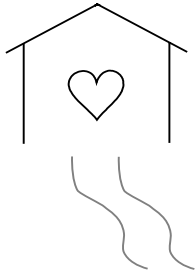


RESIDENTIAL CARE



RIGHTS
FACTS
OUTCOMES
OPTIONS
NEGOTIATION
APPEAL
FORMAL COMPLAINT

RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

SELF-ADVOCACY APPROACHES FOR RESIDENTS & FAMILY MEMBERS

Self-advocacy is an act of empowerment! Here are some principles and practical tips to put assertiveness to work in your advocacy efforts.

At the heart of self-advocacy is knowledge about one's rights. In exercising your rights, strive to maintain a calm manner. Act with assertiveness. Be persistent. Ask for honest communication. And insist on accountability.

RIGHTS: KNOW YOUR RIGHTS AS A RESIDENT

- ◆ At the time of admission, the facility should explain your rights as a resident. The facility must post and make available to all residents a copy of the resident rights. (Refer to *Resident's Rights Fact Sheet*.)
- ◆ You have a right to express concerns, suggestions or to make complaints and to do so without fear of retaliation.
- ◆ Contact the Ombudsman Program to assist you in exercising your rights. The Ombudsman is your advocate. A poster with the telephone number for the local Ombudsman Program must be clearly displayed in every Residential Care Facility for the Elderly.

FACTS: DOCUMENT YOUR CONCERNS

- ◆ Write down important facts by answering who, what, when, where, and how questions. Keep a small notebook to record your observations.
- ◆ Describe what happened. Be as specific as possible. State the facts and avoid making conclusions.
- ◆ Organize events in chronological order, i.e., what happened on a certain date, followed by the next date, and so forth.
- ◆ When appropriate, refer to important documents, e.g., Admission Agreement.

OUTCOMES: CLEARLY DEFINE THE RESULTS THAT YOU WANT

- ◆ Define your desired results by answering the following questions: What do you really want? What can you live with? What is unacceptable?
- ◆ State your desired results in simple declarative sentences.
- ◆ Present the outcome in positive terms.

OPTIONS: CREATE ONE OR TWO ACCEPTABLE OPTIONS FOR EACH CONCERN THAT YOU RAISE

- ◆ Act as a problem-solver or option creator, not a complainer.
- ◆ Come with solutions or options that will achieve your outcomes.
- ◆ State your options in terms of needs or preferences.

NEGOTIATION: PLAN A MEETING OR MEETINGS TO ACHIEVE YOUR DESIRED RESULTS

- ◆ Identify the person(s) who can resolve your concern(s).
- ◆ Set up a meeting with the appropriate staff, e.g., Administrator or Manager, Activities Coordinator, cook, etc.
- ◆ Bring in allies who can support the outcomes and options that you want or who can give you moral support, e.g., family member or friend, Ombudsman, pastor, social worker, etc.
- ◆ During the meeting, focus on the outcome(s) that you want - don't get distracted. Listen to build understanding and to gain information.
- ◆ Establish a sense of cooperation. Don't personalize the argument or put down the person whom you are communicating with. This usually produces defensiveness rather than the cooperation necessary to achieve a positive outcome.
- ◆ Find points of agreement or compromise – build on these points before dealing with more difficult issues.
- ◆ Insist on using objective criteria. If applicable, demonstrate the uniqueness of your situation and ask for an exception.
- ◆ Summarize your understanding of the agreed upon outcome(s) before ending the meeting.
- ◆ Insist on a date for resolution or a timetable for changes to be made.
- ◆ If possible, put your understanding in writing. This creates a permanent record of the agreement in case there are any misunderstandings in the future. It can also be a tool to promote accountability by measuring progress against agreed upon outcomes and timetables.

APPEAL: IF YOU ARE NOT SATISFIED WITH THE OUTCOME OF THE MEETING, APPEAL THE DECISION

- ◆ One approach is to go up the “chain of command” to find a positive resolution. Ask to speak with the person's supervisor or the person in charge of the department or the facility.
- ◆ If this doesn't work, call or write a letter to the owner or to corporate headquarters.

FORMAL COMPLAINT: WHEN PROBLEMS ARE PERSISTENT OR SERIOUS, FILE A FORMAL COMPLAINT

- ◆ Complaints are investigated by persons who do not work for the facility and may be able to see the situation more objectively, offering new alternatives.
- ◆ Contact the local Ombudsman Program; and/or
- ◆ Call, write or fax Community Care Licensing, the agency that regulates Residential Care Facilities for the Elderly or Assisted Living Facilities. (Refer to the *Fact Sheet on Filing Complaints*.)

For more information, contact:

California Advocates for Nursing Home Reform
650 Harrison Street, 2nd Floor | San Francisco, CA 94107
1-800-474-1116 (consumers only) or 415-974-5171
or visit our web site at **www.canhr.org**