

# RESIDENTS' RIGHTS

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- Nursing Home Reform Law of 1987 increased emphasis on residents' rights
- Created national minimum set of standards of care for people living in certified nursing facilities



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- Bill of Rights can be divided into the following broad categories

## **Rights to:**

- Independent decision making
- Dignity & Respect
- Privacy & Confidentiality
- Be fully informed
- Remain in facility
- Raise grievances
- Participate in One's Own Care
- Visitation

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## **Freedom of Choice**

- personal decisions
- accommodation of needs & preferences
- choose a physician
- participate in community activities (resident council)



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## **Right to Dignity & Respect**

- To be treated with consideration, respect & dignity
- To be free from mental & physical abuse, corporal punishment, involuntary seclusion, & physical and chemical restraints
- To secure personal possessions

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## Privacy & Confidentiality

- private & unrestricted communication with person(s) of choice
- privacy during treatment & regarding medical, personal, or financial affairs





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## **How can care providers support residents' rights to dignity?**

- Ask residents about their wishes, encourage choice, & listen to what residents tell you
- Resist the temptation to make decisions based solely on what is "best" for the resident

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## **Right to be Fully Informed**

- ❑ availability of services & charges
- ❑ facility rules & regulations
- ❑ residents' rights in native language or Braille
- ❑ contact info for ombudsman & survey agency



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## **Rights During Transfers & Discharges**

- Right to remain in facility unless transfer or discharge meets certain criteria
- Receive 30 day notice of transfer or discharge (includes reason, effective date, location & appeal rights)



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## **Right to Complain**

- ❑ present grievances to staff with prompt efforts by facility to resolve
- ❑ to contact ombudsman
- ❑ to file a complaint with state survey & certification agency





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## **Right to Participate in One's Own Care**

- ❑ receive adequate & appropriate care
- ❑ be informed of changes in medical condition
- ❑ participate in assessment, care planning, treatment & discharge
- ❑ to refuse medication, treatment and chemical or physical restraints

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## Right to Visits

- to meet with personal physician, ombudsman, or state survey agency
- to visit with friends, relatives
- to participate in social or religious gathering



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- Where do you go for help if you're concerned a facility is not guaranteeing the rights of residents?
- Contact your Ombudsman Program or Citizen Advocacy group
- [www.nccnhr.org](http://www.nccnhr.org) – to view map & contact information