

***RESIDENTS' RIGHTS
PERTAINING TO FEAR
OF RETALIATION***

&

***THE BEST PRACTICES
THAT SUPPORT THEM***

Resident Rights	Best Practices that Support Resident Rights
<p>The resident has a right to a dignified existence, self determination, and communication with and access to persons and services inside and outside the facility. A facility must protect the rights of each resident</p>	<ul style="list-style-type: none"> • Facilities are encouraged to have discussions of resident rights more frequently. • Have your roommate advocate for you. • A designated resident on each wing to advocate at the Resident council meeting on their behalf. • Review a section of the Residents Rights each month in the resident council meeting and conduct a Q & A.
<p>The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.</p>	<ul style="list-style-type: none"> • The Registrar of voters [Democrat, Republican & Independent] assists this process by coming in to assist one-on-one with our residents who need help filling out the absentee ballot. • The Residents watch the elections on TV and it is discussed the next day at a coffee/newspaper hour. • Facility will educate residents on admission of rights within the facility. Residents will also be provided with opportunities to participate in current events through discussions, newspapers, internet access, voting, and correspondence as a citizen of the United States.
<p>The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising his or her rights.</p>	<ul style="list-style-type: none"> • If staff members are present at the resident council meeting, the residents have the right to ask the staff members to step out of the meeting in order for them to meet privately.

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The resident or his or her legal representative has the right upon an oral or written request, to access all records pertaining to himself or herself including current clinical records within 24 hours excluding weekends and holidays; and after receipt of his or her records for inspection, to purchase at a cost not to exceed the community standard photocopies of the records or any portions of them upon request and 2 working days advance notice to the facility.

- Include the residents COP & COE if applicable.
- Rate is not to exceed the going rate of .65 per page or free to residents who qualify for Medicaid - Title 19.

The resident has the right to be fully informed in language that he or she can understand of his or her total health status, including but not limited to, his or her medical condition.

- Residents Rights are available in English & Spanish, are posted on the bulletin boards in the hallways and are available in the resident council minutes to any resident. If the resident speaks in another language interpreters are used, including the Language Bank.
- *Web site also available: www.babelfish.yahoo.com and www.translate.google.com*

The resident has the right to be fully informed in advance about care and treatment and of any changes in that care or treatment that may affect the resident's well being.

- Care plan meetings, when appropriate should be arranged at the bedside of the resident for their inclusion, with the full team.
- Offer information in advance to residents and family members on frequent Q. & A.
- Have the C.N.A. present
- Whole team needs to be present; nurse, S.W., T.R.D., C.N.A., Dietician, P.T., O.T., S.T., MDS coordinator.
- Offer phone conference for families unable to be present with the whole team; or offer alternate time for the whole team to meet with family & resident.
- Written notice should be given to residents as well as reminding them the morning of the meeting.
- Ambassador [staff member] to guard and assist with concerns or issues during the residents stay.
- Copy of the care plan given to the resident or their responsible party member.

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<p>The resident has the right to refuse treatments, to refuse to participate in experimental research, and to formulate an advance directive. The facility must inform the resident both orally and in writing in a language that the resident understands of his or her rights and all rules and regulations governing resident conduct and responsibilities during their stay in the facility.</p>	<ul style="list-style-type: none"> • Advanced Directives and consents are explained and signed upon admission. • Don't start the conversation with Advanced Directives but instead offer the resident and family time to make choices and to be fully informed of medical outcomes. • Residents Rights are available in English & Spanish, are posted on the bulletin boards in the hallways and are available in the resident council minutes to any resident. If the resident speaks in another language interpreters are used, including the Language Bank. • Residents should have access to a communication board
<p>The resident has the right to voice grievances without discrimination or reprisal.</p>	<ul style="list-style-type: none"> • Facilities are encouraged to adopt policies regarding fear of retaliation, including a "no tolerance" policy. • Form an internal committee to provide meaningful and an interactive in-service to staff and residents specific to this issue.
<p>The resident has the right to prompt efforts by the facility to resolve grievances the resident may have, including those with respect to the behaviors of other residents.</p>	<ul style="list-style-type: none"> • Contact trusted staff members, ombudsman, resident council president, etc. to voice your concerns anonymously. • Establish a "concerns box" so residents can submit a concern anonymously. Facilities should check this box on a regular basis to address the concerns. • All management including upper management and the administrator can be invited as needed to resident council meetings so residents can voice concerns.
<p>The resident has the right to refuse to perform services for the facility.</p>	<ul style="list-style-type: none"> • Residents will be educated on their rights pertaining to freedom of choice on admission and semi-annually thereafter. Residents who perform services for the facility are acknowledged through their care plan.

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<p>The resident has the right to have reasonable access to the use of a telephone where calls can be made without being overheard.</p>	<ul style="list-style-type: none"> • Cordless phones are available on each resident's unit. If the resident wants to make a private call the Social Services Office phone may be used which is located in a secluded office.

Note: These rights cannot be violated by a conservator unless the conservator is given specific written authority to do so after a hearing in the Probate Court conducted according to the conservatorship statute.

This product was developed by the Fear of Retaliation Committee Members Membership included residents, the Connecticut Long Term Care Ombudsman and individuals from public agencies and industries affiliated with long term care.

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