



Resident Rights

Basic Training

- I. Each staff member has a moral responsibility and legal obligation to ensure the preservation of each resident's right to a dignified existence, self-determination, and communication with, and access to, persons and services inside and outside the facility.
- II. Exercise of rights – Every resident has the right to exercise his or her rights as a resident and as a citizen and resident of the United States. This includes the right to be free of interference, coercion, and discrimination.
- III. Residents have the right to be informed of, and participate in, his or her treatment. This includes the right to
 - a. be fully informed of health status, including medical condition;
 - b. participate in the development, implementation and changes to his/her person-centered plan of care;
 - c. request, refuse, and/or discontinue treatment; and
 - d. choose his/her attending physician.
- IV. Residents have a right to respect and dignity, including the right to
 - a. be free from physical or chemical restraints imposed for disciplinary or convenience purposes; and
 - b. retain and use personal possessions, as space permits and provided it does not infringe upon the rights or health and safety of other residents.
- V. Residents have the right to self-determination. This means that residents have the right, and facilities must promote and facilitate, resident choices in areas such as activities, schedules, providers, and care plans. This also includes the right to
 - a. receive visitors of his or her choosing; and
 - b. participate in social and religious activities, provided these activities do not interfere with the rights of other residents.



- VI. Residents have the right to reasonable access to, and privacy in their use of, electronic communications such as email, video communications, internet access, and telephones.
 - a. Please note: this is dependent on whether access is available at the facility and, depending on other factors, may be at the resident's expense.
- VII. Residents have the right to privacy and confidentiality of their medical records.
- VIII. Residents have the right to a safe, clean, comfortable and homelike environment.
- IX. Residents have the right to receive information in the language of choice if they are of limited English proficiency.
- X. Residents have the right to voice grievances without fear of discrimination or reprisal. All staff should be aware of the process by which residents or their families can file a grievance.
- XI. Incompetent residents
 - a. In the case of a resident who has legally been declared incompetent, the designated surrogate may exercise the resident's rights.
- XII. Practical tips
 - a. Knock before entering a resident's room
 - b. Speak with respect to all residents
 - c. Be polite and patient when helping a resident with daily activities.
 - d. Respect and care for the personal belongings of each resident.
- XIII. Questions should always be addressed to supervisor, Compliance Officer or the anonymous and confidential Compliance Hotline.

Additional Supervisor & Department Head Training

- XIV. If the facility has reason to believe that a resident representative is making decisions or taking actions that are not in the best interests of the resident, reports should be made in the manner required under State law. The Compliance Officer should be notified.



- XV. Residents have the right to share a room with a spouse, share a room with his/her roommate of choice when practicable, and the right to receive written notice, including the reason for the change, before the resident's room or roommate in the facility is changed. Residents may have the right to refuse to transfer rooms. The Compliance Officer should be consulted.
- XVI. Foster open communication and a blame-free environment where individuals feel comfortable in reporting concerns without fear of reprimand or punishment.
- XVII. Encourage collaboration across ranks and disciplines to seek solutions to resident problems.

Compliance Basics

- I. Compliance program is designed to prevent fraud, waste and abuse of government money.
 - a. Abuse = misuse of government healthcare funds, not abuse of a resident
- II. Required elements of a compliance program
 - a. Designate a Compliance Officer
 - b. Establish Policies and Procedures
 - c. Provide Education/Training
 - d. Establish Required Reporting/Communication Methods
 - i. Hotline can be anonymous and confidential
 - ii. Non-intimidation and non-retaliation
 - Whistleblower protections
 - e. Establish and Enforce Discipline and Disciplinary Standards
 - f. Conduct Internal Audits and Monitoring
 - g. Respond to Detected Offenses
 - h. Reassess, as needed
 - i. Evaluate the program's effectiveness and adjust the program, as indicated