

In January 2013, the Under Secretary for Health approved an updated version of Patient and Community Living Center Resident Rights and Responsibilities. The Office of Patient-Centered Care and Cultural Transformation (10NE) is working with the Office of Forms and Publications to print and distribute the related poster for display in facilities.

The National Center for Ethics in Health Care is pleased to present here the text as approved by the Under Secretary. Pending release of the final printed materials, you may share this text on your local listservs and websites, as needed. Consistent with VA's commitment to patient-centered care and Joint Commission standards on non-discrimination, the updated document now states that patients and CLC residents will not be subject to discrimination for any reason, including for reasons of age, race, ethnicity, religion, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, or gender identity or expression.

Rights and Responsibilities of VA Patients and Residents of Community Living Centers

The Veterans Health Administration (VHA) is pleased you have selected us to provide your health care. We will provide you with personalized, patient-driven, compassionate, state-of-the-art care. Our goal is to make your experience as positive and pleasant as we can. As part of our service to you, to other Veterans and to the Nation, we are committed to improving health care quality. We also train future health care professionals, conduct research, and support our country in times of national emergency. In all of these activities, our employees will respect and support your rights as a patient or resident of a community living center (CLC). Your basic rights and responsibilities are outlined in this document. You will receive this information in your preferred language. Please talk with the VA treatment team members who are providing your care or to a patient advocate if you have any questions or would like more information about your rights and responsibilities.

1. Nondiscrimination and Respect

- You will be treated with dignity, compassion, and respect as an individual. Consistent with Federal law, VA policy, and accreditation standards of The Joint Commission, you will not be subject to discrimination for any reason, including for reasons of age, race, ethnicity, religion, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, or gender identity or expression.

- You will receive care in a safe environment free from excess noise, and with sufficient light to ensure comfort and safety.
- You have a right to have access to the outdoors.
- We will seek to honor your cultural and personal values, beliefs, and preferences. We ask that you identify any cultural, religious, or spiritual beliefs or practices that influence your care.
- You or someone you choose has the right to keep and spend your money. You have the right to receive an accounting of any funds that VA is holding for you.
- We will respect your personal freedoms in the care and treatment we provide you. This includes trying to accommodate your normal sleep and wake cycles, food likes and dislikes, and other personal preferences.
- In the Community Living Center, you have the right to be free from chemical and physical restraints. In the inpatient acute care setting, and only in rare cases, the use of chemical and physical restraints may be used if all other efforts to keep you or others free from harm have not worked.
- In the Community Living Center, you may keep personal items and are expected to wear your own clothes. As an inpatient, you may wear your own clothes depending on your medical condition.
- You have the right to keep and use personal items as long as they are safe and legal.
- You have the right to social interaction and regular exercise. You will have the opportunity for religious worship and spiritual support. You may decide whether to participate in these activities. You may decide whether or not to perform tasks in or for the Medical Center or in the Community Living Center.
- You have the right to communicate freely and privately. You will have access to public telephones and VA will assist you in sending and receiving mail. You may participate in civic rights, such as voting and free speech.
- When a loved one is involved in support and care of a VA patient or CLC resident, VA considers a patient or CLC resident's *family* to include anyone related to the patient or CLC resident in any way (for example, biologically or legally) and anyone whom the patient or CLC resident considers to be family. If you are an inpatient, any persons you choose can be with you to support you during your stay. Medical staff may restrict visitors for inpatients if medical or safety concerns require it. You will be told promptly about any visitor restriction and the reason for it.
- In order to provide a safe treatment environment for all patients or CLC residents and staff, you and your visitors are expected to avoid unsafe acts that place others at risk for accidents or injuries. Please immediately report any condition you believe to be unsafe.

2. Information Disclosure and Confidentiality

- Your privacy will be protected.
- You will be given information about the health benefits you can receive. The information will be provided in a way you can understand.

