

**DARE COUNTY JOINT  
COMMUNITY ADVISORY COMMITTEE**

**BY-LAWS**

**ARTICLE I**

Name, Purpose, and Duties

Section 1. Name.

The name of this committee shall be Dare County Joint Community Advisory Committee.

Section 2. Purpose and Duties.

The purpose of this committee shall be to maintain the spirit of the Nursing Home and Adult Care Home Bill of Rights within the long term care facilities in Dare County. In furtherance of this general purpose, the committee shall have the following specific duties:

- (a) The committee shall apprise itself of the general conditions under which the persons are residing in the long-term care facilities, and shall work for the best interests of the persons in the facilities. This may include assisting persons who have grievances with the facility and communicating details of those grievances with the Regional Ombudsman for advocacy and resolution.
- (b) The committee shall quarterly visit each long term care facility it serves. For each such official visit, a majority of the committee members shall be present. A majority is defined as two-thirds of the committee's active members. In addition, each committee may visit the facility it serves whenever it deems it necessary to carry out its duties.
- (c) Each member of the committee shall have the right, between 10:00 a.m. and 8:00 p.m., to enter into the facilities the committee serves in order to carry out its duties.
- (d) Before entering into any facility, the committee or its members shall identify itself to the person present at the facility who is in charge of the facility at that time.
- (e) The committee may, at any time it deems necessary, communicate through its chairman with the Department of Human Resources or any other agency in relation to the interest of any resident. Committee members may communicate concerns directly with the Regional

Ombudsman. The names of all complaining persons shall remain confidential unless written permission is given for disclosure.

- (f) The committee shall serve as the nucleus for increased community Interaction with the long-term care facilities it serves and promote better community education and awareness of issues affecting the institutionalized elderly and disabled adults.
  
- (g) The committee shall prepare the following reports:
  - (1) Quarterly Visit Report – The committee shall prepare this report following its official quarterly visit to each facility.
  
  - (2) Annual Report – The committee shall prepare this report at the end of each federal fiscal year. If possible, the committee will present this report to the County Board of Commissioners at the next available meeting, following the conclusion of the FFY and the submission and approval of the report.
  
- (h) The committee shall carry out any other duty specifically adopted by the committee pursuant to its rules of order.

## **ARTICLE II**

### **Members**

North Carolina General Statute 131D-31 defines the training, qualifications, and terms of office of the joint committee members. Once a member has been trained, vetted and designated by the Office of the State Ombudsman, he/she can be appointed to the position of CAC member by the Dare County Board of Commissioners.

## **ARTICLE III**

If an appointee has unexcused absences which constitute more than twenty-five percent (25%) of the meetings and visits in any calendar year which he or she is required to attend pursuant to his or her appointment, he or she may have the designation of CAC member suspended by the Office of the State Ombudsman. An unexcused absence is defined as an absence which is not excused by the Regional Ombudsman.

Additionally, CAC members can have their designation temporarily or permanently suspended for the following reasons:

- (a) non-compliance with Ombudsman program Policies and Procedures

- (b) intentional failure to reveal a conflict of interest
- (c) intentional misrepresentation of the member's designated authority or the mandated responsibilities the member has agreed to perform
- (d) if the actions of the member negatively impacts the resident(s) or the successful operation of the committee
- (e) complaints related to the member's actions while fulfilling his/her duties on the committee

## **ARTICLE IV**

### **Section 1. Election of Officers**

The Advisory Committee shall elect a chairperson and secretary annually. This will be done at the regular meeting in the first quarter. All officers may succeed themselves.

### **Section 2. Chairperson**

The Chairperson shall preside at all meetings. Except as otherwise authorized by the resolution of the committee, the chairperson shall execute all instruments of the committee. At each meeting, the chairperson shall submit such recommendations and information as she/he may consider proper concerning the business, affairs, and policies of the committee. Additionally, the chairperson shall schedule quarterly facility visits and notify committee members of the date and time of each visit at the time that it is scheduled.

### **Section 3. Secretary**

The Secretary shall keep the records of the committee, shall act as secretary of the meetings, and record all votes, shall keep a record of all the proceedings, and shall perform all duties incident to this office. The minutes shall be forwarded to the Regional Ombudsman. An annual report shall be sent to the Dare County Commissioners following approval.

### **Section 4. Vacancy**

Should any office become vacant, the committee shall appoint a new successor from among its membership at its next regular meeting.

## ARTICLE V

### Section 1. Regular Meetings \*

Regular meetings of this committee shall be held quarterly.

### Section 2. Special Meetings

The Chairperson or Regional Ombudsman, when deemed necessary, shall call a special meeting of the committee for the purpose of transacting any business designated in the call. The call for a special meeting must be received by each member of the committee at least twenty-four (24) hours prior to the date of such special meeting.

### Section 3. Quorum

At all meetings of this committee, a majority of the members eligible for appointment shall constitute a quorum for the purpose of transacting business. A quorum shall consist of two-thirds of the committee's active members.

### Section 4. Conduct of Meetings

All meetings shall be open to the public and shall be conducted in accordance with normally accepted parliamentary procedures except where confidentiality is required or permitted by law. The order of business meetings shall be as follows:

Call to order; (2) roll call; (3) business; (4) committee business & education

### Section 5. Cancellation of Meetings

Cancellation or changes of meetings shall be called by the regional ombudsman or chairperson of the committee whenever deemed appropriate. Cancellation to scheduled quarterly visits by the committee shall be called by the chairperson if necessary.

### Section 6. Executive Sessions

\* Regular meetings shall be scheduled with respect to members schedules when possible. A member should let the Regional Ombudsman know as soon as possible if he/she is unable to attend a scheduled meeting because of a conflict in schedule.