

## RIGHTS AND RESPONSIBILITIES OF PATIENTS

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Chief Compliance Officer

**REFERENCE:**

CMS

**POLICY:**

Patients seeking treatment or care at Harrison Memorial Hospital have rights and responsibilities. A copy of the patient's rights and responsibilities is made available during the registration process and at any time upon request by either the patient and/or their personal representative. HMH employees, medical staff and volunteers are committed to protecting the rights of patients.

### PATIENT RIGHTS

The patient rights and responsibilities are as follows:

1. A patient has a right to be informed of their patient rights and responsibilities and to have these rights followed by their physicians, nurses and other healthcare staff. This information is provided in a manner tailored to meet the need of the patient.
2. A patient has the right to quality, dignified, and respectful care given by competent personnel and to expect that professional standards are continually maintained.
3. A patient has a right to medical and nursing care and treatment without discrimination based upon age, race, ethnicity, religion, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, gender identity or expression, or source of payment.
4. A patient has the right to participate in care decisions. Patients have the right to participate in the development and implementation of their plan of care. This includes the right to participate in the discharge plan and pain management plan.
5. Patients have the right to have a family member or representative of their choice and to have their own physician notified promptly of their admission to the hospital.
6. Patients have the right to be involved in care planning and treatment, including any revisions to the patient's plan of care and treatment. This includes information on their health status, diagnosis, and prognosis.
7. A patient has the right to make informed decisions regarding his or her care. A patient has the right to designate a surrogate decision maker when the patient is unable to make decisions regarding health care. The patient also has the right to exclude family members from participating in his or her health care decisions.
8. A patient has the right to selection of post-hospital extended care providers, as long as they can provide appropriate care needed by the patient, such as hospice providers, home health care and nursing home placement.
9. Patients have the right to know what hospital rules and regulations apply to their conduct.

10. A competent patient has the right to refuse or request care. This includes the right to refuse any drug, treatment, or procedure offered by the hospital, to the extent permitted by law. A licensed provider shall inform the patient of the medical consequences of his or her refusal of any drug, treatment, or procedure.
11. A patient has a right to receive notice of their beneficiary discharge rights and for notice on non-coverage rights. A patient has a right to receive a copy of their right to appeal premature discharge.
12. A terminal patient has the right to all necessary measures to assure comfort by the provision of treatment of symptoms, pain management and the acknowledgment of the psychological, social, emotional, cultural and spiritual concerns of the patient and family.
13. A patient has the right to formulate an Advance Directive (Living Will or Durable Power of Attorney for Healthcare, DNR Order). Provision of care is not conditioned upon whether or not the patient has an Advance Directive. The patient also has the right to receive information about the hospital's policies and procedures relating to Advance Directives and to have these advance directives followed, as required, and in accordance with, state or federal law.
14. A patient, next-of-kin, or legally responsible representative has the right to participate in the consideration of ethical issues. For more information about the hospital's Ethics Committee, contact the Chief Nursing Officer.
15. Patients or families may seek spiritual counsel from Pastoral Care by notifying the primary nurse of the need.
16. A patient has the right, upon request, to be given the name of his or her attending physician, the names of all other physicians directly participating in his or her care, and the names and functions of other health care personnel having direct contact with him or her.
17. A patient has the right to have all records pertaining to his or her medical care treated as confidential except as otherwise provided by law or third-party contractual arrangements. The hospital shall provide the patient, upon request, access to all information contained in his or her medical records in accordance with applicable regulations (unless access is specifically restricted by the attending physician for medical reasons or is prohibited by law).
18. A patient has the right to full information in layman's terms concerning diagnosis, treatment and prognosis, including information about advantages/disadvantages, alternative treatments and possible complications. When it is not medically advisable to give such information to the patient, the information shall be given to the patient's next of kin or other appropriate persons. Except in emergencies, a patient has the right to expect that his or her physician will obtain the necessary informed consent prior to the start of any procedure or treatment.
19. A patient (or in the event the patient is unable to give informed consent, a legal representative) has the right to be advised when a physician is considering him or her as part of a medical care research program or donor program. The patient, or legally responsible party, must give informed consent prior to participation in such a program. The patient or legally responsible party may, at any time, refuse to continue in any such program to which he or she has previously given informed consent. Such refusal will not compromise access to services. Informed consent will consist of expected benefits, potential discomforts and risks, a description of alternative services that might also prove advantageous and a full explanation of procedures to be followed.
20. Patients have the right to personal privacy. A patient has the right to every consideration of his or her privacy and security concerning his or her own medical care program. Case discussion, consultation, examination, and treatment are confidential and should be conducted discreetly, making every attempt to maintain the patient's verbal and visual privacy.
21. A patient has the right to be free from all forms of abuse and harassment and neglect and to have his/her care provided in a safe setting.
22. A patient has the right to freedom from restraints in acute medical and surgical care and/or freedom from restraints in behavior management, unless clinically necessary or in an emergency situation to protect the patient or others from harm.

