

RESIDENT RIGHTS

As a resident of this facility, you have the right to a dignified existence, self-determination and communication with and access to persons and services of your choice. You have the right to receive equal access to quality care regardless of your diagnosis, severity of condition or payment source. This facility must 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 interference, coercion, discrimination or reprisal from the facility.
- You have the right to designate a representative to exercise your rights, in accordance with state law, if you have not been adjudged incompetent by the state court. Your representative may exercise your rights as provided by state law. You retain the right to exercise those rights not delegated to a resident representative, including the right to revoke delegation of your rights to a representative.
- Same-sex spouses must be afforded treatment equal to that afforded to an opposite-sex spouse if the marriage was valid in the jurisdiction in which it was celebrated.

Planning and Implementing Care-

- You have the right to be informed of your total health status and medical condition as well as to participate in your treatment in a format and language you can understand.
- You have the right to participate in the development and implementation of your person-centered plan of care, including planning, identifying persons or roles to be included in planning, request meetings and request revisions to your plan of care.
- You have the right to participate in setting goals and outcomes of care, type, amount, frequency and duration of care as well as other factors related to the effectiveness of your plan of care.
- You have the right to be informed, in advance, of changes to your plan of care, receive services and items included in your plan of care and see the care plan, including the right to sign after significant changes are made to your plan of care.
- Planning for your care must include you and/or your representative and include an assessment of your strengths and needs as well as your personal and cultural preferences in developing goals.
- You have the right to be informed, in advance, of the care to be furnished and the type of caregiver or professional that will furnish care.
- You have the right to be informed in advance, by the physician or other practitioner/professional, of the risks and benefits of proposed care, treatment and treatment alternatives or options and to choose the alternative or option you prefer.
- You have the right to request, refuse and/or discontinue treatment, to participate in or refuse to participate in experimental research.
- You have the right to formulate an advance directive.
- You have the right to self-administer medications if the interdisciplinary team has determined that this practice is clinically appropriate.
- You have the right to receive basic life support, including CPR, when you require such emergency care prior to the arrival of emergency medical personnel. Basic life support and CPR will be provided in accordance with your advance directives and related physician orders.

Choice of Attending Physician-

- You have the right to choose your attending physician.
- This facility must inform you if the physician you chose is unable or unwilling to meet requirements and the facility seeks alternate physician participation to assure you receive appropriate and adequate care and treatment.
- This facility must ensure that you remain informed of the name, specialty and way of contacting your physician and other primary care professionals responsible for your care.

Respect and Dignity-

- You have the right to be treated with respect and dignity.
- You have the right to be free from any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat your medical symptoms.
- You have the right to be free from abuse, neglect, misappropriation of your property and exploitation. This facility must not use verbal, mental, sexual or physical abuse, corporal punishment or involuntary seclusion.
- You have the right to keep and use your personal possessions, including furnishings and clothing, as space permits and respectful of the rights or health and safety of other residents.
- You have the right to live in this facility and receive services with reasonable accommodation of your needs and preferences except when to do so would endanger the health or safety of yourself or other residents.
- You have the right to share a room with your spouse when you both live in this facility and both of you agree to share the room.
- You have the right to share a room with a person you choose when practicable, when you both live in this facility and both of you agree to share the room.
- You have the right to receive written notice, including the reason for the change, before your room or roommate in this facility is changed.
- You have the right to refuse to transfer to another room in this facility under certain circumstances including convenience of staff. Exercising your right to refuse transfer does not affect your eligibility or entitlement to Medicare or Medicaid benefits.

Self-Determination-

- You have the right, and this facility must promote and support your right, to:
 - Choose activities and schedules (including sleeping and waking times);
 - Choose health care and providers of health care services consistent with your interests, assessments, plan of care and other choices;
 - Make choices about aspects of your life in this facility that are important to you;
 - Interact with persons from the community and participate in community activities both within and outside this facility and
 - Receive visitors you choose at the time of your choosing. You also have the right to deny visitors. Receiving and/or denying visitors must not impose on the rights of another resident.
- You have the right to organize and participate in resident groups in this facility.
- You have the right to participate in family groups. This facility must provide you with private space and take reasonable steps to make you and your family members aware of upcoming meetings in a timely manner. Staff may attend only at your invitation.
- You have the right to have family member(s) or other resident representative(s) meet in this facility with other families or resident representatives of other residents in this facility.

