

NURSING HOME RESIDENTS' BILL OF RIGHTS

The New York State Health Code guarantees to all nursing home residents the right to:

- a dignified existence
- self determination
- respect
- full recognition of his or her individuality
- consideration and privacy in treatment and care for personal needs
- personal privacy and confidentiality of his or her personal and clinical records
- approve or refuse to approve the release of personal or clinical records to any individual outside the facility
- privacy in written communications, including the right to send and receive mail promptly that is unopened and access to stationery, postage and writing implements
- regular access to the private use of a telephone that is wheelchair accessible and useable by hearing-impaired and visually-impaired residents
- exercise his or her rights as a resident of the facility and as a citizen or resident of the United States and New York State, including the right to vote and the right to voice grievances without discrimination or reprisal
- pursue a cause of action for damages for deprivations or infringements of his or her right to adequate and proper treatment and care
- recommend changes in policies and services to facility staff and/or any outside representative, free of interference, coercion, discrimination, restraint or reprisal
- obtain prompt efforts by the facility to resolve grievances the resident may have
- exercise his or her individual rights or have his or her rights exercised by a person authorized by State law
- inspect all records pertaining to himself or herself within 24 hours after request, including clinical records
- examine the results of the most recent survey of the facility
- receive information from agencies acting as resident advocates and be afforded the opportunity to contact these agencies
- be free from verbal, sexual, mental or physical abuse, corporal punishment, involuntary seclusion, and chemical and physical restraints
- exercise his or her civil and religious liberties, including the right to independent personal decisions and knowledge of available choices
- adequate and appropriate medical care
- be fully informed by a physician in a language or form that the resident can understand his or her total health status, including, but not limited to, his or her medical condition, diagnosis, prognosis and treatment plan
- ask questions and have them answered
- refuse to participate in experimental research
- refuse medication and treatment after being fully informed and understanding the probable consequences of such actions
- choose a personal attending physician from those who are permitted to practice at the facility
- be fully informed in advance about care and treatment and of any changes in care or treatment that may affect the resident's well-being
- participate in the development of his or her comprehensive care plan

- self-administer drugs if the interdisciplinary care team has determined this is safe
- request and be provided information concerning his or her specific assignment to a RUG group
- be informed of the name, office address, phone number and specialty of his or her primary physician
- refuse to perform services for the facility
- retain, store securely and use personal possessions, as space permits
- a locked storage space in his or her room
- share a room with his or her spouse, relative or partner when these residents live in the same facility and both consent to the arrangement
- privacy for visits with spouse, relative or partner who lives outside of the facility
- participate in the established residents' council
- meet with and participate in activities of social, religious and community groups that do not interfere with the rights of other residents at his or her discretion
- receive kosher food upon request when he or she wishes to observe Jewish dietary laws
- manage his or her personal finances
- choose activities, schedules and health care consistent with his or her interests, assessments and plans of care
- interact with members of the community both inside and outside the facility
- make choices about aspects of his or her life in the facility that are significant to the resident
- organize and participate in resident groups in the facility
- reside and receive services in the facility with reasonable accommodation of individual needs and preferences
- receive notice before the resident's room or roommate is changed