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Services Agency
**California Department of
Public Health**



EDMUND G. BROWN JR.
Governor

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AFL 18-04

TO: Intermediate Care Facilities (ICFs)
Skilled Nursing Facilities (SNFs)

SUBJECT: Family Council Requirements

AUTHORITY: Health and Safety Code section 1418.4

All Facilities Letter (AFL) Summary

This AFL reminds SNFs and ICFs that they must not prohibit residents' family members or representatives from forming a family council.

A family council is a meeting of family members, friends, or representatives of two or more residents to confer in private without staff. When requested by a resident's family member or representative, the facility must allow the family council to meet in a common meeting room of the facility at least once a month during mutually agreed upon hours. Facility staff or visitors may attend family council meetings at the group's invitation.

Facilities must not willfully interfere with the formation, maintenance, or promotion of a family council, which includes, but is not limited to, discriminating or retaliating in any way against an individual as a result of his or her participation in a family council or willfully scheduling facility events in conflict with a previously scheduled family council meeting.

When a family council exists, the facility must include notice of the family council meetings in at least a quarterly mailing. Facilities must also inform identified family members or representatives of new residents of the family council's existence. The notice must include the time, place, and date of meetings, and a contact person for the family council.

Facility policies on family councils must in no way limit the rights of residents, family members, and family council members to meet independently with outside persons, including members of nonprofit or government organization or with facility personnel during nonworking hours.

Facilities with family councils must also:

- Respond in writing to written requests or concerns of the family council within 10 working days.
- Provide a designated staff person responsible for providing assistance and responding to written requests from family council meetings.
- Provide adequate space on a prominent bulletin board or other posting area for the display of meeting notices, minutes, newsletters, or other information pertaining to the family council's operation or interest.
- Consider the views and act upon the grievances and recommendations of a family council concerning proposed policy and operational decisions affecting resident care and life in the facility.

The California Department of Public Health (CDPH) may request documentation to verify compliance with family council requirements at any time. Failure to comply with family council requirements constitutes a violation of the residents' rights and is subject to a class "B" citation.

CDPH's failure to expressly notify facilities of statutory or regulatory requirements does not relieve facilities of their responsibility for following all laws and regulations. Facilities should refer to the full text of all applicable sections of the Health and Safety Code and the California Code of Regulations to ensure compliance.

If you have questions, please contact your local district office.

Sincerely,

Original signed by Jean Iacino

Jean Iacino
Deputy Director

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