

**Office of Long Term Care Licensure
150 N. 18th Avenue, Suite 440
Phoenix, AZ 85007
602-364-2690**

YOUR RIGHTS AS A NURSING HOME RESIDENT

You keep all your fundamental civil or human rights and liberties when you are admitted to a nursing home.

This document summarizes specific rights you have as a nursing home resident as provided by both federal and Arizona state statutes and rules.

Pre-Admission Rights

Before you even choose or enter a nursing home, you have rights as a prospective consumer. Please exercise these rights by:

- Visiting the facility.
- Contacting the Office of Long Term Care (602-364-2690), and the State Long Term Care Ombudsman (602-542-4446), for additional information about the facility.
- Reviewing the facility's admission agreement and receiving a written notice of rates of basic services, optional services, and whether the facility participates in Medicare or Medicaid. Written notice must also be given 60 days in advance of any changes in rates or services.

Admission Rights

- The nursing home must inform you of all of your rights, in a language or manner that you understand, through written and oral information available to residents and/or resident representatives.
- The nursing home must inform you of all the facility's rules and regulations, including those regarding transfer and discharge policies.
- You have the right to carefully review and understand all contracts and agreements prior to signing.
- The nursing home cannot require a co-signer for payment, but may require a relative or legal representative to ensure payment from your income or resources.
- You have the right to apply for Medicare and Medicaid and the right to information and assistance in applying for those programs.

- You cannot be asked to give up or delay your rights to receive Medicare or Medicaid.
- You cannot be asked to give the facility a security deposit if you are a Medicare or Medicaid beneficiary.

Basic Rights

- You have the right to be treated with respect and dignity, in recognition of your individuality and preferences.
- You have the right to quality care and treatment that is fair and free from discrimination.
- Relatives or a legal representative may act on your behalf to exercise these rights when you are unable to do so yourself.

Visits-Privacy-Confidentiality - You have the right to:

- Visits with family and friends.
- Contact and meet with certain agency representatives or individuals who provide health, legal, social, or other services.
- Privacy during your visits or meetings, in making telephone calls, and with your mail. Reasonable visiting hours must be provided.
- Privacy in your room and during bathing, medical treatment, and personal care.
- Keep your personal and health records confidential.

Quality of Life in the Nursing Home – You have the right to:

- Choose and participate in activities that you like and which are part of your plan of care.
- Participate in social, religious, and community activities.
- Register and vote in local, state and national elections.
- Voice complaints or grievances without fear of retaliation. The nursing home must give you information about how to file a complaint with the facility, the Ombudsman, and with the Office of Long Term Care.
- Organize and participate in resident groups. Your family has the right to organize and participate in family groups in the nursing home.

Living Accommodations and Care – You have the right to:

- Express preferences with respect to your room and roommate and be advised in writing before any changes are made.
- A safe, clean, comfortable, home-like environment.

- Receive care in a manner which promotes and enhances your quality of life. This includes food of the quantity and quality to meet your needs and preferences.
- Services necessary to attain or maintain your highest practicable level of functioning.

Protect Your Money and Possessions – You have the right to:

- Manage your own financial affairs, or you may have the nursing home manage your personal money in accordance with specific arrangements which include periodic accounting reports.
- Reasonable security of clothing and personal property. The nursing home must have a program to reduce theft and loss.

Medical Care and Treatment – You have a right to:

- Participate in your plan of care and treatment.
- Choose your personal physician.
- Refuse any plan of care, treatment, or procedure.
- Make advance directives, such as durable power of attorney, or other instructions about important health care decisions.
- Participate or refuse to participate in experimental research.

Freedom from Restraint and Abuse – You have the right to:

- Refuse restraints that limit your mobility or drugs that affect your mind, except in emergency situations. Any use of such restraints must be to treat medical symptoms and not for the purpose of discipline or staff convenience.
- Be free from verbal, physical, sexual, and mental abuse; corporal punishment; neglect; and involuntary seclusion.
- Not be required to perform services for the facility unless the work is medically indicated and included in the plan of care.

Transfer and Discharge Rights – You have the right to:

- Be notified in writing before you are to be transferred or discharged from the nursing home.
- The facility’s notice must include an explanation of the right to appeal the transfer/discharge to the State. For private pay residents, the “State” is the State survey agency, and the appeal is handled as a complaint investigation. For all other residents with an insurance contractor, the appeal process is handled by the contractor.

- Return to the nursing home after a short-term transfer to a hospital or after a therapeutic leave from the facility. The nursing home must explain to you their policy about bed holds and your rights to return to the facility.

Help In Protecting Your Rights – Long Term Care Ombudsman

- Arizona has an Ombudsman Program with trained ombudsmen to help with questions or problems about the nursing home and to assist you in exercising your rights. For information about the Ombudsman Program in your area, call or write:

Office of State Long Term Care Ombudsman
Aging & Adult Administration
Arizona Department of Economic Security
1789 West Jefferson
Phoenix, AZ 85007
602-542-4446

Licensing and Certification

The Arizona Department of Health Services, Office of Long Term Care, licenses and regulates nursing homes on the basis of annual inspections and complaint investigations. Consumers may view inspection and complaint reports on-line at www.azcarecheck.com. The facility must display, in a prominent place, the address and telephone number of:

- Office of Long Term Care, Arizona Department of Health Services
- Local Ombudsman
- Area Agency on Aging
- Persons may contact the Office of Long Term Care regarding any problems related to care rendered in long term care facilities. The Office of Long Term Care investigates allegations that can be supported by federal and state regulations and rules governing long term care facilities in the state of Arizona.