

# Your Rights as a Long Term Care Resident

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- Dignity and Respect
- Information and Choice
- Privacy and Confidentiality

As a resident in a long term care facility, you have rights guaranteed under federal and state law. Your care facility must protect and promote your rights. Knowing your rights is very important, so take a few moments to read about them.

## Your Right to Dignity and Respect

The facility must treat you with dignity and respect. You have the right to:

- be treated as an individual
- live in surroundings that are safe, clean, and comfortable
- keep and use your own things as much as possible
- be protected from any kind of abuse, harsh treatment, or neglect
- be free of restraints (physical or chemical) imposed for discipline or convenience, and not required to treat your medical symptoms
- share a room with your spouse, if you both agree.

## Your Right to Know

You have the right to know about the things that affect you. This includes:

- the items and services the facility provides, how much they cost, and whether or not the cost is included in the base rate
- which items and services are and are not covered by Medicare and Medicaid
- who owns and operates the facility and the name of the Administrator



- the name and specialty of your doctor and how to contact your doctor
- your total health status, plan of care, and any changes to them
- how the facility manages resident funds and safeguards resident property

- your right to make your own health care decisions, including your right to refuse treatment and your right to make advance directives
- how to make a complaint
- your rights and responsibilities and any changes in them.

**You also have the right:**

- to examine the facility’s latest survey inspection results
- to see your own records within 24 hours of your request (and purchase a copy within two more days)
- to be consulted immediately (and have your physician and representative notified) if:
  - you have an accident that causes injury
  - your condition changes significantly
  - your treatment needs to be changed significantly
  - there is a transfer, discharge, or change of room or roommate.

### Your Right to Choose

You have the right to make your own choices, free from pressure or fear that anything bad will happen. You have the right to:

- choose your doctor and treatment, and be part of decisions and care planning
- be in charge of taking your own medications—if the team caring for you believes this is safe
- choose your own groups and activities
- perform work at the facility only if you want to
- exercise your rights, like the right to

vote, as a citizen or resident of your state and of the United States.

### Your Right to Privacy

You have the right to privacy and to have your personal and medical records kept confidential. You have the right to privacy:

- in sending and receiving mail (and mail must be delivered promptly and unopened)
- during phone calls, visits, and resident and family meetings
- while you receive care.

(However, the facility is not required to provide a private room for each resident.)

### Your Right to State a Grievance

You have the right to make known any concern or complaint you might have and to have the facility respond promptly. You have the right to do this without fear that anything bad will happen to you because you complain.

(You may also file a complaint concerning resident abuse, neglect, taking of resident property or failure to comply with advance directives requirements with the state agency that inspects and certifies facilities.)

### Your Right to Be in Contact with Others

You have the right to . . .

- visit with persons from outside the facility, including family and friends, your doctor, and representatives of state agencies or the ombudsman’s office
- have reasonable access to a phone where you won’t be overheard.

## Your Responsibilities

Along with their rights, residents also have responsibilities. These include the responsibility to:

- Respect the rights and property of others by...
  - treating other residents and their guests with courtesy
  - complying with the facility's smoking policy
  - making sure you use your television, radio, telephone, etc. in a way that does not annoy or impose on other residents or their guests
  - respecting the privacy of others.
- Keep the facility advised in matters of scheduling. For example; you should...
  - let staff know when you plan to be away from the facility, so that appropriate medical authorization and other details can be arranged
  - let staff know as soon as possible if family or other personal transportation is not available for an appointment outside the facility.
- Assist in safeguarding your personal things. For example:
  - all clothing and personal belongings must be clearly marked with your name
  - items of special value should be kept in safekeeping in the business office when not actually needed or in use.
- Pay on time for all items and services you receive, except those covered by Medicare or Medicaid.
- Take part as much as you can in making choices that affect you. If you are able to, you should:
  - help plan your own care and decide which groups and activities you'll be part of
  - decide whether or not you want to fill out an advance health care directive, saying what forms of care you do or do not want if you are nearing your death, and appointing a trusted friend or relative to act on your behalf in making care decisions if the time comes when you can no longer make them on your own.
- Treat staff with the same respect and courtesy you expect of them.
- Speak up if you have a question or concern about your rights or the care you receive.

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My Notes: