§ 2803-g. Board of visitors in county owned residential health care facility. 1. Each public residential health care facility owned by a county may have a board of visitors consisting of at least seven members. Members shall be appointed by the county executive of the county in which the facility is located where the county charter or, in the absence of such, county law provides that members of county boards, commissions, authorities or agencies are to be appointed by such an officer. Such appointments shall be made with the approval of the local legislative body of that county. In those counties without a county executive, appointments shall be made by the legislative body of the county. A visitor may be removed by the county legislative body for cause after notice and an opportunity for hearing on the charges.

2. Unless provided otherwise by local law, each board shall elect annually one member to serve as president of the board and one member to serve as secretary.

3. Visitors shall not receive compensation but may be reimbursed for their actual expenses in connection with their service as visitors by the facility they serve.

4. The board of visitors shall hold no less than six regular meetings annually, but a greater number of regular meetings may be scheduled by the board. The conditions under which special meetings may be called shall be established by local law or in by-laws of the board. The board may require the head administrator of the facility to submit a report at each meeting. The board shall keep a record of its proceedings and activities. A member of a board of visitors who has failed to attend three consecutive meetings shall be considered to have vacated his office unless the board has adopted rules to the contrary.

5. Upon the request of the head administrator of the facility or upon the board's initiative, the board shall consult, advise and work with the director with respect to community relations, conditions at the facility, preliminary plans for construction and alterations and programs and activities of the facility.

6. The board or any member of the board may visit and inspect the facility at any time without prior notice and may report on conditions to the local legislative body or the county executive and the commissioner of the New York state department of health. In addition, the board shall insure that a member or a committee of members shall inspect the facility once every three months without prior notice. A member of a board of visitors who has failed to visit and inspect the facility at least twice a year shall be considered to have vacated his office unless otherwise ordered by the board.

7. The board shall have the power to investigate all charges against the administrator of the facility, all cases of alleged patient abuse or mistreatment, and any other complaint filed against the facility. The board shall receive from the facility copies of all accident reports and any reports of abuse or neglect involving patients of the facility. The board or any member of the board shall have the right to examine any books or papers of the facility at anytime, except that access to patient medical records shall be with the written consent of the patient or his legal representative. Unless provided otherwise by local law, the board shall have the power, in accordance with the civil practice law and rules, to require the production of any books or papers deemed relevant to the investigation. The board or a member may include in the report of their investigation or separately at any time, any matter pertaining to the management and affairs of the facility and may make recommendations to the county executive, or in the absence of such, the county legislative body and to the commissioner.

8. Once each year, the board shall make an independent assessment of conditions at the facility and shall submit a report on the assessment and recommendations to the commissioner and to the county executive, or in the absence of such, the county legislative body.

9. The county executive or the local legislative body shall notify the board of visitors of a residential health care facility of the proposed appointment of a head administrator to such facility with a request that the board report an expression of its opinion of the appointment and, if it objects thereto, the reasons for such an objection.

10. The board may establish by-laws which shall be available for public inspection at the facility and the office of the county attorney.

11. Members of the board of visitors shall be considered officers of the county by which they are compensated for purposes of section four hundred nine of the county law. The county legislative body shall establish a code of ethics for the members of such board, including but not limited to provisions on conflict of interest and course of conduct.