

ST. JOHN'S MERCY SKILLED NURSING CENTER

RESIDENT RIGHTS

You must be informed of your rights. Each resident admitted to St. John's Mercy Skilled Nursing Center shall be fully informed of his/her rights and responsibilities as a resident, and of all rules and regulations governing resident conduct and responsibilities. These should be communicated in terms the resident can reasonably understand.

The resident, or his/her responsible party or legal guardian, must sign an acknowledgement stating that he/she has been informed and has received copies of the statement of rights and responsibilities. The Resident Rights document will explain each right.

Information regarding residents' rights and responsibilities shall be posted in a conspicuous location in the facility, and copies shall be provided to anyone requesting such information. If, at any time during your stay in this facility, you have questions about your rights, please do not hesitate to contact the Social Service Office.

- **You have a right to a quality of life** that supports independent expression, choice, and decision making, consistent with applicable law and regulation.
- **You have a right to considerate care** that respects his or her personal values, beliefs, cultural and spiritual preferences, and life-long patterns of living, including life style choices related to sexual orientation.
- **You have a right to personal freedom and dignity.**
- **You have a right to impartial access** to treatment or accommodations.

Freedom of Choice. This right refers to your choices regarding medical treatment while you are a resident at St. John's Mercy Skilled Nursing Center. You have the following rights concerning your medical treatment:

- **You have the right to involve your family in making care or treatment decisions.**
- **You have the right to select your physician.** A resident must be admitted under the care of a physician licensed to practice medicine in Missouri. Each resident has the privilege of selecting his/her own physician who will be responsible for the resident's total care. Medications and treatments are ordered by and given under the direction and supervision of the resident's physician.

Your physician is _____

His/her specialty is _____

His/her phone number is _____

The physician must have privileges at St. John's Mercy Medical Center.

- **You have the right to select and communicate** with dental and other licensed independent practitioner care providers.
- **You have the right to know your medical condition.** Each resident shall be fully informed by a physician of his/her health and medical condition and given full advance information about changes in his/her care or treatment which affect his/her well-being.
- **Notification of change in your condition.** We will notify you, your attending physician, your legal representative, and a family member within 24 hours of the following:
 - an accident in which you are involved
 - a significant change in your condition
 - a need to alter treatment significantly
 - a decision to transfer or discharge

- **You have the right to participate in your assessment and plan of care and be involved in resolving conflicts about care decisions.** Each resident shall be given the opportunity to participate in the planning of his/her total care and medical treatment, give informed consent or refuse treatment. If a resident refuses treatment, such refusal shall be documented in the resident's record, and the resident and/or legal guardian shall be informed of the possible consequence of not receiving treatment.
 - Residents cannot be required to participate in any experimental research and must give informed, written consent if they choose to do so. St. John's Mercy Skilled Nursing Center will respect and protect resident's rights during research, investigation, or clinical trials involving human subjects.
 - The resident has the right to declare advanced directives concerning life-sustaining procedures for a terminal condition. Information concerning advanced directives will be provided to the resident.
 - Residents are involved in decisions related to care and the end of their lives. Residents are involved in decisions to provide or withhold resuscitative services and provide, forgo, or withdraw life-sustaining treatment.

- **Pain Management.**

As a patient of this long term care facility, you can expect:

 - Your reports of pain will be believed
 - Information about pain and pain relief measures
 - A concerned staff committed to pain prevention and management
 - Health professionals who respond quickly to reports of pain
 - Effective pain management.

As a patient you are responsible to help manage your pain:

 - Ask your doctor or nurse what to expect regarding pain and pain management,
 - Discuss pain relief options with your doctors and nurses,
 - Work with your doctor and nurse to develop a pain management plan,
 - Ask for pain relief when pain first begins, or prior to activities that you know will trigger pain (such as wound care or physical therapy),
 - Help your doctors and nurses assess your pain,
 - Tell your doctor or nurse if your pain is relieved, and
 - Tell your doctor or nurse about any worries you have about taking pain medication.

- **Right to self-administration of drugs.** Each resident has the right to self-administer medications if the interdisciplinary team determines that this practice is safe.

- **Freedom from restraints and abuse.** The resident has the right to be free from any physical restraints imposed or psychoactive drugs administered for purposes of discipline or convenience, and not required to treat the resident's medical symptoms. We will consult with you, your responsible party or legal representative before restraints are applied except in emergencies which may endanger you or other residents.

- **Freedom from mental, physical, sexual, verbal abuse, neglect and exploitation.** (See Policy)

Privacy and Confidentiality. The resident has the right to personal privacy and confidentiality of his/her personal and clinical records. Personal privacy includes accommodations, medical treatment, written and telephone communications, personal care visits and meetings of family and resident groups.

