

Nursing Home and Adult Care Home Residents' Bill of Rights

Residents of Long-Term Care Facilities have basic and special rights under Federal and State Law. Contact your ombudsman for more information about your rights.

RESIDENTS RIGHTS

Right #1: To be treated with consideration, respect and full recognition of personal dignity and individuality.

Right #2: To receive care, treatment and services which are adequate and in compliance with relevant federal and state statutes and rules.

Right #3: To receive at the time of admission and during the stay, a written statement of the services provided by the facility and related charges. Charges for services not covered under Medicare and Medicaid shall be specified.

Right #4: To be free of mental and physical abuse, neglect, and exploitation.

Right #5: Except in emergencies, to be free from chemical and physical restraint unless authorized for a specific period of time by a physician according to clear and indicated medical need.

Right #6: To have his or her personal and medical record kept confidential and not disclosed without the written consent of the individual or guardian, which consent shall specify to whom disclosure may be made except as required by applicable state or federal statute or regulation by a third party contract.

Right #7: To receive a reasonable response to all his or her requests by the facility, administrator, and staff.

Right #8: To associate and communicate privately and without restriction with people and groups of his or her own choice on his or her own initiative at any reasonable hour.

Right #9: To have access at any reasonable hour to a telephone where he or she may speak privately.

Right #10: To send and receive mail promptly and unopened, unless the resident requests that someone open and read mail, and to have access at his or her expense to writing instruments, stationary, and postage.

Right #11: To be encouraged to exercise his or her rights as a resident as a citizen, and to be permitted to make complaints and suggestions without fear or coercion or retaliation.

Right #12: To have and use his or her own possessions where reasonable and have an accessible lockable space provided for security of personal valuables. This space shall be accessible only to the residents and the administrator or supervisor in charge.

Right #13: To manage his or her own personal needs fund unless such authority has been delegated to another. If authority to manage personal funds has been delegated to the facility, the resident has the right to examine the account at any time.

Right #14: To be notified when the facility is issued a provisional license by the NC Department of Health and Human Services and on the basis on which the provisional license was issued. The resident's responsible family member or guardian shall also be notified.

Right #15: To have freedom to participate by choice in accessible community activities and in social, political, medical and religious resources and to have the freedom to refuse such participation.

Right #16: To receive a copy of the Bill of Rights upon admission to the facility.

Right #17: To not be transferred or discharged from a facility except for medical reasons, their own or other residents' welfare, or nonpayment. Except in cases of immediate jeopardy to health or safety, residents shall be given at least 30 days advance notice of the transfer or discharge and their right to appeal.

- At his own request;
- For medical reasons;
- The patient's own welfare;
- Other patient's welfare;
- Non-payment;
- The facility ceases to operate