

1 H.636

2 Introduced by Representative Taylor of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Human services; nursing homes; plan of care meetings; audio
6 recording

7 Statement of purpose of bill as introduced: This bill proposes to authorize
8 nursing home residents, their families, and reciprocal beneficiaries to audio
9 record meetings regarding the resident's plan of care.

10 An act relating to audio recording plan of care meetings at nursing homes

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 33 V.S.A. § 7301 is amended to read:

13 § 7301. NURSING HOME RESIDENTS' BILL OF RIGHTS

14 The General Assembly hereby adopts the Nursing Home Residents' Bill of
15 Rights as follows:

16 * * *

17 (3) The staff of the facility shall ensure that the residents and their
18 families, including a reciprocal beneficiary:

19 (A) shall have the right to organize, maintain, and participate in
20 either resident or family councils, or both. The facility shall provide space

1 and, if requested, assistance for meetings. Council meetings shall be afforded
2 privacy, with staff or visitors attending only at the council's invitation. The
3 facility shall respond in writing to written requests from council meetings.
4 Resident councils and family councils shall be encouraged to make
5 recommendations regarding facility policies;

6 (B) shall have the right to review current and past State and federal
7 survey and inspection reports of the facility, and upon request, to receive a
8 copy of any report from the facility. Copies of reports shall be available for
9 review at any time at one station in the facility. The facility may charge a
10 reasonable amount for more than one copy per resident; and

11 (C) shall have the right to audio record meetings with facility staff
12 regarding the resident's plan of care as defined in section 6902 of this title.
13 The resident, his or her family member, or reciprocal beneficiary shall notify
14 the facility of his or her intent to audio record the meeting at least 24 hours
15 prior to the meeting. The facility shall audio record a meeting regarding the
16 resident's plan of care where notice of intent to audio record the meeting is
17 initiated by the resident, his or her family member, or reciprocal beneficiary.
18 The facility may initiate a notice of intent to audio record a meeting with the
19 resident, his or her family member, or reciprocal beneficiary regarding the
20 resident's plan of care, but if the resident, his or her family member, or

1 reciprocal beneficiary refuses to attend as a result of the audio recording, the
2 meeting shall not be recorded.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2014.