- You will receive information about the costs of your care (for example, co-payments), if any, before you are treated. You are responsible for paying your portion of any costs associated with your care.
- Your health record will be kept confidential. Information about you will not be released without your authorization unless permitted by law (an example of this is State public health reporting). You have the right to have access to or request a copy of your own health records.
- Please respect the privacy of other patients and CLC residents and do not reveal their health information that you may overhear or otherwise become aware of.

3. Participation in Treatment Decisions

- You have a right to express your preferences concerning future medical care in an advance directive, including designating a health care agent to make health care decisions on your behalf when you can no longer do so.
- You, and any person(s) you choose, will be involved in all decisions about your care. You will be given information you can understand about the benefits and risks of treatment in your preferred language. You will be given other options. You can agree to or refuse any treatment. You will be told what is likely to happen to you if you refuse a treatment. Refusing a treatment will not affect your rights to future care but you take responsibility for the impact this decision may have on your health.
- Tell your provider about your current condition, medicines (including over-the-counter and herbals), and medical history. Also, share any other information that affects your health. You should ask questions when you do not understand something about your care. This will help us provide you the best care possible.
- You will be given, in writing, the name and title of the provider in charge of your care. You have the right to be involved in choosing your provider. You also have the right to know the names and titles of those who provide you care. This includes students and other trainees. Providers will properly introduce themselves when they take part in your care.
- You will be educated about your role and responsibilities as a patient or CLC resident. This includes your participation in decision making and care at the end of life.
- If you believe you cannot follow the treatment plan, you have a responsibility to tell your provider or treatment team.
- You will be informed of all outcomes of your care, including any possible injuries associated with your care. You will be informed about how to request compensation and other remedies for any serious injuries.
- You have the right to have your pain assessed and to receive treatment to manage your pain. You and your treatment team will develop a pain management plan together. You are expected to help the treatment team by telling them if you have pain and if the treatment is working.
- As an inpatient or CLC resident, you will be provided any transportation necessary for your treatment plan.

- You have the right to choose whether or not you will participate in any research project. Any research will be clearly identified. Potential risks of the research will be identified and there will be no pressure on you to participate.
- You will be included in resolving any ethical issues about your care. If you have ethical issues or concerns, you may speak with the Medical Center's Ethics Consultation Service for help.

4. Concerns or Complaints

- You are encouraged and expected to seek help from your treatment team or a patient advocate if you have problems or complaints. Any privacy complaints will be addressed by the facility Privacy Officer. You will be given understandable information about the complaint process in your preferred language. You may complain verbally or in writing, without fear of retaliation.
- If you believe that you or your family member has been neglected, abused or exploited by VA staff, please report this promptly to the treatment team or patient advocate. You will receive help immediately.
- If you believe the organization has failed to address or satisfy your concerns about health care quality and safety, you may contact the Joint Commission's Office of Quality Monitoring at 1-800-994-6610. If you believe that the organization has failed to address your concerns about suspected criminal activities, fraud, waste, abuse, or mismanagement, you may contact the VA Office of the Inspector General at 1-800-488-8244 or email vaoighotline@VA.gov.

5. Additional Rights and Responsibilities of Community Living Center Residents

Because the CLC serves as your home for short or long-stay services, you have the following additional rights and responsibilities as a CLC resident:

- Staff will knock on your bedroom door prior to entry.
- You have the right to receive care from the same staff member everyday to the extent that consistent assignment is possible.
- You may have visitors at any time of the day or night provided visitors are respectful of you, your need for privacy and the privacy of others. You may refuse visitors at any time.
- You have a right to conjugal visits and you have a right to privacy during those visits.
- Your care will be delivered in a setting that resembles home. Therefore, you will be invited to have your meals in a designated dining area and you will have access to those activities that contribute to meaningful use of time.
- In preparation for being discharged to your own home, you and or your care giver may be invited to participate in activities that prepare you to go home such as self administration of medications and treatments.

- You and your care givers have a right to attend treatment planning meetings and participate in household or resident council.

VA xx-xxx

xxxxxx

<DATE to be added for printed poster>

Department of
Veterans Affairs