23. A patient has the right to expect emergency procedures to be implemented without unnecessary delay.
24. A patient has the right to assistance in obtaining consultation with a physician other than the attending physician.
25. When medically permissible, a patient may be transferred to another facility, only after the patient or next-of-kin or other legally responsible representative, or personal representative, has received complete information and an explanation concerning the need for and alternatives to such a transfer. The institution to which the patient is to be transferred must accept the patient for transfer in advance.
26. A patient has the right to expect that the hospital will provide a mechanism whereby he or she is informed upon discharge of his or her continuing health care requirements, and the means for meeting them.
27. A patient who cannot communicate with hospital staff because he or she does not speak English or who are not proficient in English, or who have also communication challenges such as deafness, low vision, or blindness, shall have access, where possible, to an interpreter and/or technology that will facilitate communication. Interpreters are provided at no cost to the patient. Individuals who need assistive devices, such as magnifying glasses, Braille, sign language, can contact your nurse.
28. A patient has the right of access to an individual who, or an agency which, is authorized to act on behalf of the patient to assert or protect the rights set out in this policy.
29. A patient has the right to examine and receive a detailed explanation of hospital bills. He or she has a right to full information and counseling on the availability of financial resources for health care.
30. A patient has the right to communicate complaints or grievances regarding his or her care or service. A complaint may be offered to any member of the health care team or administration. The nursing supervisor who is available 24 hours a day may receive and resolve complaints. The complaint can be called directly to Senior Management at 859.235.3505. HMH encourages all patients to bring forward any concerns of quality of care or premature discharge.  
  
\*If you leave a written or verbal complaint, you can expect to be contacted by an HMH representative by the next business day.
31. A patient has the right to be informed of these rights at the earliest possible time during the course of hospitalization.

#### **PATIENT RESPONSIBILITIES**

1. Patients are asked upon admission to sign an acknowledgement confirming receipt of their rights and responsibilities.
2. A patient should provide, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalization, medications and other matters relating to his or her health. Unexpected changes in condition are also to be reported to the appropriate individual.
3. Patients will keep a current and up to date list of all their medications, dosages, how often you take the medicines and the purpose for each. Patients will maintain current information on any allergies or sensitivities to medications.
4. A patient should make it known to the appropriate people whether or not he or she clearly understands a contemplated course of action and what is expected.
5. A patient should follow the treatment plan recommended by the practitioner primarily responsible for his or her care. This may include following the instructions of nurses and allied health personnel as they carry out the coordinated plan of care and implement the responsible practitioner's orders, and as they enforce the applicable rules and regulations. The patient is responsible for resulting outcomes if he or she refuses treatment or does not follow the practitioner's instructions.
6. A patient should assure, either personally or through a legally responsible party, that the financial obligations of his or her stay are fulfilled as promptly as possible.

7. A patient should be considerate of the rights of other patients and personnel and for assisting in the control of noise and number of visitors. This includes being respectful of the property of other patients, staff and the hospital.