Know Your Rights as a Nursing Home Resident

Long-Term Care Ombudsman Program
The Pennsylvania State Long-Term Care Ombudsman Program under the Pennsylvania Department of Aging contracts with 52 Area Agencies on Aging to provide Ombudsman services throughout the Commonwealth.

An Ombudsman is a trained individual who helps protect the RIGHTS of older Pennsylvanians living in long-term care facilities.

Ombudsmen provide information, answer questions, investigate complaints and offer assistance in resolving problems about quality of care or treatment.
Nursing homes have regulations that safeguard the **RIGHTS** of the residents who live in nursing homes in Pennsylvania.

The Pennsylvania Department of Health is the state agency that licenses, inspects and investigates nursing homes complaints.

This brochure contains general information regarding many of those **RIGHTS**.

For a more complete explanation of your **RIGHTS**, contact the Long-Term Living Helpline at 1-866-286-3636 and/or your local Ombudsman listed below.

**YOUR LOCAL OMBUDSMAN:**

Name:

Address:

Phone Number:

All communications with the Ombudsman are FREE and CONFIDENTIAL
The **RIGHT** to be informed, in writing, of your rights and the policies and procedures of the home:

• The nursing home must have written policies about your rights and responsibilities as a resident.
• You must sign a statement confirming that you have received and understood these rights.

The **RIGHT** to know about services and charges:

• You must be informed, in writing by the home, of all services available and the charges, if any, for those services.

The **RIGHT** to know about your medical condition:

• You must be informed of your medical condition and of any changes.
The **RIGHT** to participate in your plan of care, including the **RIGHT** to refuse treatment:
- The nursing home must develop a plan of care for you.
- You must be given the opportunity to participate in the planning of your care and treatment and to attend your care plan conference.

The **RIGHT** to choose your own physician and to use the pharmacy of your choice:
- You do not have to use the nursing home’s physician or pharmacy.

The **RIGHT** to have your personal and medical records treated as confidential:
- Your written consent is needed to release information from your record to anyone who is not authorized by law to see it.
• You have the right to view your medical record.

The **RIGHT** to manage your own personal finances:

• You can either manage your own funds or authorize someone else to manage them for you.

• If you authorize the nursing home to handle your funds, you have the **RIGHT** to:

  1. Know the account number and location of your funds.
  2. Receive a written statement every three months.
  3. Receive a receipt for any funds spent.
  4. Have access to your funds within the same day unless it is over $50 ($100 for Medicare resident), then, within three days.
The **RIGHT** to privacy and to be treated with dignity and respect. The right to privacy takes many forms:

- You are free to communicate and meet privately with anyone, including family, resident groups and the ombudsman.
- Your mail should arrive unopened, unless you request otherwise.
- You should be treated with dignity and privacy for personal needs like bathing and toileting.
- Curtains should be used when you are being bathed or dressed.
- Bathroom doors should be closed while in use.
- No one should enter your room without first knocking.
The **RIGHT** to use your own clothing and possessions:

• The amount and kind of possessions depend on available space and whether other residents’ rights would be violated.

The **RIGHT** to be free from mental, physical, sexual abuse, exploitation, neglect, and involuntary seclusion:

• No one may mistreat, threaten, or coerce you in any way.

The **RIGHT** to be free from restraints:

• Chemical restraints (drugs) and physical restraints may be used only if ordered by a physician for a limited time in order to protect you or others from injury. Less restrictive solutions must be attempted prior to using restraints.
The **RIGHT** to voice a grievance without retaliation:

- The nursing home may not take any action against you because you voiced a grievance.

The **RIGHT** not to be transferred or discharged, except for medical reasons, non-payment, or if the home ceases to operate:

- You must be provided a 30 days advance written notice of the transfer or discharge.
- The law gives you the right to appeal your discharge or transfer.
- Contact your local Ombudsman about the appeal process and your rights regarding transfers and discharges.
The **RIGHT** to accept or deny visitors in the nursing home.

- You may receive any visitor of your choosing and may refuse a visitor permission to enter your room or may end a visit at any time.

- The **RIGHT** to immediate access by family and reasonable access by others with your consent.

- The **RIGHT** to communicate confidentially with others.

- Members of community organizations or legal services may visit you at a time convenient for you.

- Visitors may talk to you and offer you personal, social, or legal services.

- Visitors may help you claim your rights and benefits through individual assistance, counseling, organizational activity, legal action, or other forms of representation.
YOUR LOCAL OMBUDSMAN:

Name:

Address:

Phone number:
For more information about services in your community, contact your local Area Agency on Aging.