

BILL OF RESIDENT RIGHTS

Our facility will protect and promote each of the following rights:

Exercise of Rights:

1. You have the right to exercise your rights as a Resident of the facility and as a citizen or Resident of the United States.
2. You have the right to be free of interference, coercion, discrimination, or reprisal from the facility in exercising your rights.
3. If you are adjudged incompetent under the laws of this state by a court of competent jurisdiction, your rights will be exercised by the person appointed under state law to act on your behalf.
4. If you are not adjudged incompetent by a state court, any legal surrogate designated according to state law may exercise your rights, to the extent provided by state law.

Notice of Rights and Services:

5. You have the right to be informed prior to or upon admission and during your stay both orally and in writing in a language you understand of your rights and all rules and regulations governing your conduct and responsibilities during your stay in the facility.
6. You have the right, upon oral or written request and 24-hour notice (excluding weekends and holidays), to have access to all records pertaining to you, and upon request and two working days advance notice, to purchase photocopies of all such records.
7. You have the right to be fully informed in language you understand of your total health status including, but not limited to, your medical condition.
8. You have the right to refuse treatment, to refuse to participate in experimental research, and to formulate and advance directive such as a living will or a durable power of attorney for health care, recognized under state law relating to the provision of health care when you are no longer able to make decisions.
9. You have the right to be informed in writing at the time of admission to the facility, or when you become eligible for Medicaid, of items and services that are included in nursing facility services under the Medicaid program in this state and for which you may not be charged. You also have the right to be informed of those other items and services that the facility offers and for which you may be charged, the amount of charges, and to be informed when changes are made to items and services paid for and not paid for by the Medicaid program in this state.
10. You have the right to be informed before or at the time of admission and periodically during your stay of services available in the facility and of charges for those services including any charges for services not covered under the Medicare program or by the facility's per diem rate.
11. You have the right to file a complaint with the State Survey and Certification Agency concerning abuse, neglect, and misappropriation of property in the facility and non-compliance with the advance directive requirements.
12. You have the right to be informed of the name, specialty, and way of contacting the physician responsible for your care.

BILL OF RESIDENT RIGHTS

Examination of Survey Results:

20. You have the right to examine the results of the most recent survey of the facility conducted by federal or state surveyors and any plan of correction in effect with respect to the facility. The facility will either post the results or a notice of their availability in a place readily accessible by you.
21. You have the right to receive information from agencies acting as client advocates and to be afforded the opportunity to contact these agencies.

Work:

22. You have the right to refuse to perform services for the facility. You have the right to perform services for the facility if you choose to do so and agree to work arrangement described in the plan of care. The facility will document the need or desire for work in your plan of care. The plan will specify the nature of the services performed and whether voluntary or paid. Compensation will be at or above the prevailing rates.

Mail:

23. You have the right to privacy in written communication including the right to send and promptly receive mail that is unopened and to have access to stationary, postage, and writing implements at your own expense.

Access to Facility/Visitation Rights:

24. You have the right to receive visitors and the facility must allow access to you for any such visitors at any reasonable hour.
25. You have the right and the facility must provide immediate access to you by the following:
 - a. Any representative of the Secretary of the Department of Health and Human Services.
 - b. Any representative of the state.
 - c. Your individual physician.
 - d. The state long term care ombudsman.
 - e. The agency responsible for the protection and advocacy system for developmentally disabled individuals.
 - f. The agency responsible for the protection and advocacy system for mentally ill individuals.
 - g. Immediate family or relatives, subject to your right to deny or withdraw consent at any time.
 - h. Others, including any entity or individual that provides health, social, legal, or other services to you, subject to your right to deny or withdraw consent at any time.

Telephone:

26. You have the right to reasonable access to the private use of a telephone.

Personal Property:

27. You have the right to retain and use personal possessions, including some furnishings and appropriate clothing, as space permits, unless to do so would infringe upon the rights to health and safety of other Residents.

BILL OF RESIDENT RIGHTS

Resident Behavior-Facility Practices:

33. Restraints: You have the right to be free from any physical restraints or psychoactive drugs which are used for the purpose of discipline or convenience and are not required to treat your medical symptoms. Restraints may only be imposed:
- To ensure your physical safety or the physical safety of other Residents.
 - Only upon the written orders of a physician. The orders must specify the duration and circumstances under which restraints are to be used, except in emergency circumstances specified by the Secretary, until such order could reasonably be obtained.
34. Abuse: You have the right to be free from verbal, sexual, physical, and mental abuse, corporal punishment and involuntary seclusion.