- You have the right to participate in other activities, including social, religious and community activities that do not interfere with the rights of other residents in this facility.
- You have the right to choose to or refuse to perform work/services for this facility. All services performed must be documented in your care plan to include the nature, status (voluntary or paid) of the work and any compensation you receive.
- You have the right to remain in this facility unless:
 - Transfer or discharge is necessary for your welfare and your needs cannot be met in this facility;
 - The health and safety of individuals in this facility is endangered due to your clinical or behavioral status;
 - You have failed, after reasonable and appropriate notice, to pay for your stay in this facility or
 - This facility ceases to operate.
- Notice of and reasons for transfer or discharge must be provided to you in writing and in a language and format you understand. Such notice must be given to you 30 days prior, except when the health and safety of individuals in this facility would be endangered.
- You have the right to receive written notice regarding this facility's bed-hold policy and return to the facility before you are hospitalized or go on therapeutic leave.

Protection of Resident Funds-

- You have the right to manage your own financial affairs including the right to know, in advance, what charges a facility may impose against your personal funds. You are not required to deposit personal funds with this facility.
- This facility must manage your deposited funds with your best interests in mind. Your money will not be commingled with facility funds. This facility must hold, safeguard, manage and account for your personal funds on a quarterly basis or at your/your representative's request. This facility must inform you of procedures for protecting personal funds.
- This facility must refund within 30 days of your discharge, death or eviction any remaining funds and a final accounting.
- This facility must not charge you for any items or services you do not request or are included in your Medicare or Medicaid payment. This facility must tell you what the charge will be for any requested items or services.

Information and Communication-

- You have the right to be informed of your rights as well as all rules and regulations regarding your conduct and responsibilities while you live in this facility.
- You have the right to access personal and medical records that pertain to you. You can obtain a copy of those records upon request.
- This facility must post a list of names, addresses (mailing and email) and telephone numbers of all State regulatory and informational agencies, advocacy groups such as the State Survey Agency, State licensure office, State Long-Term Care Ombudsman program, adult protective and advocacy services, the local contact agency for information about returning to the community and the Medicaid Fraud Control Unit. This facility must also post a statement that you may file a complaint with the State Survey Agency concerning any suspected violation of state or federal regulations including but not limited to resident abuse, neglect, exploitation, misappropriation of resident property, non-compliance with advance directive requirements and requests for information about returning to the community.
- You have the right to reasonable access to a telephone, including TTY and TDD services. You have the right to make calls without being overheard. You also have the right to keep and use a cellular phone at your own expense.

- You have the right to reasonable access to the internet, to the extent the service is available to this facility.
- You have the right to reasonable access to stationery, postage, writing implements and the ability to send and receive unopened mail.
- You have the right to examine the results of the most recent Federal or state survey as well as this facility's plan of correction. These documents must be posted in an accessible location.
- You have the right to contact external entities and resident advocate agencies and to receive information from them.

Privacy and Confidentiality-

- You have the right to personal privacy and secure, confidential personal and medical records.
- You have the right to refuse the release of your personal and medical records except as provided at §483.70(i)(2) or other applicable Federal or state laws.

Safe Environment-

- You have the right to a safe, clean, comfortable and homelike environment including:
 - Safe care and services and a physical layout that maximizes your independence and does not pose a safety risk;
 - The use of your own personal belongings to the extent possible;
 - Reasonable care and protection of your property from loss or theft;
 - Clean bed and bath linens that are in good condition;
 - Private closet space in each room;
 - Adequate and comfortable lighting levels in all areas;
 - Comfortable and safe temperature levels and
 - Maintenance of comfortable sound levels.

Grievances-

- You have the right to voice grievances to this facility or other agency concerning your care, treatment, behavior of staff and/or other residents as well as other concerns about your stay without fear of discrimination or reprisal.
- You have the right to information on how to file a grievance or complaint.
- You have the right to prompt resolution of grievances.