

Talking Paper:

Bill of Rights For Residents of Continuing Care Retirement Communities

(This draft, developed by an informal group of Bucks County, Pennsylvania CCRC residents, is offered as a stimulus to discussion. It is not yet an official statement of any organization or committee. It is not copyrighted, and its contents may be freely appropriated by others working on similar projects.)

1. Right to establish, organize, fund, develop by-laws for, and operate a resident association, whose purposes include:
 - representing the interests of the residents to the administration and corporate governing board,
 - enhancing communications and information sharing among residents and between residents and the administration and corporate governing board,
 - promoting residents' active learning about and discussion of important issues facing the corporation; enabling resident participation in making decisions that fall within the resident association's purview, and
 - establishing, facilitating, supervising, and funding resident activities carried out through committees and other resident groups.
2. Right to select and appoint, in accordance with the resident association's own by-laws, 30% of the membership of the CCRC's corporate governing board, who, as full-fledged board members, have duties commensurate with the other board members, as well as being specifically responsible for representing resident interests. Right to receive regularly scheduled reports from the association-appointed corporate governing board members about the board's deliberations, actions, and policies.
3. Right to be informed, on an ongoing basis, about all significant issues of management by the administration that directly affect resident well-being and/or about which residents are concerned, limited only by necessary and explicitly defined policies of confidentiality and privacy. Right to transparency in being informed in all matters of governance, except in cases where the need for confidentiality is explicitly defined and justified.
4. Right to receive full disclosure of the finances of the corporation, regardless of applicable law in the state in which it is located. Right to receive periodic reports from a duly licensed actuary affirming that sufficient funds are being set aside for the future likely needs of the resident population.
5. Right to receive, prior to signing a contract to enter the community, a plain English list of those services guaranteed by the contract, as well as a list of others offered by the CCRC, but not guaranteed in the contract and that may be modified at the discretion of the corporate governing board.

6. Right to be informed about and to comment on important aspects of the quality of service delivery in a CCRC, including especially changes in staffing levels in its administrative and service departments and changes in staff credentialing requirements in areas such as health care, food service, and maintenance.
7. Right to participate directly in the governance of the resident association through communication, discussion, and decision making in open meetings, through membership on resident association committees, and through the election of officers and members of the resident association's own board of directors.
8. Right to raise issues concerning the well being, quality of life, and involvement of residents in community life and governance and to advocate openly for issues of concern to be discussed and dealt with by the residents association, the administration, and/or the corporate governing board, as appropriate.
9. Right to start up and operate informal resident activities of any kind, based on the mutual interests of residents, so long as they do not negatively impact the lives of other residents, do not interfere with other scheduled activities in community space/facilities, do not violate the law, and do not wish to use resident association funds.
10. Right to organize and seek resident association recognition of a new committee or other resident activity that wishes to use scheduled community space/facilities and/or wishes to use association funds.
11. Right to receive all the benefits of living in the community, including all the services and amenities itemized in each resident's life-care contract.
12. Right, on initial move-in, to select, based on availability and the resident's financial qualifications, an independent-living apartment of the resident's choice and to appoint and furnish it to the resident's taste, within the provisions of the resident's life-care contract and fire and safety regulations.
13. Right to be guaranteed that all regulations applying to community life, and all the benefits thereof, are enforced and bestowed impartially and without prejudice, regardless of a resident's age, gender, race, economic status, professional background, sexual orientation, past or present advocacy of issues and policies applying to community life and governance, or past or present service on board's and committees.
14. Right, when a permanent move to an assisted living facility or skilled nursing care unit becomes an issue, to participate, as fully and meaningfully as the resident is able and wishes to, in making the decision for such move.

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