

LOCAL LAW PERM 6 OF 2021

A LOCAL LAW AMENDING CHAPTER A1404 OF THE BROOME COUNTY CHARTER AND CODE-NURSING HOME ADVISORY BOARD”

BE IT ENACTED, by the County Legislature of the County of Broome as follows:

SECTION 1 Chapter A1404. Nursing Home Advisory Board is hereby amended as follows:

§ A1404. Nursing Home Advisory Board.

There shall be a Nursing Home Advisory Board to oversee the quality of care and treatment of residents of the Broome County Nursing Homes and to advise the County Executive and the Nursing Homes Administrator of conditions affecting the welfare of residents in the facilities.

The Advisory Board shall consist of members as follows: the County Executive or a designee and the Chair of the County Legislature or a designee, and Administrator of the Broome County Nursing Home who shall serve ex officio; at least one resident; at least one family member; one physician; one nurse; one holder of a master's degree in social work; and five members at large. Board members other than those serving ex officio shall be appointed by the County Executive, subject to confirmation by the County Legislature. Resident member(s) and family member(s), the total of which shall not exceed five, shall serve at the pleasure of the County Executive. Other members appointed by the County Executive, subject to confirmation by the County Legislature, shall be appointed for three-year terms so that the terms of three members shall expire each year.

The County Executive shall have the authority to appoint an additional ex officio member to the Board.

The Board shall adopt a schedule of at least 10 regular meetings per year and shall establish rules for the conduct of its meetings. The Board shall also hold special meetings upon the call of the Chairperson, the County Executive or the Nursing Home Administrator or upon written request of three Board members. Board members, the Nursing Homes Administrator, the County Executive and the Clerk of the County Legislature shall be notified of all Board meetings.

Willow Point Nursing Home will establish and maintain a coordinated Quality Assurance and Process Improvement Program which integrates the review activities of all nursing home programs and services to enhance the quality of life and resident care and treatment, pursuant to Codes, Rules and Regulations of the State of New York, Title 10, § 415.

When any Board member fails to attend three consecutive meetings or attends less than 75% of the regular meetings scheduled for the year, the Board shall have the authority to remove such member from office. In exercising such authority, the Board shall take into consideration whether such member had a bona fide reason for not attending and whether advance notification was given to the Administrator or the Chair.

The Board shall make recommendations at any time pertaining to any matter at the facility to the administrator or the County Executive; aid and/or recommend to the administrator in regard to facility operation, staffing, community relations, facility conditions, construction plans and the programs and activities of the facility; advise the County Executive regarding the proposed appointment of a facility administrator; investigate any charge against the administration.

The Advisory Board shall perform the above responsibilities consistent with the advice and direction, where applicable, of the Department of Law, Department of Personnel and Department of Audit and Control and in accordance with the provisions of any resolution now or hereafter adopted by the County Legislature.

Members of the Board and of the Quality Assurance and Process Improvement Committee, either individually or jointly, while acting in their official capacity, are agents of the County of Broome, and in consideration of said services, the County shall indemnify and save harmless such members from any and all claims, suits, damages, costs, losses and expenses arising out of any act or omission while such members were acting within the scope of their official duties.

The member shall deliver, within 10 days of the time he or she is served with any summons, complaint, process, notice, demand or pleading, the original copy thereof to the County Attorney and request the County Attorney to assume control of his or her representation. Upon determining that the member was acting within the scope of his or her duties as a member, said determination being final unless arbitrary and capricious, the County Attorney shall assume control of the representation of the member. When the County Attorney assumes such control, the member shall cooperate fully with the County Attorney

SECTION 2 This local law shall take effect upon filing with the Secretary of State