

RESIDENTS' RIGHTS

A. TRUE/FALSE: Circle the correct answer.

- T F** 1. Ombudsman representatives (LTCO) seek to enable others to speak up on their own behalf and to have direct, responsive communication between residents, family members, and staff.
- T F** 2. When LTCO are able to engage in a problem resolution process with one resident, the goal is for everyone to learn more about addressing issues.
- T F** 3. Both federal and state laws include a list of rights for residents.
- T F** 4. If a resident says, "I don't want this food," staff should immediately remove it.
- T F** 5. Residents, or their family members, have the right to make decisions about what the resident wants.
- T F** 6. Residents with a diagnosis of dementia can not participate in planning their care and in exercising choice.
- T F** 7. All residents have the right to regular access to private use of a telephone.
- T F** 8. It is OK for a facility to open a resident's mail if the facility is expecting a check to be deposited.
- T F** 9. When staff explain why something can not be done the way a resident wants, the LTCO role is always to help the resident understand the facility's position.
- T F** 10. In homes where resident participation in decision-making is discouraged, a LTCO needs to encourage residents to keep quiet about their preferences.
- T F** 11. Care planning can be used as a problem-solving vehicle to focus everyone's attention on the resident's needs, routines and preferences.
- T F** 12. If a daughter insists on a vest restraint to keep her mother from falling out of a chair, the nursing home must follow the daughter's wishes.
- T F** 13. Restraints may not be used to permit staff to administer treatment to which the resident has not consented.

- T F** 14. There are very specific provisions regarding involuntary discharge from a nursing facility.
- T F** 15. Nursing facilities can require a responsible party to guarantee payment as a condition of a resident's admission or continued stay.
- T F** 16. Nursing facilities need to use financial screening of all applicants for admission to be sure the facility can make enough money to stay in business.
- T F** 17. There is nothing a facility can do to help residents exercise their rights—residents either are outspoken enough to say what they want or they aren't.
- T F** 18. Resident Councils exist so facility staff have a representative group to turn to when there are problems.
- T F** 19. There is no support in the nursing facility law for Family Councils.
- T F** 20. Since LTCO are knowledgeable about facilities and requirements, an LTCO is the ideal person to be in charge of a family council.
- T F** 21. There are various legal mechanisms to protect an individual's self-determination to the greatest extent possible.
- T F** 22. A long-term care facility can be forced to comply with the terms of a living will.
- T F** 23. The process of getting a conservatorship of another person is difficult.

B. FILL IN THE BLANKS

1. List six (6) rights of nursing facility residents.

(a) _____

(b) _____

(c) _____

(d) _____

(e) _____

(f) _____

2. List six (6) rights of residents in Residential Care Facilities for the Elderly.

- (a) _____
- (b) _____
- (c) _____
- (d) _____
- (e) _____
- (f) _____

3. There are many reasons residents are uncomfortable speaking up for themselves. List three (3) of them.

- (a) _____
- (b) _____
- (c) _____

4. _____ of _____ and _____ of _____ are the two foundation sections of the Nursing Home Reform Law.

5. List two (2) activities mentioned in the Nursing Home Reform Law in which residents have a right to participate. (Note: These are not part of an activities program or calendar of activities in the facility.)

- (a) _____
- (b) _____

6. List three (3) things a LTCO can do to help residents prepare for and participate in their care planning conference.

- (a) _____
- (b) _____
- (c) _____

7. Restraints are considered medical treatment and residents have the right to refuse treatment. For a resident to make an _____ about the use of a restraint, the facility should explain to the resident the potential negative outcomes of restraint use.

8. Progressive nursing homes have been able to drastically reduce the use of _____ through alternative care programs.

9. List three (3) reasons for which a nursing facility can involuntarily transfer or discharge a resident.

(a) _____

(b) _____

(c) _____

10. List four (4) examples of abuse, neglect, or exploitation, of residents.

(a) _____

(b) _____

(c) _____

(d) _____

11. Although regulatory and legal mechanisms have an increasing role in ensuring protection of resident's rights, the _____ is the most effective mechanism for protecting residents' rights.

12. List four (4) things a facility can do to implement residents' rights.

(a) _____

(b) _____

(c) _____

(d) _____

13. Residents' Councils and Family Councils may need assistance in developing good organizational and _____ skills.

14. Conservatorship is the process of legally _____ from a person who is unable to make decisions for him/herself.

15. _____ is used as the last resort to promote and protect the well-being of an incapacitated person.