- Each resident shall be treated with consideration, respect, and full recognition of his/her dignity and individuality, including privacy in treatment and care of his/her needs. Other than the attending physician and St. John's Mercy Skilled Nursing Center personnel, including those in training, necessary for the treatment or personal care, all persons shall be excluded from observing the resident during any time of examination, treatment, or care unless consent has been given by the resident. (In appropriate situations, staff from the Division of Health and Human Services or the Department of Mental Health also may be present without prior consent of the resident.)
- Residents may send mail and shall receive mail unopened on a timely basis. If the resident cannot open mail, written consent by the resident or legal guardian shall be obtained to have all mail opened and read to the resident.
- Telephones shall be accessible at all times to residents to make or receive calls, and privacy shall be provided if desired. The public telephones are equipped with assistive devices for the hearing impaired.

- All information contained in a resident's medical, personal, or financial record and information concerning source of payment shall be held confidential. These records can be used only by persons involved in your care and by officials of government programs. Facility personnel shall not discuss aspects of the resident's record of care in front of persons not involved in the resident's care or in front of other residents.
- The resident may approve or refuse the release of personal and clinical records to an individual outside the facility. Authorization signed by the resident or legal guardian shall be required for release of information. The resident's right to refuse release of personal and clinical records does not apply when the resident is transferred to another health care institution or record release is required by law or third-party payment contract. The resident has the right to access all records pertaining to his/her stay within 24 hours upon written or oral request. After receipt of his/her records for inspection, the resident may purchase, at a cost not to exceed the community standard, photocopies of the records or any portions of them upon request with two working days advance notice of the facility.

Safety & Security Each resident has a right to safety and security. The facility is equipped with door monitors for patient safety. The main entrance is manned from 8am – 8pm. The main entrance is also equipped with a camera to monitor activity from 8am to 8pm. The employee entrance is also manned with a camera.

Freedom of choice in purchasing goods and services. Each resident shall be allowed the option of purchasing or renting goods or services not included in the per-diem or monthly rate from a supplier or his/her choice, provided the quality of goods or services meets the reasonable standards of St. John's Mercy Skilled Nursing Center. The resident may also choose his/her own pharmacy provided that St. John's Mercy Skilled Nursing Center pharmacy policies and procedures are met.

Accommodation of needs and freedom from control. You have the right to make choices about aspects of your life that are significant to you. We will meet your individual needs and preferences to the extent possible, except where the health and safety of you and others would be endangered. We will notify you before changing your room or roommate.

Residents shall not have their personal lives regulated or controlled beyond reasonable adherence to meal schedules and other written policies which may be necessary for the orderly management of St. John's Mercy Skilled Nursing Center and the personal safety of the residents.

Freedom to voice grievances and recommend changes. Each resident shall be encouraged and assisted, throughout his/her stay, to exercise his/her rights as a resident and as a citizen, and to this end, a resident may voice grievances and recommend changes in policies and services to St. John's Mercy Skilled Nursing Center personnel or to outside representative of his/her choice. Residents shall voice their opinions and concerns free from restraint, interference, coercion, discrimination, or reprisal.

- If a resident/responsible party has a grievance or complaint within the facility, he/she may contact Social Services who will direct the problem to the appropriate department and attempt to resolve the problem and respond promptly. We encourage your suggestions or recommendations. Every third Monday, Resident council is held and recommendations/concerns are reviewed.
- You have the right to file complaints about abuse, neglect, misappropriation of property, or unresolved problems at the nursing home to the Dept. of Health & Senior Services. The Dept. of Health & Senior Services is available to families, residents, and friends by calling the Hotline Number 1-800-392-0210.
- You have the right to appeal a discharge decision by contacting the following agency within 30 days to request a hearing: Administrative Hearing Unit, Division of Legal Services. P.O. Box 1527, Jefferson City, MO 65102-1527.
- The following groups serve as advocates for residents:

The Ombudsman Program
9011 Manchester Road, Suite 1,

(314) 918-8222
St. Louis, MO 63144

Missouri Long-Term Care Ombudsman Program
P. O. Box 570
Jefferson City, MO 65102-0570

1(573) 526-0727
1-800-309-3282

Missouri Department of Mental Health PO Box 687 Jefferson City, MO 65101	1 (314) 751-4122 1-800-364-9687
St. Louis Regional Center 211 N. Lindbergh St. Louis, MO 63141	314) 340-6500
Life Skills Foundation Advisory Group 10176 Corporate Square St. Louis, MO 63131	(314) 567-7705
Council for Extended Care 5227 Shaw Suite 305 St. Louis, MO 63110	(314) 781-4950
St. Louis Association for Retarded Citizens 1816 Lackland Hill Parkway St. Louis, MO 63146	(314) 569-2211
Medicaid Fraud Control Unit Department of Social Services Div. of Legal Services/Investigations Unit P. O. Box 1527 Jefferson City, MO 65109	1(573) 751-3285
Medicaid Fraud Control Unit Eastern Regional Contact 111 N. 7 th Street, Room 303 St. Louis, MO 63101	(314) 340-7460

Organization of and participation in family and resident groups. You and your family members may organize resident and family councils. We will provide space for your meetings. A staff member from the facility will attend if invited. The Staff will address recommendations/concerns, which come out of those meetings relative to policy and operational decisions, which affect your care and life in the facility.

