

BYLAWS

Nursing Home and Adult Care Home Community Advisory Committee Gaston County, North Carolina

ARTICLE I Statement of Purpose

The Nursing Home Community Advisory Committee of Gaston County hereinafter referred to as the Advisory Committee, was established in accordance with the North Carolina General Statutes, amended G.S. 131D-31, to work to maintain the Bills of Rights for Adult Care Home and Nursing residents, and to promote community involvement and cooperation with Adult Care Homes and nursing homes in meeting the needs of elderly and disabled persons residing in these homes in Gaston County.

ARTICLE II Objectives The objectives of the Advisory Committee are:

- 1) To serve all Nursing Homes in Gaston County.
- 2) To make at least one visit to each Nursing Home for the aged quarterly.
- 3) To identify alleged violations of the Nursing Home Resident's Bill of Rights G.S. 131-D-2 (G.S. 131E-117) and to report them to the home administrator and/or person in charge. Violations in Nursing Homes will be reported to the Department of Social Services.
- 4) To promote community education and awareness of the needs of the residents.
- 5) To encourage community involvement within the facilities, to recruit volunteer resources for the enhancement of the quality of life of the residents.
- 6) To make an annual report to the Gaston County Board of Commissioners. This report will include an appraisal of the strengths, weaknesses and problems of nursing facilities and will identify the issues that affect long term residential care. A copy of this report will be sent to the North Carolina Division of Aging through the Regional Ombudsman.

ARTICLE III Criteria for Membership (U.S. 131c-63)

Section I Establishment and Appointment of Advisory Committee

- (a) All members shall be screened for conflict of interest, attend orientation, be designated by the State Ombudsman Program and then be appointed by the Board of County Commissioners.

- (b) Each member must be a resident of Gaston County.
- (c) No person or immediate family member of a person with a financial interest in a home served by the committee, or employee, or governing board member of a home served by a committee, or immediate family member of a resident in a home served by a committee may be a member of the committee. An "immediate family member" is defined as mother, father, sister, brother, spouse, child, grandmother, grandfather and in-laws for above.
- (d) At least one member of the Advisory Committee shall be a person involved in the area of mental retardation.

Section II Terms of Office

- (a) Each committee member shall serve an initial term of one year. Any person re-appointed to a second or subsequent term in the same county shall serve a three-year term.

ARTICLE IV General Rules

- (a) All Advisory Committee members are expected to attend committee meetings, quarterly visits and training sessions. The Chairperson may request that the State Ombudsman Office remove and de-designate any member who is not active (Not attended 75% of the visits and quarterly meetings).

Article V Officers and Elections

The Advisory Committee shall elect annually a Chairperson or Co-chairpersons, a Vice-Chairperson (unless Co-Chairpersons are elected) and a Secretary.

- (a) **Chairperson or Co-Chairpersons** shall preside at all meetings of the Advisory committee and shall decide all matters of order and procedure, unless a majority calls for a final decision by the Advisory committee. The Chairperson may veto, as an Advisory Committee member, on any issue before the Advisory Committee. The Chairperson or a majority of the Advisory Committee may call special meetings.
A chairperson shall also refer to committee members all information and guidelines received from the Division of Aging or Department of Human Resources; shall appoint Advisory committee members to investigate any matters before the committee; shall appoint subcommittee Chairperson and shall assign committee members to subcommittees for facility visits.
- (b) **Vice-Chairperson**, unless Co-Chairpersons are elected, a Vice-Chairperson may be elected to assist the Chairperson as requested and shall conduct all meetings in the absence of the Chairperson.

- (c) **Secretary** shall assist the chairperson; shall keep the minutes of the Advisory Committee and keep a record of attendance; shall carry on routine correspondence and shall maintain the files of the Advisory Committee. (A Chairperson may choose to help with the correspondence.) The Ombudsman may assist in these responsibilities.

ARTICLE VI Meetings

Section I Regular Meetings

In addition to the required home visits, regular meetings of the full Advisory Committee shall be held once a quarter, with the date, time, location and notification to be made by the Regional Ombudsman office.

Section II Quorum

A quorum shall consist of a majority of the members.

Section III 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, provided a quorum is represented.

Section IV Conduct of Meetings

All meetings shall be conducted in accordance with normally accepted parliamentary procedure and shall be open to the public except when confidentiality is required or permitted by law.

Section V Executive Sessions

Executive sessions may be held according to the North Carolina General Statutes.

ARTICLE VII Records

Section I Files

The Secretary shall maintain a file of all studies, plans, reports and recommendations made by the Advisory Committee in the discharge of its duties and responsibilities.

Section II Disclosure of Information

All records of the Advisory Committee shall be public records, except where disclosure of confidential information is prohibited by law, or where confidentiality is permitted by law.

ARTICLE VIII Amendment of Bylaws

A notice of any proposed change in the Bylaws shall be sent to all committee members two weeks prior to the meeting involved, and an amendment to the Bylaws shall be made by a two-thirds majority of all the members present.

Amended 1-8-19 during a quarterly meeting, adjustments made and voted on by the committee.
Majority agreed to accept the changes as proposed.

1-8-2019
Date Adopted

Gaston
County

Shula Merrill
Chairperson - NHT

Linda Denton
Co-chairperson - ActH

Cindy Engert - Ombudsman

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate copy of the Nursing Home and the Adult Care Home Community Advisory Committees By-laws as adopted by the Board of Commissioners on May 26, 2020.

Donna S. Buff, Clerk