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# Know Your Rights as a Nursing Home Resident

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PENNSYLVANIA  
DEPARTMENT OF  
**AGING**

[www.aging.state.pa.us](http://www.aging.state.pa.us)

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An Ombudsman is a trained individual who helps protect the RIGHTS of older Pennsylvanians living in Nursing Homes.

Ombudsmen answer questions, investigate complaints about quality of care or treatment from a long term care provider, and offer assistance in resolving problems.

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State and Federal laws give rights to Nursing Home residents in Pennsylvania. This brochure contains general information regarding many of those rights.

The Pennsylvania Department of Aging contracts with 52 Area Agencies on Aging to provide Ombudsman services throughout the Commonwealth.

For a more complete explanation of your rights, contact your local long term care Ombudsman identified below.

## **YOUR OMBUDSMAN'S**

Name:

Address:

Phone Number:

**Long Term Care Helpline: 1-866-286-3636**

**All communications with the Ombudsman  
are FREE and CONFIDENTIAL.**





## **The right to be informed in writing of your rights and the policies and the procedures of the facility**

The nursing home must have written policies about your rights and responsibilities as a resident. You must sign a statement saying that you have received and understood these rights and the home's rules when you are admitted.

## **The right to know about services and charges**

You must be informed, in writing by the home, of all services available and the charges for those services.

## **The right to know about your medical condition**

You must be informed of your medical condition and of any changes.





## **The right to participate in your plan of care, including the right to refuse treatment**

The nursing home must develop a plan of care for you. You must be given the opportunity to participate in the planning of your care and treatment.

## **The right to choose your own physician and to use the pharmacy of your choice**

You do not have to use the nursing home's physician or pharmacy.

## **The right to have your personal and medical records treated as confidential**

Your written consent is needed to release information from your record to anyone who is not authorized by law to see it.





## **The right to manage your own personal finances**

You can either manage your own funds or authorize someone else to manage them for you. If you authorize the home to handle your funds, you have the RIGHT to:

- Know where your funds are and the account number.
- Receive a written accounting every three months.
- Receive a receipt for any funds spent.
- Have access to your funds within the same day unless over \$50 (\$100 for Medicare resident), then, within three days

## **The right to privacy and to be treated with dignity and respect**

The right to privacy takes many forms.



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You are free to communicate and meet privately with anyone, including family and resident groups. Your mail should arrive unopened, unless you request otherwise. You should be treated with courtesy and privacy for personal needs like bathing and toileting. Curtains should be used when you are being bathed or dressed. Bathroom doors should be closed while in use. No one should enter your room without knocking first.

### **The right to use your own clothing and possessions**

The amount and kind of possessions depends upon available space and whether other residents' rights would be violated.

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**The right to be free from mental, physical, and sexual abuse, exploitation, neglect, and involuntary seclusion**

No one may mistreat, threaten, or coerce you in any way.

**The right to be free from restraints**

Chemical restraints (drugs) and physical restraints may only be used if ordered by a physician for a limited time in order to protect you or others from injury.

**The right to voice a grievance without retaliation**

The nursing home may not take any action against you because you voiced a grievance.

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## **The right not to be transferred or discharged, except for medical reasons, your own welfare or that of another resident, non-payment, or if the home ceases to operate**

You must be provided with 30 days advance written notice of the transfer or discharge. The law gives you the RIGHT TO APPEAL your discharge or transfer. Contact your Ombudsman about the appeal process and your rights regarding transfers and discharges.

## **The rights of access to nursing homes**

- Residents may receive any visitor of their choosing and may refuse a visitor permission to enter their room or may end a visit at any time.



- Residents have the right to immediate access by family and reasonable access by others.
- Visiting hours of at least eight hours must be posted in a public place.
- Members of community organizations and legal services may enter any nursing home during visiting hours.
- Communication between the resident and visitor is confidential.
- Visitors may talk to all residents and offer them personal, social, and legal services.
- Visitors may help residents claim their rights and benefits through individual assistance, counseling, organizational activity, legal action, or other forms of representation.



