

RESIDENTS' RIGHTS CASE STUDIES

Case Study Number 1

While you are on a routine visit to an adult foster home, Roy, a resident, complains to you that yesterday, when he was at a doctor's appointment, the provider went into his room and looked through his things. He wants you to tell the provider not to do that again. The provider says, "Roy is a diabetic. He buys regular soda pop and hides it in his room. I went in there looking for his soda pop so I could take it away. I never know when Roy is going to drink it. Three times I've found him in a diabetic coma and had to call 911 to have him rushed to the hospital. This upsets all the other residents. Don't they have the right to live in a quiet, peaceful home? Besides, this is my house and I have the right to go anywhere I like in it."

- *Where do Roy's rights end and the rights of the other residents begin?*
- *Does the provider have the right to go in Roy's room without Roy's permission?*

Case Study Number 2

During a routine visit to a residential care facility, a resident, Ethel, tells you that the administrator has taken away her cigarettes, which now are kept locked in the medication room. Ethel must ask a staff member for a cigarette when she wants to smoke and must have a staff member with her while smoking. "None of the staff ever has time to stay with me, so I can hardly ever get a smoke," Ethel complains. The administrator tells you that staff noticed bum marks on Ethel's clothes when they were doing her laundry. Therefore, the facility believes it is risky to allow Ethel to smoke without supervision.

- *Does Ethel have a valid complaint?*
- *How should the facility balance its duty to keep the other residents safe against Ethel's right to smoke?*

Case Study Number 3

You get a call at home from Janie, a former employee of your assigned assisted living facility, who you know was well liked by the residents. "When the administrator fired me," Janie says, "she told me I couldn't come back on the premises or else they'd have me arrested for trespassing. But I was real close to three of the ladies who live there and I want to see them. I still talk to them on the phone, and they keep asking me when I'm going to visit. I think I should have the right to visit them." On your next visit to the facility you talk to the administrator about Janie. The administrator tells you, "Janie is a very nice person but we had to terminate her because she could never get her work done. She spent entirely too much time talking to the residents. I'm afraid that if she comes back to visit she'll stir up trouble and distract the staff from their work. This is a private business and we have the right to exclude fired former employees; it's our corporate policy."

- *Does Janie have the right to come back to this ALF to visit the residents?*
- *Does the facility have the right to keep out fired former employees?*

Case Study Number 4

During your first visit to your assigned nursing home, you notice a resident talking on a pay phone on the wall outside the nurses' station. Other residents are lined up waiting to use the same phone. There's a sign above the phone stating, "Please limit your calls to 5 minutes. Long distance calls are forbidden unless you have permission from the administration." You ask the administrator about the phone situation. He says, "We are in compliance with the OARs, which requires us to make a phone available for resident use. We had a problem with residents sticking us for long distance charges, so the phone automatically blocks long distance calls. Any resident who wants to make a long distance call has to give us the phone number and we unblock that particular number. That way we know who owes us for each long distance call."

- *Does this arrangement violate any residents' rights?*
- *Is there any more information you would want to have?*