

## PATIENTS' BILL OF RIGHTS

*The Patient's Bill of Rights was first enacted into law as part of the Older American's Act of 1965. RSA 151.21 adopts the Federal statute as law in the State of New Hampshire. It applies to all individuals in hospitals, residential care facilities, nursing homes, and all other health care locations licensed under the provisions of RSA 151.21.*

**You have the right to be treated with dignity and respect.**

The patient shall be treated with consideration, respect, and full recognition of his/her dignity and individuality, including privacy in treatment and personal care, and including being informed of the name, licensure status, and staff position of all those with whom the patient has contact.

**You have the right to be informed, verbally, and in writing, of your rights and of the rules and policies of this clinic.**

The patient shall be fully informed of patients' rights and responsibilities and of all procedures governing patient conduct and responsibilities. This information must be provided orally and in writing before or at admission, except for emergency admissions. Receipt of the information must be acknowledged by the patient in writing. When a patient lacks the capacity to make informed judgments, the signing must be by the person legally responsible for the patient.

**You have the right to be told about services and charges.**

The patient shall be fully informed in writing in language that the patient can understand, before or at the time of admission and as necessary during his/her stay, of the facility's basic per diem rate and of those services included and not included in the basic per diem rate. A statement of services that are not normally covered by Medicare or Medicaid shall also be included in this disclosure.

**You have the right to know about your medical condition. You have the right to participate in planning your care and medical treatment. You have the right to refuse treatment.**

The patient shall be fully informed by a health care provider of his/her health care needs and medical condition, unless medically inadvisable and so documented in the medical record, and shall be given the opportunity to participate in the planning of his/her total care and medical treatment, and to be involved in experimental research upon his/her written consent only.

**You have the right not to be transferred or discharged except for medical reasons, your own welfare or that of other patients, non-payment, or if the facility ceases to operate.**

The patient shall be transferred or discharged after appropriate discharge planning only, for medical reasons, for his/her welfare or that of other patients, if the facility ceases to operate, or for non-payment for the patient's stay, except as prohibited by Title XVIII or XIX of the Social Security Act. No patient shall be involuntarily discharged from a facility because the patient becomes eligible for Medicaid as a source of payment.

**You have the right to exercise your rights as a patient and citizen. You have a right to voice grievances without fear of reprisal.** The patient shall be encouraged and assisted throughout the patient's stay to exercise the patient's rights as a patient and citizen. The patient may voice grievances and recommend changes in policies and services to facility staff or outside representatives free from restraint, interference, coercion, discrimination, or reprisal.

**You have the right to manage your own personal finances.**

The patient shall be permitted to manage his/her own financial affairs. If the patient authorizes the facility in writing to assist in this management and the facility so consents, the assistance shall be carried out in accordance with the patient's rights under this subdivision and in conformance with state law and rules.

**You have the right to be free from emotional, physical and sexual abuse, exploitation, neglect, corporal punishment, and involuntary seclusion. You have a right to be free from chemical and physical restraints.**

The patient shall be free from chemical and physical restraints except when they are authorized in writing by a physician for a specific and limited time necessary to protect the patient or others from injury. In an emergency, restraints may be authorized by the designated professional staff member in order to protect the patient or others from injury. The staff member must promptly report such action to the physician and document same in the medical record.

**You have a right to have your personal and medical records treated as confidential.**

The patient shall be ensured confidential treatment of all information contained in the patient's personal and clinical record,

including that stored in an automatic data bank, and the patient's written consent shall be required for the release of information to anyone not otherwise authorized by law to receive it. Medical information contained in the medical records at any facility licensed under this chapter shall be deemed to be the property of the resident. The resident shall be entitled to a copy of such records, for a reasonable cost, upon his/her request.

**You have a right not to perform services for the facility.**

The patient shall not be required to perform services for the facility. Where appropriate for therapeutic or diversional purposes and agreed to by the patient, such services may be included in his/her plan of care and treatment.

**You have a right to receive visitors of your choice. You have a right to receive unopened personal mail. You have a right to regular access and unmonitored use of a telephone.**

The patient shall be free to communicate with, associate with, and meet privately with anyone, including family and resident groups, unless to do so would infringe upon the rights of other patients. The patient may send and receive unopened personal mail. The patient has the right to have regular access to the unmonitored use of a telephone.

**You have the right to participate in social, religious, and community activities of your choice.**

The patient shall be free to participate in activities of any social, religious, and community groups, unless to do so would infringe upon the rights of other patients.

**You have the right to retain and use your own personal clothing and possessions as space permits.**

The patient shall be free to retain and use his/her personal clothing and possessions as space permits, providing it does not infringe upon the rights of other patients.

**You have the right to privacy for visits. You have a right to receive services with reasonable accommodation of your individual needs and preferences. You have a right to receive advance notice of room or roommate changes.**

The patient shall be entitled to privacy for visits and, if married, to share a room with his/her or her spouse if both are patients in the same facility and where both patients consent, unless it is medically contraindicated and so documented by a physician. The patient has the right to reside and receive services in the facility with reasonable accommodation of individual needs and preferences, including choice of room and roommate, except when the health and safety of the individual or other patients would be endangered.

**You have the right to be free from discrimination.**

The patient shall not be denied appropriate care on the basis of race, religion, color, national origin, sex, age, disability, marital status, or source of payment, nor shall any such care be denied on account of the patient's sexual orientation.

**You have a right to receive treatment by the physician of your choice.**

The patient shall be entitled to be treated by the physician of his/her choice subject to reasonable rules and regulations of the facility regarding the facility's credentialing process.

**You have the right to receive visitors without restrictions if you are terminally ill.**

The patient shall be entitled to have his/her parents, if a minor, or his/her spouse, or next of kin, or his/her personal representative, if an adult, visit the facility, without restriction, if the resident is considered terminally ill by the physician responsible for his/her care.

**You have the right to receive representatives of approved organizations.** You have a right not to be denied admission to the facility based on Medicaid as a source of payment when there is an available space in the facility.

**Your Responsibilities as a Patient**

You are responsible for providing information about your health, including past illnesses, hospital stays, and use of medicine. You are responsible for asking questions when you do not understand information or instructions. If you believe you cannot follow through with your treatment, you are responsible for telling your doctor. This clinic works to provide care efficiently and fairly to all patients and the community. You and your visitors are responsible for being considerate of the needs of other patients, staff, and the clinic. You are responsible for providing information for insurance and for working with the clinic to arrange payment, when needed. Your health depends not just on your clinic care, but, in the long term, on the decisions you make in your daily life. You are responsible for recognizing the effect of life style on your personal health.