

Nursing Home Residents' Rights

How State Health Workers Protect You

Department of Public Health, Licensing and Certification Program

The California Department of Public Health, Licensing and Certification Program (CDPH, L&C) is the California state agency that licenses and regulates health facilities such as a nursing home. The state employees that work at CDPH, L&C and perform the inspections are called "surveyors" or "evaluators." Many evaluators are nurses. They conduct routine inspections or "surveys" and investigate complaints. They also make follow-up visits to assure that problems that have been identified are corrected. This fact sheet describes the role that surveyors have in assuring quality health care.



Surveyors' Jobs

L&C surveyors are responsible for enforcing the federal and state laws concerning health care in nursing homes. These laws promote quality care, ensure that your rights as a resident are respected, and set minimum standards

for every department in the facility. The surveyors do their jobs by visiting your nursing home and determining whether it is following the regulations. Routine inspections take place annually and usually last for several days. If problems with care are found, surveyors will notify the nursing home and require the problems to be corrected. Surveyors may also visit a nursing home in response to a specific complaint. Complaint investigations may take from a few hours to several days. You will be able to easily identify state surveyors visiting your nursing home because they will be wearing identification badges clearly marked with their names and "California Department of Public Health."

Surveyors use the following methods to evaluate the quality of care you are receiving:

- T Interview you or other residents and family members.
- T Review your medical records.
- T Observe staff members as they provide care or do their jobs.
- T Observe staff giving treatments.
- T Interview staff members.

How State Health Workers Protect You (*continued*)

- T Inspect the building inside and outside.
- T Inspect the kitchen and observe the preparation of a meal.
- T Observe a licensed nurse passing routine medications.

You may see a surveyor speaking to staff members, visitors, or simply observing.

One of the best ways for a surveyor to determine the quality of care you are receiving is to interview residents and family members or to observe care that you may receive.

Residents who are able to describe the care they are receiving are very important to the survey process.

What You Should Know About Interviews

Surveyors select several residents to talk with in depth to learn about the care and services residents are receiving in the nursing home. The purpose of the interviews is to help surveyors understand, from the residents' point of view, what life is like in the nursing home. If you are selected to be interviewed consider this an opportunity to share your experiences and thoughts about the facility. You may refuse to be

interviewed, or you may ask the surveyor to come back at a more convenient time. If you are interviewed, no one can be present at the interview without your permission. You may also be asked to participate in an interview with a group of other residents. If you are not asked to participate in an interview (either alone or in a group), you may talk to surveyors at any time if you have information you would like to share with them. Family members also participate in separate interviews.

Tell the surveyor about your good experiences you have at the facility, as well as about any problems you have in the facility. Try to give as much detail as possible. You may want to ask the surveyor to come back later or the next day so that if you remember something after your interview is over, you will be able to tell the surveyor at the later time.

Conclusion

You may always speak to a surveyor if you have something that you want to tell him or her. If you see surveyors in the nursing home, you may ask to speak to one at any time. Interviewing you and/or other residents and observing the care you are receiving are important parts of the survey process.

How State Health Workers Protect You *(continued)*

You also have the right to know the outcome of surveys and complaint investigations. The nursing home is required to post for public view the report of its most recent survey.

For additional information, contact the California Department of Public Health, Licensing and Certification, District Office or the Ombudsman Program in your county. The telephone numbers for both agencies are posted in your nursing home.

Licensing and Certification District Offices:
(<https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/DistrictOffices.aspx>)

