

**Model Bill of Rights
For Residents of
Continuing Care Retirement Communities**

The residents of a Continuing Care Retirement Community continue to enjoy the rights accorded to them under the United States Constitution. In addition they have the right to:

1. Expect full, prompt and complete fulfillment by the CCRC's management of those services delineated in their contracts.
2. Establish, organize, fund, develop by-laws for, and operate a resident association whose purposes include, but are not limited to, representing the interests of the residents to the administration and the CCRC's corporate governing board.
3. Freely assemble, with or without the participation of management and staff, as the residents in their judgement deem advisable, to enhance communication and information-sharing among the residents, and to promote active learning and discussion of issues facing the CCRC community.
4. Select and appoint, in accordance with the resident association's own by-laws, at least three members of the CCRC's corporate governing board, who, as full-fledged board members, have rights and duties commensurate with the other board members. CCRC residents have the right to receive regularly scheduled reports from the association-appointed corporate governing board members about the board's deliberations, actions and policies. Residents have a right to a corporate governing board every member of which acknowledges their fiduciary responsibility to the residents.
5. Be kept informed by the administration, on an ongoing basis, about all significant issues of management which directly affect residents' well-being or their financial investment, or any issues about which residents are concerned, limited only by necessary and explicitly defined policies of confidentiality and privacy.
6. Full disclosure of the finances of the corporation, presented at least on an annual basis. In cases where a community is a member of a consortium of communities, residents have the right to be fully informed of the finances both of their local community and of the parent corporation. CCRC residents have the right to receive periodic written reports from a duly certified actuary affirming that sufficient funds are being set aside for the future likely needs of the resident population. Residents have the right to be informed in advance if any sale of the community to another operator or provider comes under consideration.
7. A plain English list of those services guaranteed by the contract, as well as a list of those services offered by the CCRC but not guaranteed in the contract (and which therefore may be modified or withdrawn at the discretion of the management or corporate governing board), provided to all prospective residents prior to their being asked to sign the contract.
8. Visit the assisted living and skilled nursing facilities, as well as all the amenities

associated with independent living, before signing a contract.

9. Be informed in advance of, and to comment on, changes in the delivery of services, including changes in staffing levels in its administrative and service departments and changes in staff credentialing requirements in areas such as health care, food service, and facilities maintenance.
10. Be informed, at least a month in advance of implementation, about any changes in fees, and have the opportunity to comment on these to management and to the governing board.
11. Participate directly in the governance of the residents association through communication, discussion, and decision-making in open meetings, through membership in association committees, and through the election of officers and members of the resident association's own board of directors.
12. Raise issues concerning their own well-being, their quality of life, and the sufficiency of their involvement in community life and governance, and to advocate openly for issues of concern to them to be discussed and dealt with by the residents association, the administration, and the governing board, as appropriate.
13. Start up and operate informal activities of any kind, so long as they do not impact negatively on the lives of others, violate the law, interfere with other activities in community space and facilities, or require resident association funds.
14. Organize and seek resident association recognition of a new committee or other resident activity needing community facilities or resident association funds.
15. All the benefits of living in community, including all the services and amenities on offer, and all regulations applying to community life, provided and enforced impartially and without prejudice, regardless of a resident's age, gender, race, economic status, professional background, sexual orientation, past or present advocacy of issues and policies applying to community life and governance, past or present activism in the polity outside of the retirement community, or past or present service on boards or committees.
16. Select, based on availability and the resident's financial qualifications, an independent living apartment of the resident's choice and to appoint and furnish it to the resident's taste, within the provisions of the life-care contract and fire and safety regulations.
17. Participate as fully and meaningfully as possible. when the need to move to an assisted living facility or skilled nursing unit comes under discussion. Family members designated by the resident have the right to be kept informed of the residents' condition and care plan. Residents or their designated medical proxies have the right to refuse medications and treatments.

This Bill of Rights grew out of a consultative process lasting over a year and involving residents from approximately 50 continuing care retirement communities. It was discussed at the annual membership meeting of NaCCRA in April of 2015, and approved by the NaCCRA Board at its May 6, 2015 meeting. It is intended to serve as a model of best practice for residents and providers, and as a convenient resource for citizens and legislators as they guide the evolution of regulations and laws pertaining to CCRCs.