

RESIDENT RIGHTS

As a resident of this facility, you have the right to a dignified existence and to communicate with individuals and representatives of choice. The Facility will protect and promote your rights as designated below.

Exercise of Rights –

- You have the right and freedom to exercise your rights as a resident of this facility and as a citizen or resident of the United States without fear or discrimination, restraint, interference, coercion, or reprisal.
- If you are unable to act in your own behalf, your rights are exercised by the person appointed under state law to act in your behalf.

Notice of Rights and Services –

- You will be informed of your rights and of all rules and regulations governing resident conduct and responsibilities both orally and in writing.
- You have the right to inspect and purchase photocopies of your records.
- You have the right to be fully informed of your total health status.
- You have the right to refuse medication or treatment and the right to refuse to participate in experimental research.
- You have the right to formulate an advance directive in accordance with facility policy and applicable state law.
- You must be informed of Medicare and Medicaid benefits and any changes to benefits or charges.
- The facility must inform you of procedures for protecting personal funds.
- You must be informed of your physician, his or her specialty, and way of contacting him or her.
- The facility must consult with you and notify your physician and interested family member of any significant change in your condition or treatment, or any decision to transfer or discharge.
- The facility must notify you and interested family member of a room or roommate change.
- You have a right to refuse room changes requested by the facility.
- The facility must notify you and interested family member of changes in your rights.
- The facility must post the names, addresses, and telephone numbers of all pertinent state client advocacy groups. If you deem necessary, you may file a complaint with the state survey and certification agency concerning resident abuse, neglect, misappropriation of resident property, and non-adherence to advance directive requirements.

Protection of Funds—

- You may manage your own financial affairs. You are not required to deposit personal funds with the facility.
- The facility must manage your deposited funds with your best interests in mind. Your money must not be commingled with facility funds.
- The facility will provide you with an individualized financial report quarterly and upon your request.
- Any remaining estate will be conveyed to your named successor.
- All funds held by the facility will be protected by a security bond.
- The Facility must not charge you for any items or services you do not request or which are included in Medicare or Medicaid payment. The facility must tell you what the charge will be for any of these requested items or services.

Free Choice—

- You may choose your own personal physician.
- You must be informed of and may participate in planning your care and treatment and any changes in your care and treatment.

Privacy—

- You have the right of privacy over your personal and clinical records.
- Your privacy will include: personal care, medical treatments, telephone use, visits, letters; and meetings of family and resident groups.
- You may approve or refuse the release of your records except in the event of a transfer or legal situation.

Grievances—

- You may voice grievances concerning your care without fear of discrimination or reprisal.
- You may expect prompt efforts for the resolution of grievances.

Examination of Survey Results—

- You may examine survey results and the plan of correction. These, or a notice of their location, will be posted in a readily accessible place.
- You may contact client advocate agencies and receive information from them.

Work—

- You have the right to perform or refuse to perform services for the facility.
- All services performed must be well documented in the care plan to include nature of the work and compensation.

Mail—

- You have the right to send and promptly receive your mail unopened and have access to writing supplies you have requested.

Access and Visitation Rights—

- You have the right to receive or deny visitors.
- You have the right and the facility must provide access to visit with any relevant agency of the state or any entity providing health, social, legal, or other services.

Telephone—

- You have the right to use the telephone in private.

Personal Property—

- You can retain and use personal possessions as space permits.

Married Couples—

- A married couple may share a room.

Self-Administration of Drugs—

- You may self-administer drugs if determined safe by the interdisciplinary care team.

ADMISSION, TRANSFER, AND DISCHARGE RIGHTS

Transfer and Discharge—

- You may not be transferred or discharged unless your needs cannot be met, your safety is endangered, or services are no longer required.
- Notice of and reason(s) for transfer or discharge must be provided to you in an understandable manner.
- Notice of transfer or discharge must be given to you 30 days prior, except in cases of health and safety needs.
- The transfer or discharge notice must include the name, address, and telephone number of the - appropriate, responsible advocacy agency.
- A facility must provide you sufficient preparation and orientation to ensure a safe transfer or discharge.

Notice of Bed-Hold Policy and Readmission—

- You and a family member must receive written notice of state and facility bed-hold policies
- before and at the time of a transfer which specifies the duration of the policy, if applicable.
- The facility must follow a written policy for readmittance if the bed-hold period is exceeded.

Equal Access to Quality Care—

- The facility must use identical policies regarding transfer, discharge, and services for all residents regardless of payor source.
- The facility may determine charges for a non-Medicaid resident as long as written notice was provided at the time of admission.

Admission Policy—

- The facility must not require a third party guarantee of payment or accept any gifts as a condition of admission or continued stay.
- The facility cannot require you to waive your right to receive or apply for Medicare or Medicaid benefits.
- The facility may obtain a contract from someone who has legal financial access for payment without incurring your personal liability for payment.
- The facility may charge a Medicaid-eligible resident for items and services requested that are not covered in the state plan.
- The facility may only accept contributions if they are not solicited or offered as a condition of admission or continued stay.

RESIDENT BEHAVIOR AND FACILITY PRACTICES

Restraints—

- The facility must not use physical restraints or psychoactive drugs for discipline or convenience or when they are not required to treat medical symptoms.

Abuse—

- You have the right to be free from verbal, sexual, physical, or mental abuse, corporal punishment, and involuntary seclusion.

Staff Treatment—

- The facility must implement procedures that protect you from abuse, neglect or mistreatment, and misappropriation of your property.
- In the event of an alleged violation involving your treatment, the facility is required to report it to the appropriate officials.
- All alleged violations must be promptly and thoroughly investigated and the results reported to appropriate agencies. Corrective action must be taken.

Quality of Life—

- The facility must care for you in a manner and environment that enhances or promotes your quality of life.

Dignity—

- The facility will treat you with dignity and respect in full recognition of your individuality.

Self Determination—

- You may choose your own activities, schedules and health care and any other aspect significant to and affecting your life within the facility.
- You may interact with visitors of your choice or with members of the community both inside or outside of the facility.

Participation in Resident and Family Groups—

- You may organize or participate in groups of choice.
- Families have the right to visit with other families.
- The facility must provide a private space for group meetings.
- Staff or visitors may attend meetings at the group's invitation.
- The facility will provide a staff person to assist and follow up with the group's written requests.
- The facility must listen to and act upon requests or concerns of the group.

Participation in Other Activities—

- You have the right to participate in activities of choice that do not interfere with the rights of other residents.

Accommodation of Needs—

- You have the right to receive services with reasonable accommodations to individual needs and preferences.
- You will be notified of room or roommate changes.
- You have the right to make choices about aspects of your life in the facility that are important to you.

Activities—

- The facility must provide a program of activities designed to meet your needs and interests.

Social Services—

- The facility must provide social services to attain or maintain your highest level of well-being.

Environment—

- The facility must provide a safe, clean, comfortable, home-like environment, allowing you the opportunity to use your personal belongings to the extent possible.
- The facility will provide housekeeping and maintenance services.
- The facility will assure you have clean bath and bed linens and that they are in good repair.
- The facility will provide you with private closet space as space permits.
- The facility will provide you with adequate and comfortable lighting and sound levels.
- The facility will provide you with comfortable and safe temperature levels.