

Nursing Home Residents' Rights

Right of Choice – Health Care Decisions

Federal and state regulations give you, as someone who lives in a nursing home, the right to be treated with respect and dignity and to make choices about how you want to live your everyday life and receive care. The nursing home must provide you with the necessary care and services to attain or maintain your highest practicable level of physical, mental, and social well-being. You have the right to take part in the process that decides what those services will be.

What about health care choices and decisions?

You have the right to:

- Ⓡ Choose a personal attending physician.
- Ⓡ Be fully informed of your total health status. This includes your medical condition, opportunities for restoring you to your former level of fitness, your ability to carry out daily living tasks, and all other aspects of care



you are receiving. This information must be presented in a language you can understand.

- Ⓡ Receive all information you need to know in order to make a decision about your care and treatment.
- Ⓡ Participate in developing your care and treatment plans. You also have the right to have a family member or representative participate on your behalf or with you during these meetings.
- Ⓡ Be fully informed of the benefits and risks of a proposed treatment or any recommended changes in your care and treatment. If the Interdisciplinary Team (IDT), composed of your doctor, nurse, dietician, social worker, or any other therapists involved in your care, recommends the use of a physical or chemical restraint, your doctor must first obtain “informed consent” from you or your representative, if you are unable to give consent. Informed consent means that you are given all the information necessary to allow you or your representative to decide when to accept or refuse treatment. Information includes such things as the duration of the treatment, the benefits and risks of the treatment, possible side effects, and other alternatives.

Right of Choice—Health Care Decisions (*continued*)

- † Be free from physical and chemical restraints, except for limited periods of time in an emergency situation when you or someone else would be in danger.
- † Refuse treatment. If you are able to make health care decisions, you may refuse any plan of care, treatment, or procedure. You cannot be treated against your wishes. If you have given “informed consent,” you can revoke it at any time. You can also choose someone to make health care decisions for you should you no longer be able to make decisions for yourself.
- † Refuse to participate in experimental research. This research may be the development and testing of new drugs or new methods of treatment.
- † Prepare an Advance Health Care Directive that allows you to say who you want to speak for you and what kind of treatments you want. These documents are called “advance” because you prepare one before healthcare decisions need to be made. They are called “directives” because they state who will speak on your behalf and what should be done.
- † Look at your health records, financial records, or any other record that the facility keeps about your care within 24 hours of your request. You will not be charged to look at your records. However, if you would like copies of anything, the nursing home may charge you a fee equal to the standard cost of having copies made by businesses in your community. Any copies you request must be given to you within two working days. You may also allow access to your records by anyone of your choice.
- † Be free to purchase drugs or medical equipment from any pharmacy, not just the one contracted by the nursing home.

For additional information about your rights as a resident in this nursing home, you may ask the nursing home staff, contact the local Department of Public Health, Licensing and Certification, District Office, or the local Ombudsman Program. 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)
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