

ORANJ Leaf



Issue #3 – April, 2015

Organization of Residents Associations of New Jersey www.oranjccrc.org

The Distribution Requirement of the Bill of Rights for CCRC Residents in Independent Living

The Bill of Rights for CCRC Independent Living residents was signed into law on October 17, 2013. The law is available at www.njleg.state.nj.us/2012/Bills/PL13/167.PDF. The rights are [listed on the ORANJ website](#) and [this brochure about the rights](#) is available, in quantity, from the NJ Office of the Ombudsman for the Institutionalized Elderly (OOIE), 877-582-6995, PO Box 852, Trenton, NJ 08625-0852, email: ombudsperson@ooie.nj.gov.

In order for independent living residents to know their rights, and what action they may take if they feel the rights are being violated, the law includes a provision that each facility is required to distribute to each resident, and post in a conspicuous public place in the facility, a statement “in a form distributed by the department” and to “ensure that each resident or legal representative of the resident has been encouraged to read the statement of residents’ rights, and sign a copy of the statement to demonstrate that it has been read and understood”.

The purpose of this issue of *ORANJ Leaf* is threefold:

- 1) To explain the distribution requirement,
- 2) To provide a model for compliance with the distribution requirement,
- 3) To request a statement from ORANJ member associations, letting ORANJ know that the requirement has been met.

1. What the law says: [Go to the law](#), and scroll down to

C.52:27D-360.5 “Bill of Rights for Continuing Care Retirement Community Residents in Independent Living.” This is what it says at 360.5

5. Each continuing care retirement facility is required to distribute to each resident, and post in a conspicuous public place in the facility, a statement of residents’ rights, entitled “Bill of Rights for Continuing Care Retirement Community Residents in Independent Living,” as provided in P.L.2013, c.167 (C.52:27D-360.1 et al.), to each resident. **The statement of residents’ rights shall be prepared, distributed, and posted in a form approved by the department.** The facility shall inform each resident, a member of the resident’s immediate family but only at the resident’s request, and the resident’s legal representative, if applicable, of the resident’s rights, provide explanations if needed, and **ensure that each resident or legal representative of the resident has been encouraged to read the statement of residents’ rights, and sign a copy of the statement to demonstrate that it has been read and understood.** The facility shall also be responsible for making this statement available to any resident within a reasonable time upon request and without

cost. The facility shall be responsible for undertaking the actions in this section with respect to all new and existing residents as of the effective date of P.L.2013, c.167 (C.52:27D-360.1 et al.).

Concerning the statements in boldface above, the department referenced is the Department of Community Affairs (DCA) and the brochure which is available in quantity from the OOIE is the form approved by the department.

2. A model for compliance. On December 19, 2014, Fellowship Village in Basking Ridge distributed the brochure from the Office of the Ombudsman to all residents. The cover letter included a form that needed to be signed that stated that the resident had read and understood the information about the bill of rights. Like Fellowship Village, Meadow Lakes in East Windsor is distributing the Ombudsman's brochure for a second time, this time with a form for residents to sign and return.

Excerpted from the Fellowship Village letter: [included is] another copy of the summary of the RESIDENTS' BILL OF RIGHTS We learned that the state Department of Community Affairs confirmed that it will not be issuing its own document for posting and distribution. Instead the DCA has officially approved the brochure (attached) that was developed by the Office of the Ombudsman for the Institutionalized Elderly.

We are required to again distribute this to each Lifecare Resident and obtain your signature that you have read, understood, and received a copy of this information. Below is a form which you can sign and return to the front reception desk by January 10, 2015. If you have any questions or need more information please contact...

Here is an image of the form at the bottom of the Fellowship Village letter:

I, _____, # _____	
Print Name	House #
I have received a copy of the summary of the Bill of Rights for Continuing Care Retirement Community Residents. I have read and understand my rights as outlined on the brochure from the NJ Office of the Ombudsman dated 9/12/14. I further understand that I can contact the NJ Office of the Ombudsman or the NJ Dept. of Community Affairs (contact info. Listed in brochure) with any questions or also speak with Phylis Tranotti, Exec. Vice President at Fellowship Village (908-580-3806) to have any questions answered.	
Signed _____	Date _____

3. Request for a statement from ORANJ member associations: At the end of this issue of *ORANJ Leaf* (page 3) there is a form that ORANJ member associations may use to affirm that their CCRC has met the distribution requirement.



To subscribe to *ORANJ Leaf* and *The ORANJ Tree*, send your name, email address, and name of community to oranjnewsletter@gmail.com. Back issues of both *ORANJ Leaf* and *The ORANJ Tree* are archived at oranjccrc.org/publications.htm.

Statement from CCRC resident associations to ORANJ affirming the distribution of the Bill of Rights.

This form may be returned by email or postal mail to
Ron Whalin, President of ORANJ
2whalins@gmail.com
2131 Fellowship Road
Basking Ridge, NJ 07920

Print name of CCRC

Date

The administration of our CCRC has met the distribution requirement of the Bill of Rights for CCRC Residents in Independent Living. All residents have been given the Ombudsman's brochure about the Bill of Rights and each resident has been asked to sign and return a statement that they have read and understood their rights as outlined in the brochure

Print name of Resident Association President or ORANJ liaison

Signature of Resident Association President or ORANJ liaison