



Department of Health

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Governor

JAMES V. McDONALD, M.D., M.P.H.
Commissioner

MEGAN E. BALDWIN
Acting Executive Deputy Commissioner

Date: June 27, 2023
DAL: DACF # 23-17
Subject: Resident Council
Expectations

Dear Adult Care Facility Operator and Administrator:

Consistent with Title 18 of New York Codes, Rules, and Regulations, Section 487.5(b)(1), Adult Care Facilities (ACFs) must assist residents to organize and maintain committees, councils, or such other self-governing body as the residents may choose. The operator must ensure that the residents' organization meets as often as its members deem necessary; is chaired and directed by the residents; and may meet with any member of the supervisory staff, provided that reasonable notice of the request is given to such staff. Expectations of the facility include:

- Provide a space for the council to meet.
- Allow the council to meet regularly at a time convenient to most residents.
- Allow special council meetings when requested by residents.
- Allow residents to meet without staff present if they so desire.
- Make staff available when requested.
- Provide written responses to questions submitted in the minutes; and
- Appoint a staff person to act as an advisor to the residents' organization, who shall serve as a liaison between the organization and administration to report all problems, issues and suggestions discussed by the residents which require administrative action; and assure that any complaints, problems or issues reported by the residents' organization to the designated staff person or administration be addressed, and that a written report addressing the problems, issues or suggestions be sent to the organization.

If your facility does not have an assigned ombudsman, call or email your local ombudsman to confirm their availability to work with your residents. Ombudsman information is available online at www.LTCombudsman.ny.gov. You may also outreach the appropriate regional office of the Department.

If you have any questions regarding this correspondence, please contact the Department of Health via email to acfinfo@health.ny.gov.

Sincerely,

Kelly Ann Anderson, Director
Division of Adult Care Facility
and Assisted Living Surveillance

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