Quality of Life:

35. Dignity/Self Determination and Participation: You have the right to receive care from the facility in a manner that is a safe environment and that promotes, maintains, or enhances your dignity and respect in full recognition of your individuality. You have the right to:
- Choose activities, schedules, and health care consistent with your interests, assessments, and plans of care.
 - Interact with members of the community both inside and outside the nursing facility.
 - Make choices about aspects of your life in the nursing facility that are significant to you.

Participation in Resident and Family Groups:

36. You have the right to organize and participate in Resident groups in the facility and your family has the right to meet in the facility with the families of other Residents in the facility.

Participation in Other Activities:

37. You have the right to participate in social, religious, and community activities that do not interfere with the rights of other Residents in the facility.

Accommodation of Needs:

38. You have the right to reside and receive services in the facility with reasonable accommodation of individual needs and preferences except when your health or safety of other Residents would be endangered.
39. You have the right to receive notice before your room or roommate in the facility are changed.

Communication

Communicating with the elderly may be challenging due to decreased vision, hearing and speech. When talking to a resident, it is important to communicate in a manner that can be easily understood. Remember that it may take an elderly person longer to send and receive messages. The following are a few suggestions to assist you with communication with residents:

1. Approach the resident face to face, at his/her level. *(Avoid approaching residents from behind or too quickly, as this may startle them.)*
2. Smile, introduce yourself, state the purpose of your visit and greet the resident. Always introduce yourself and never ask residents to guess who you are.
3. Look directly at the resident to whom you are speaking and maintain eye contact.
4. Speak clearly, slowly, and in a slightly louder tone if needed. Residents with hearing impairments may read lip movements. If a resident does not hear you the first time, rephrase rather than repeat sentences.
5. Use gestures and/or physical cues to help the resident understand the idea you are trying to share.
6. Be patient! Give the resident time to express his/her thoughts. It is not unusual for an elderly person's response time to be delayed or for him/her to use a similar, but incorrect word. Ask questions if you do not understand. Do not criticize or contradict the resident.
7. Allow the resident to talk about memories. Avoid discussing your own problems.
8. If possible, choose a quiet place with few distractions when visiting.
9. Give your attention equally to residents when involved in group activities.
10. Do not whisper or speak exclusively to others when in the presence of a resident.
11. Do not overstay your welcome. Signs of restlessness or drowsiness indicate it is time to leave.
12. Do not give medical advice or opinions to residents or families.
13. Do not make promises you cannot keep.

Listening is a very important part of communication. In fact, it may be one of the most meaningful things you can do for a resident. Taking time to listen conveys to a resident that they are important and that you care!



Engaging with Cognitively Impaired Residents

1. Gently approach the resident in a relaxed manner and with a relaxed expression. Individuals with dementia often mirror the affect of those around them. If you are tense or hurried, the individual may become tense and hurried.
2. Eliminate competing and distracting background stimuli when talking to the resident. Too much stimulation overloads and confuses a resident with dementia.
3. Always identify yourself and look directly at the resident to be sure that you have their attention.
4. Speak to the resident in a clear, low pitched voice. High pitched tones convey anxiety and tension.
5. Use yes/no questions as much as possible.
6. Avoid questions that require choices or decision making.
7. Accompany verbal communication with appropriate nonverbal cues and signals.
8. Break down tasks into individual steps and ask the resident to do them one at a time.
9. Physical expressions of caring (gentle touch, hugs) will usually be understood and may calm an upset individual.
10. If the resident reacts unexpectedly or in an agitated manner to a situation, remain calm and remove him/her from whatever is upsetting them. Also respond to what you think he/she is feeling so that they will sense that you understand. Avoid arguing or reasoning with the resident. Use distractions rather than confrontation.

Engaging with Hearing Impaired Residents

1. Reduce background noise by closing the door or requesting permission to turn off radios/TV.
2. Maintain eye contact and make certain there is enough light when you speak.
3. Use visual cues such as hand gestures or writing.
4. Rephrase rather than repeat a misunderstood phrase.
5. Keep hands and objects away from your mouth; do not chew gum.

Engaging with Visually Impaired Residents

1. Keep in mind that residents who are visually impaired are individuals with diverse interests and concerns.
2. Introduce yourself first and let the resident know who else is nearby. There may be friends they would like to greet.
3. Briefly describe the layout of the room and what is going on. Ask if the resident has a preference of where to sit.
4. Quietly comment on things going on around the resident- an amusing incident or the arrival of other residents.
5. Always let a visually impaired resident know if you are leaving, even for a short time, and make a brief comment when you return.