

NURSING HOME RESIDENT'S RIGHTS

All facilities shall treat their patients in accordance with the provisions of this part. Every patient shall have the following rights:

1. To be treated with consideration, respect, and full recognition of personal dignity and individuality.
2. To receive care, treatment and services which are adequate, appropriate, and in compliance with relevant federal and State statutes and rules.
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 or Medicaid shall be specified.
4. To have on file physician's orders with proposed schedule of medical treatment. Written, signed evidence of prior informed consent to participation in experimental research shall be in the patient's file.
5. To receive respect and privacy in the patient's medical care program. Case discussion, consultation, examination, and treatment shall remain confidential and shall be conducted discreetly. Personal and medical records shall be confidential and the written consent of the patient shall be obtained for their release to any individual, other than family members, except as needed in case of the patient's transfer to another health care institution or as required by law or third party payment contract.
6. To be free from mental and physical abuse and, except in emergencies, to be free from chemical and physical restraints unless authorized for a specified period of time by a physician according to clear and indicated medical need.
7. To receive from the administrator or staff of the facility a reasonable response to all requests.
8. To associate and communicate privately and without restriction with persons and groups of the patient's choice on the patient's initiative or that of the persons or groups at any reasonable hour; to send and receive mail promptly and unopened, to have access at any reasonable hour to a telephone privacy and to have access to writing instruments, stationery, and postage.
9. To manage the patient's financial affairs unless other legal arrangements have been made.
10. To enjoy privacy in visits by the patient's spouse, and, if both are inpatient of the facility, they shall be afforded the opportunity where feasible to share a room.
11. To enjoy privacy in the patient's room.
12. To present grievances and recommend changes in policies and services without fear of reprisal, restraint, interference, coercion, or discrimination.
13. To not be required to perform services for the facility without personal consent and the written approval of the attending physician.
14. To retain, to secure storage for, and to use personal clothing and possessions, where reasonable.
15. To not be transferred or discharged from a facility except for medical, financial, or their own or other patient's welfare. Any such transfer shall require at least five day's written notice, unless the attending physician orders immediate transfer, which shall be documented in the patient's medial record. *(Federal regulation requires an advanced written notice and right to appeal form to be given to every resident involved in an involuntary discharge. In most cases, the notice is 30 days prior to discharge/transfer. The discharge plan has to be safe, adequate and appropriate, to meet the resident care needs. See 483.12/F Tag 201).*
16. To be notified when the facility's license is revoked or made provisional. The responsible family member or guardian shall also be notified.

REGIONAL OMBUDSMAN PROGRAM

- Promotes and protects the **rights of residents** living in nursing and adult care homes
- Works to **resolve grievances and concerns**
- **Educates** the public on long-term care placement issues
- Promotes **prevention of elder abuse**

COMMUNITY ADVISORY COMMITTEES

- These **volunteer advocates** are appointed by their county commissioners
- **Trained and supported** by the Regional Ombudsman program
- **Visit facilities regularly** to become familiar with residents and facility operation
- Work to **promote community involvement** in nursing and adult care homes

CENTRALINA AREA AGENCY ON AGING REGIONAL OMBUDSMEN

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WHEN LIVING IN A NURSING HOME

North Carolina Resident's Rights

Regional Ombudsman Program
Centralina Council of Governments/Area Agency on Aging
525 North Tryon 12th Floor
Charlotte, NC 28202

www.centralinaaging.org

1-800-508-5777

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