

EmpRes Healthcare Management, LLC
NOTICE OF RESIDENT RIGHTS UNDER FEDERAL LAW

Residents of skilled nursing facilities have certain rights and protections under Federal law. The Center will protect and promote these rights to the best of our ability. The Center does not require the Resident to sign a contract or agreement that purports to waive any right of the Resident.

Residents have the following rights under Federal law:

GENERAL RIGHTS

1. The Resident has the right to be informed of his /her rights and of regulations governing resident conduct and responsibilities during his/her stay.
2. The Resident has the right to exercise rights as a Resident of this Center and as a citizen or resident of the United States.
3. The Resident has the right to be free of interference, coercion, discrimination or reprisal from the Center in exercising his/her rights, and to be supported by the Center in the exercise of Resident's rights herein and as provided under State and Federal law or regulation.

RIGHTS RELATED TO CARE AND TREATMENT

4. The Resident has the right to be informed, in advance, of the care furnished and the type of caregiver or professional that furnishes care.
5. The Resident has the right to choose an attending physician.
6. The Resident has the right to be informed, in advance, by the physician or other practitioner or professional, of the risks and benefits of proposed care, of treatment and treatment alternatives or treatment options, and to choose the alternative or option he/she prefers.
7. The Resident has the right to be informed of, and participate in, his/her treatment, including:
 - a. The right to be fully informed, in a language he/she can understand, of his/her health status, including but not limited to, his/her medical condition.
 - b. The right to participate in the development and implementation of his/her person-centered plan of care.
 - c. The right to participate in the planning process, including the right to request meetings and the right to request revisions of the person-centered plan of care.
 - d. The right to participate in establishing the expected goals and outcomes of care, the type, amount, frequency, and the duration of care, and other factors related to the effectiveness of the plan of care.
 - e. The right to be informed, in advance of any changes in the plan of care.
 - f. The right to receive services and/or items included in the plan of care.
 - g. The right to see the plan of care, including the right to sign after significant changes to the plan of care.
8. The Resident has the right to request, refuse, and/or discontinue treatment, and to participate in or refuse to participate in experimental research.
9. The Resident has the right to formulate an Advance Directive.
10. The Resident has the right to Self-administer drugs if the Center interdisciplinary team has determined the practice is clinically appropriate.
11. The Resident has the right to personal privacy and confidentiality, and security of his/her clinical records.



12. The Resident has the right to access records, upon oral or written request, pertaining to him/her, including clinical records.
13. The Resident has the right to approve or refuse the release of personal and clinical records to an individual outside the center, except as provided by applicable State or Federal law or regulation.

RIGHTS RELATED TO DIGNITY AND GRIEVANCES

14. The Resident has the right to a dignified existence and self-determination.
15. The Resident has the right to be treated with respect and dignity.
16. The Resident has the right to be free of physical or chemical restraints imposed for the purposes of discipline or convenience and not required to treat resident's medical symptoms.
17. The Resident has the right to be free from verbal, sexual, physical, or mental abuse, corporeal punishment, involuntary seclusion, mistreatment, neglect, exploitation, and misappropriation of Resident property.
18. The Resident has the right to exercise his/her legal rights, including filing a grievance with the State survey and certification agency concerning Resident abuse, neglect, exploitation, and misappropriation of Resident property in the Center.
19. The Resident has the right to voice grievances to the Center or other agency or entity that hears grievances, without discrimination or reprisal, and without fear of discrimination or reprisal.
20. The Resident has the right to prompt efforts by the Center to resolve grievances.

RIGHTS AS A RESIDENT OF THE CENTER

21. The Resident has the right to reside and receive services in the Center, with reasonable accommodation of Resident needs, except when doing so endangers the health and safety of other Residents.
22. The Resident has the right to reasonable accommodation of individual needs or preferences, except where the health or safety of the Resident or other Residents is endangered.
23. The Resident has the right to manage his/her financial affairs; and to receive advance notice of charges that may be imposed against their personal funds.
24. The Resident has the right to make choices about aspects of his/her life in the Center that are significant to the Resident.
25. The Resident has the right to share a room with his/her spouse (including same-sex spouse/same-sex domestic partner) when married Residents live in the same Center and both spouses consent to the arrangement.
26. The Resident has the right to share a room with his/her roommate of choice, when practicable, when both Residents living the same Center and both Residents consent to the arrangement.
27. The Resident has the right to receive written notice, including the reason of change, before resident's room or roommate in the Center is changed.
28. The Resident has the right to refuse transfer to another room in the Center, if the purpose of the transfer is:
 - a. To relocate the Resident in a SNF to a part that is not a SNF.
 - b. To relocate the Resident of a NF to a part that is a SNF.
 - c. Solely for the convenience of staff.



29. The Resident has the right to a safe, clean, comfortable, and homelike environment, including but not limited to receiving treatment and support for daily living safely.
30. The Resident has the right to retain and use person possessions, including furnishings and clothing, as space permits, unless doing so infringes upon the rights or health and safety of other Residents.
31. The Resident has the right to choose activities, schedules (including sleeping and waking times), healthcare, and providers of healthcare services consistent with his/her interests, assessments/evaluations, and plan of care.
32. The Resident has the right to organize and participate in Resident Groups in the Center.
33. The Resident has the right to participate in Family Groups in the Center.
34. The Resident has the right to participate in other activities, including: social, religious, and community activities that do not interfere with the rights of other Residents.
35. The Resident has the right to refuse to perform services for the Center; provided, however, that the Center may not require a resident to perform services for the Center
36. The Resident has the right to examine the results of the most recent posted survey, and results of the three preceding years' surveys, of the Center conducted by Federal or State surveyors, and any plan of correction in effect with respect to the Center.

COMMUNICATION RIGHTS

37. The Resident has the right to receive information from agencies acting as client advocates and to be afforded the opportunity to contact the agencies.
38. The Resident has the right to receive notices orally and in writing (including Braille) in a format and a language he/she understands.
39. The Resident has the right to communicate with individuals and entities within and external to the Center.
40. The Resident has the right to have access to stationary, postage, and writing implements at the Resident's own expense.
41. The Resident has the right to personal privacy in written communications, including the right to privacy in his/her oral (that is, spoken), written, and electronic communications, including the right to send and promptly receive unopened mail, letters, packages, and other materials, including those delivered to the Resident through a means other than a postal service.
42. The Resident has the right to have reasonable access to the private use of a telephone, including TTY and TDD services, and a place in the Center where calls can be made without being overheard. This includes the right to retain and use a cellular phone at the Resident's own expense.
43. The Resident has the right to have reasonable access to and privacy in his/her use of electronic communication, such as email and video, and for internet research (if access is available).

RIGHT TO VISITORS

44. The Resident has the right to interact with members of the community, and participate in community activities, both inside and outside the Center.
45. The Resident has the right to receive visitors of his/her choosing at the time of his/her choosing, subject to the Resident's right to deny visitation when applicable, and in a manner that does not impose on the rights of other Residents.
46. The Resident has the right to have family members or other resident representatives meet in the Center with the family members or resident representatives of other Residents.

