

Appendix B

SYNOPSIS OF RESIDENTS' BILL OF RIGHTS

WELCOME

This facility must ensure and protect the human rights of every individual in residence and to that end will provide a clean, healthy attractive environment wherein the resident will receive treatment without discrimination as to race, color, religion, sex, national origin or source of payment. Upon request, every resident has the right to the name and function of persons providing them service and the identification of other health care facilities, nursing homes, hospitals and other institutions that may provide them with service.

INFORMATION

THE RESIDENT HAS THE RIGHT TO:

- a. Be fully informed before, or at admission, of his rights and responsibilities as a resident;
- b. Know immediately of any changes or amendments to those rights and responsibilities;
- c. Be fully informed prior to or at admission and during stay, of services available in the facility and of related charges of services;
and
- d. Reasonable notice of any changes in the costs or availability of services.

MEDICAL CONDITION AND TREATMENT

AS A RESIDENT, YOU HAVE THE RIGHT TO:

- a. Choose, at your own expense, a personal physician and pharmacist;
- b. Be fully informed by a physician of your health and medical condition unless the physician documents in your medical record that such knowledge is contraindicated;
- c. Be given the opportunity to participate in planning your total care and medical treatment;
- d. Be given the opportunity to refuse treatment;
- e. Be given the opportunity to refuse to participate in experimental research;
- f. Receive rehabilitative and restorative therapies;

- g. Be advised by physician or appropriate professional staff of alternative courses of care and treatments and their consequences; and
- h. Receive medical care, nursing care and personal cleanliness in a safe and clean environment.

EXERCISING RIGHTS

AS A RESIDENT, YOU ARE ENCOURAGED OR WILL BE ASSISTED TO:

- a. Exercise all constitutional and legal rights as a resident and as a citizen, including the right to vote;
- b. Voice grievances and recommend changes in nursing home policies and services to facility staff and to outside representatives of your choice, free from restraint, interference, coercion, discrimination or reprisal. All complaints and suggestions made to the nursing home must be responded to;
- c. Exercise your religious beliefs including the right to rely on spiritual means for treatment; and
- d. Participate in the Resident Council and be informed of its activities and recommendations to the facility.

TRANSFER, DISCHARGE, AND CHANGE OF ACCOMMODATION

EVERY RESIDENT HAS THE RIGHT TO KNOW:

- a. You will be transferred or discharged only for: medical reasons, for your welfare or that of others, you no longer need the services, the facility ceases operations, or for non-payment;
- b. Except in emergency the facility must give you a thirty (30) day written notice of transfer or discharge; you shall be given reasonable notice of change of room or roommate within the facility;
- c. Transfer and discharge shall be discussed with you and you shall be told the reason and alternatives that are available;
- d. There is an appeals process for residents objecting to transfer or discharge;
- e. You shall be provided preparation and orientation to ensure a safe and orderly transfer or discharge; and
- f. You shall be given reasonable notice of change of room or roommate change in

the facility.

FINANCIAL AFFAIRS

AS A RESIDENT YOU HAVE THE RIGHT TO:

- a. Manage your personal financial affairs, or delegate that management to a responsible party; and
- b. Delegate that management or a part thereof to the nursing home and receive at least a quarterly report of transactions made on your behalf.

FREEDOM FROM ABUSE AND RESTRAINTS

AS A RESIDENT YOU HAVE THE RIGHT TO BE:

- a. Free from mental and physical abuse (Mental abuse includes humiliation, harassment, and threats of punishment or deprivation. Physical abuse refers to corporal punishment and the use of restraints as a punishment.); and
- b. Free from chemical and physical restraints except when authorized in writing by a physician for a specific and limited period of time and only to protect you from injury to yourself or others.

PRIVACY

EVERY RESIDENT HAS THE RIGHT TO:

- a. Considerate and respectful care. Every resident will be treated with consideration, respect and full recognition of his dignity and individuality;
- b. Privacy during treatment and care of personal needs. People not involved in the care of residents shall not be present without the consent from the resident during examinations and treatment;
- c. Know that he is assured confidential treatment of all information contained in his medical records and that his or his legal appointee's written consent is required for the release of information to persons not otherwise authorized to receive it;
- d. Know that photographs and interviews shall not be released without written consent of the resident or his responsible party;
- e. Privacy during visits with spouse; and

- f. Share a room, in the case of married residents, unless medically contraindicated by a physician in writing.

WORK

- a. Every resident has the right to refuse work. No resident is required to perform any service for the nursing home.

ACTIVITIES

AS A RESIDENT, YOU HAVE THE RIGHT TO:

- a. Participate in activities of social, religious, and community groups unless medically contraindicated in writing by your physician;
- b. Refuse to participate in activities;
- c. Be provided a schedule of daily activities that allow flexibility in what you will do and when you will do it; and
- d. Individual preferences regarding such things as food, clothing, religious activities, friendships, activity programs and entertainment. Such preferences shall be elicited and respected by the nursing home staff.

PERSONAL POSSESSIONS

EVERY RESIDENT HAS THE RIGHT TO:

- a. Associate and communicate privately with persons of his choice, and send and receive personal mail unopened unless medically contraindicated and documented by the physician in the medical record;
- b. Space to receive visitors in reasonable comfort and privacy; and
- c. Retain and use personal possessions and clothing as space permits.

IF YOU FEEL YOUR RIGHTS HAVE BEEN VIOLATED BY THE LONG TERM CARE FACILITY CALL THE OFFICE OF LONG TERM CARE AT 501-682-8430 OR YOUR LOCAL NURSING HOME OMBUDSMAN AT THE LOCAL AREA AGENCY ON AGING (LISTED IN YOUR TELEPHONE DIRECTORY) OR THE ADULT PROTECTIVE SERVICES AT 501-682-8491.