

135C.25 Resident advocate committee appointments — duties — disclosure — liability.

1. Each health care facility shall have a resident advocate committee whose members shall be appointed by the director of the department on aging or the director's designee. A person shall not be appointed a member of a resident advocate committee for a health care facility unless the person is a resident of the service area where the facility is located. The resident advocate committee for any facility caring primarily for persons with mental illness, mental retardation, or a developmental disability shall only be appointed after consultation with the administrator of the division of mental health and disability services of the department of human services on the proposed appointments. Recommendations to the director or the director's designee for membership on resident advocate committees are encouraged from any agency, organization, or individual. The administrator of the facility shall not be appointed to the resident advocate committee and shall not be present at committee meetings except upon request of the committee.

2. Each resident advocate committee shall periodically review the needs of each individual resident of the facility and shall perform the functions pursuant to sections 135C.38 and 231.44.

3. A health care facility shall disclose the names, addresses, and phone numbers of a resident's family members, if requested, to a resident advocate committee member, unless permission for this disclosure is refused in writing by the family member. The facility shall provide a form on which a family member may indicate a refusal to grant this permission.

4. Neither the state nor any resident advocate committee member is liable for an action by a resident advocate committee member in the performance of duty, if the action is undertaken and carried out in good faith.

[C71, 73, 75, 77, 79, 81, §135C.25]

83 Acts, ch 73, §6; 86 Acts, ch 1245, §1027; 87 Acts, ch 70, §1; 88 Acts, ch 1068, §2; 94 Acts, ch 1170, §24; 99 Acts, ch 129, §5; 2006 Acts, ch 1115, §20; 2009 Acts, ch 23, §10

Insufficient funding exception to committee appointment requirement; see §231.44