

*Federal Regulations  
and Interpretive*

SENATE PUBLIC HEALTH, WELFARE & SAFETY
ON BILL
EXHIBIT NO. <u>10</u>
DATE: <u>2-16-05</u>
EXHIBIT NO. <u>SB 446</u>
SENATE PUBLIC HEALTH, WELFARE & SAFETY

F243

**§483.15(c) Participation in Resident and Family Groups**

- (1) A resident has the right to organize and participate in resident groups in the facility;
- (2) A resident's family has the right to meet in the facility with the families of other residents in the facility;
- (3) The facility must provide a resident or family group, if one exists, with private space;
- (4) Staff or visitors may attend meetings at the group's invitation;
- (5) The facility must provide a designated staff person responsible for providing assistance and responding to written requests that result from group meetings;

See Interpretive Guidance for §483.15(C) at Tag F244

F244

**§483.15(c)(6) When a resident or family group exists, the facility must listen to the views and act upon the grievances and recommendations of residents and families concerning proposed policy and operational decisions affecting resident care and life in the facility.**

**Interpretive Guidelines §483.15(c)**

This requirement does not require that residents' organize a residents or family group. However, whenever residents or their families wish to organize, facilities must allow them to do so without interference. The facility must provide the group with space, privacy for meetings, and staff support. Normally, the designated staff person responsible for assistance and liaison between the group and the facility's administration and any other staff members attend the meeting only if requested.

- "A resident's or family group" is defined as a group that meets regularly to:
  - o Discuss and offer suggestions about facility policies and procedures affecting residents' care, treatment, and quality of life;
  - o Support each other;
  - o Plan resident and family activities;

- o Participate in educational activities; or
- o For any other purpose.

The facility is required to listen to resident and family group recommendations and grievances. Acting upon these issues does not mean that the facility must accede to all group recommendations, but the facility must seriously consider the group's recommendations and must attempt to accommodate those recommendations, to the extent practicable, in developing and changing facility policies affecting resident care and life in the facility. The facility should communicate its decisions to the resident and/or family group.

**Procedures §483.15(c)**

If no organized group exists, determine if residents have attempted to form one and have been unsuccessful, and, if so, why.

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**F245**

**§483.15(d) Participation in Other Activities**

**A resident has the right to participate in social, religious, and community activities that do not interfere with the rights of other residents in the facility.**

**Interpretive Guidelines §483.15(d)**

The facility, to the extent possible, should accommodate an individual's needs and choices for how he/she spends time, both inside and outside the facility.

Ask the social worker or other appropriate staff how they help residents pursue activities outside the facility.

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**F246**

**§483.15(e) Accommodation of Needs**

**A resident has a right to --**

**§483.15(e)(1) Reside and receive services in the facility with reasonable accommodations of individual needs and preferences, except when the health or safety of the individual or other residents would be endangered; and**

See Interpretive Guidance at Tag F247