B. Selection. Application, designation, suspension of designation, re-instatement of designation, de-designation, appointment shall be made in accordance with NC GS 131E-128 and Office of the State Long-Term Care Ombudsman Program Policies and Procedures.
- C. Term. Each member shall serve an initial term of one year. A member may be re-appointed to subsequent three year terms.
- D. Resignation. A member must resign in writing to the Board of County Commissioners, Regional Ombudsman, and CAC Chairperson.
- E. Duties.
 - 1. Attend quarterly meetings.
 - 2. Make at least quarterly visits to the nursing homes to which they are assigned to apprise themselves of general conditions under which persons reside, including

- assisting residents who have grievances with the nursing home and facilitating resolution of grievances at the local level.
3. Participate in on-going continuing education according to OSLTCOP Policies and Procedures.
 4. Is directly accountable to the State Long-Term Care Ombudsman Program.
 5. Serve without compensation, but may be reimbursed for the actual amount of expenses incurred by performance of duties.
 6. Inform the Ombudsman and Chairperson of necessity to miss a quarterly meeting or inability to fulfill visit obligations temporarily (due to medical condition, family emergency, etc.)
- F. Resources. The Office of the State LTC Ombudsman provides information, guidelines, training, and consultation to the committee under the supervision of the Piedmont Triad Regional Council Are Agency (PTRC-AAA) Long-Term Care Ombudsman.

ARTICLE III. OFFICERS AND DUTIES

- A. Election of Officers. At its regular meeting in the fall quarter, the Advisory Committee shall elect a Chairperson, Vice-Chairperson, a Secretary, and Assistant Secretary for one-year terms to begin in January. At the summer quarterly meeting, the Chairperson shall appoint a Nominating Committee of three to five persons, whom will select the nominees for the following year's officers. The Nominating Committee shall prepare and send a list of nominees who have agreed to serve for each elected position at least one week before the fall meeting (with assistance from the staff of the PTRC-AAA). By consent, the committee may elect its officers at the fall meeting without appointing a Nominating Committee. All officers may succeed themselves. No more than one office will be held simultaneously by any member.
- B. Removal and Resignation of Officers. An officer may be removed by a two-thirds vote of all members present at a committee meeting. If an officer resigns or is removed, he or she shall be replaced by an election.
- C. Chairperson. The Chairperson shall preside at all meetings of the Advisory Committee; shall decide all matters of order and procedure (unless a majority calls for a final decision by the Advisory Committee); shall appoint the subcommittee chairpersons; shall appoint members to investigate any matters before the Advisory Committee or to perform any of its duties; and shall submit quarterly reports to the PTRC-AAA Regional Long-Term Care Ombudsman. The Chairperson shall be the committee's official spokesperson to the Board of County Commissioners.
- D. Vice-Chairperson. The Vice-Chairperson shall assume the duties of the Chairperson in his or her absence.

- E. Secretary. The Secretary shall keep the minutes of the Advisory Committee; shall prepare written minutes of previous meetings and notices of future meetings (staff from the PTRC-AAA will assist with mailing and distribution of minutes and meeting notices); and shall carry out routine correspondence.
- F. Assistant Secretary. The Assistant Secretary shall perform the duties of the Secretary in his or her absence.

ARTICLE IV. SUBCOMMITTEES

- A. Membership. The Chairperson shall assign committee members to subcommittees of at least 3 members and no more than 5, and shall appoint a Subcommittee Chairperson to each subcommittee. Each member must serve on at least one subcommittee, but there is no prohibition against a member serving on two subcommittees.
- B. Duties. The Chairperson shall assign each subcommittee to visit specific Homes. The Chairperson may also assign other tasks to subcommittees. However, the subcommittees have no authority to legally obligate the committee or incur any expenditure on behalf of the committee.
- C. Subcommittee Chairperson. The Subcommittee Chairperson is responsible for arranging site visits and for maintaining clear communication regarding those arrangements with subcommittee members; for making certain that a report of each visit from appropriate subcommittee members and quarterly Visitation Forms reach the quarterly meeting of the Advisory Committee. The Subcommittee Chairperson is responsible for monitoring activities, concerns and attendance of subcommittee members, and for making the Committee Chairperson aware of issues and concerns when appropriate.

