

THE NURSING HOME & ASSISTED LIVING RESIDENTS' BILL OF RIGHTS

The rights of nursing home and assisted living residents are protected under law in the Ohio Revised Code 3721.13. One of the major responsibilities of the Long-Term Care Ombudsman Program is to assure that these rights are protected. The rights are summarized below. A complete working of the law is available from the Ombudsman Program.

Nursing home & assisted living residents have the right to:

1. A safe, clean living environment.
2. Be free from physical, verbal, mental and emotional abuse. To be treated with courtesy and respect in full recognition of dignity and individuality.
3. Adequate and appropriate medical treatment, nursing care, and other services that comprise necessary and appropriate care consistent with the program for which the resident contracted and without regard to source payment.
4. Have all reasonable requests and inquiries responded to promptly.
5. Have all clothes and bedsheets changed as need arises to ensure comfort and sanitation.
6. Obtain name and specialty of any physician or other person responsible for coordinating care.
7. Select staff physician of choice or to obtain own physician from outside the home.
8. Participate in decisions that affect the resident's life including the right to communicate with the physician and employees of a home, obtain current information on status and participate in planning of care. To have access to medical records. To give or withhold informed consent for treatment.
9. Withhold payment to physician if physician did not visit.
10. Confidential treatment of personal and medical records.
11. Privacy during medical examinations and personal care.
12. Refuse to serve as medical research subject.
13. Be free from chemical and physical restraint except under close supervision and orders of a physician.
14. Obtain pharmacist of choice and pay fair market price for drugs.
15. Exercise all civil rights unless adjudicated incompetent.
16. Access to opportunities that enable residents to achieve their fullest potential.
17. Consume alcoholic beverages unless medically or policy contraindicated.
18. Use tobacco unless medically or policy contraindicated.
19. Retire and rise on own schedule per request as long as this does not disturb other residents.
20. Observe religious obligations and to maintain individual and cultural identity. To participate in social and community groups.
21. Privacy in communications, in receiving and sending mail, access to telephone for private conversations, and private visits.
22. Privacy for visits by spouse or share a room if both are residents of the same home.
23. Have room doors closed and to not have them opened without knocking.
24. Retain and use personal clothing and a reasonable amount of possessions in a reasonable secure manner.
25. Be informed of basic charges, services offered and additional charges related to these services. Right to a 30-day notice of rate changes.

26. Receipt of a bill at least monthly by the resident and person paying the bill.
27. Be free from financial exploitation and to manage their personal financial affairs or the right to an accounting, at least quarterly, upon written request if the home accepts written delegation.
28. Unrestricted access to property on deposit during reasonable hours.
29. Reasonable notice before room or roommate is changed with an explanation of reason.
30. Not to be transferred or discharged from the home except for medical reasons, own welfare or another resident's welfare, non-payment of bill or closure of home.
31. Voice grievances and recommend changes in policies and services free from restraint, interference, coercion, discrimination, or reprisal. This includes access to Residents' Right Advocates.
32. Have any significant change in health status reported to their sponsor.

This residents' rights summary courtesy of Direction Home Akron Canton Area Agency on Aging & Disabilities Long-Term Care Ombudsman Program

1-800-421-7277 or 330-896-9172

www.dhad.org

For a full description of Ohio's Nursing Home and Assisted Living Resident Rights, go to:

<http://codes.ohio.gov/orc/3721.13>