ARTICLE V. MEETINGS

- A. Regular Meetings. Regular meetings shall be held at least once a quarter and shall be held on a predetermined date each quarter. The Chairperson shall determine the location of the meetings.
- B. Special Meetings. Special meetings may be called at any time by the Chairperson or a majority of committee members.
- C. Closed Session. The Advisory Committee may hold closed sessions as provided by law. It shall commence a closed session by a majority vote on a motion to do so which specifically refers to the provision(s) of law providing the authority for the closed session as required by the amended Open Meetings Law.
- D. Notice of Meetings. Written notice of each regular and special meeting shall be given by mailing a copy of such notice at least five days before the meeting to each member. Such

notice shall specify the date, time and place of the meeting. In the case of a special meeting, the notice shall state the purpose of the meeting. Public notice of meetings shall be made through the County Commissioners and PTRC-AAA media.

- E. Quorum. A quorum for doing business shall consist of one-half of the number of persons who are currently members.
- F. Vote. Except as otherwise specified herein, the vote of a majority of those members present shall be sufficient to decide matters before the Advisory Committee. The Chairperson shall vote only in case of a tie.
- G. Conduct of Meetings. All meetings shall be conducted in accordance with normally accepted parliamentary procedure and shall be open to the public, except where confidentiality is required or permitted by law. The order of business at regular meetings shall generally be as follows: 1) Roll Call; 2) Approval of the Minutes of the Previous Meeting; 3) Approval of the Agenda; 4) Chairperson's Report; 5) Old Business; 6) New Business; 7) Ombudsman's Report; 8) Visitation Reports; 9) Announcements.
- H. Cancellation of Meetings. Whenever there is no business for the Advisory Committee, the Chairperson, with the consent of all the Subcommittee Chairpersons, may dispense with the regular meeting by giving notice to all members no less than 5 days prior to the time set for the meeting.

ARTICLE VI. RECORDS

- A. Maintenance. The PTRC-AAA Long-Term Care Ombudsman Program shall maintain a file of all of the studies, plans, reports and recommendations made by the Advisory Committee in the discharge of its duties and responsibilities.
- B. Disclosure. All records of the CAC shall be public records, except where disclosure of confidential information is prohibited by law. Copies of CAC meeting minutes and visitation records shall be maintained by the PTRC-AAA Ombudsman office.

ARTICLE VII. EX-OFFICIO MEMBERS

- A. Appointment. Ex-officio members may be appointed at the discretion of the Board of County Commissioners. A unanimous vote of the membership of the Advisory Committee may be forwarded to the Board of County Commissioners to request an individual be appointed an ex-officio member provided that individual does not have a conflict of interest described in accordance with the provisions of NC GS 131E-128. Ex-officio members may not hold elected office on the committee.
- B. Voting. Ex-Officio members shall not have the privilege of voting.

- C. Removal and Resignation of Ex-Officio Members. Ex-Officio members may be dismissed at the discretion of the Board of County Commissioners in accordance with county policy and procedures governing boards and commissions. A notice of a two-thirds vote of the members present at a quarterly meeting may be forwarded to the Board of County Commissioners by the Committee Chairman with an explanation to request an individual be removed as an ex-officio member. An ex-officio member may resign by notifying the Board of County Commissioners in writing.

ARTICLE XIII. AMENDMENT OF BYLAWS

- A. These bylaws may be amended by a two-thirds majority of all the members present at a committee meeting. However, a notice of any proposed change in these bylaws must have been sent to all committee members one week prior to the meeting involved.

ARTICLE IX. SUPERSEDURE

- A. Upon adoption, these bylaws shall supersede any other bylaws governing the activities of the Forsyth County Nursing Home Community Advisory Committee.

Date Adopted

Chairman, Forsyth County NH CAC

Date Approved

Chairman, Forsyth County Board of Commissioners