The right to receive visitors. St. John's Mercy Skilled Nursing Center shall permit a resident to meet alone with persons of his/her choice and provide an area that assures privacy. You also have the right to refuse visitors or persons connected with an organization not directly involved in your care. The facility may restrict or limit visitors according to physician orders or in the case of disruptive or hostile visitors.

Each resident shall be permitted to communicate, associate, and meet privately with persons of his/her choice whether on the resident's initiative or the other person's initiative, unless to do so would infringe upon the rights of other residents. Such person(s) may visit, talk with, or make personal, social or legal services available; inform residents of their rights and entitlements by means of distribution of educational materials and discussions; assist residents in asserting their legal rights regarding claims for public assistance, medical assistance, and Social Security benefits; and engage in any other methods of assisting, advising, or representing residents so as to extend to them the full enjoyment of their rights.

Rights concerning married couples. Each married resident shall be assured privacy for visits by his/her spouse. If a spouse of a resident visits and they request privacy, the room shall be provided with a sign for the door visibly stating, **"Private. Do Not Enter."** If the married couple's door is closed, personnel must knock and wait for an invitation to enter. If no response is given, staff shall be permitted to enter the room.

If both the husband and wife are residents, they shall be allowed the choice of sharing or not sharing a room, unless either resident's physician determines that medical reasons prohibit such as arrangement.

Participation in social, religious and community activities. You have the right to participate in or refuse to participate in any activities that do not infringe on the rights of other residents. You have the right to choose activity schedules consistent with your interests, assessment, and plan of care. You may vote and maintain your other rights of citizenship. Residents are encouraged to vote for issues and candidates of their choice in local, state, and national elections, and St. John's Mercy Skilled Nursing Center shall assist residents in getting to the polls or in obtaining and voting absentee ballots. You may keep religious articles in your room and attend services of your choice.

You cannot be required to perform services. No resident shall be required to perform services for St. John's Mercy Skilled Nursing Center. The resident may, if desired, perform tasks or services for himself or others, if his/her physician does not object for medical reasons.

Right to personal possessions. Each resident shall be permitted to retain and use personal clothing and possessions as space permits. Personal possessions may include furniture and decorations, as approved by St. John's Mercy Skilled Nursing Center. St. John's Mercy Skilled Nursing Center shall maintain a record of any personal items accompanying the resident when he/she is admitted, or which are brought to the resident during his/her stay at St. John's Mercy Skilled Nursing Center. All such items shall be returned to the resident or responsible party at the time of discharge.

You must be informed about services and related charges. Each resident shall be fully informed in writing prior to, at the time of admission, and during his/her stay in the facility of charges for services not covered by the facility's basic per diem rate or federal or state programs. Residents shall also be informed of services outside the facility which may be made available to the resident.

Information about eligibility for Medicare/Medicaid benefits. You have the right to receive Medicare or Medicaid benefits if you are eligible for those benefits and if the facility participates in those programs. When you are eligible for either of these programs, we will provide you with a list of those applicable services. We will also provide you with a list of facility services not covered by Medicare or Medicaid and for which there are additional charges, if you want those services. We will provide notice to you when these charges change. We will refer you to the appropriate agencies if you need assistance with Medicare/Medicaid. We will refund any payment you have made for services covered by Medicare and Medicaid.

Veteran's Benefits. If a Veteran or the spouse of a Veteran is admitted to the Skilled Nursing Center, he/she may be eligible for nursing home benefits. The family should contact:

VA Benefits Division 1-800-827-1000
1520 Market Street
St. Louis, MO 63101

Upon receipt of written authorization from the resident or responsible party, Social services will send a letter to VA stating the resident's diagnosis and length of stay at the Skilled Nursing Center.

Examination of survey results and correction plans. The results of the latest inspection by the state licensure agency, and the plan of correction for any deficiencies that were found, is posted in the Social Service Office.

Resident Funds. You have the right to manage your own funds. If you wish, you may request that the facility manage your personal funds for you. Written authorization is required. If you choose to have the facility manage your funds, we must deposit amounts exceeding \$50 in an interest-bearing account, and you will receive that interest. Amounts of \$50 or less must be deposited by the facility in a non-interest-bearing or petty cash fund. If you are interested in a Resident Fund Account, contact the Business Office.

Your rights concerning transfer or discharge from St. John's Mercy Skilled Nursing Center. The facility must permit each resident to remain in the facility and not transfer or discharge the resident from the facility without a 30-day notice unless:

- The transfer or discharge is necessary for the resident's welfare, and the resident's needs cannot be met in the facility

- The transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility
- The safety of individuals in the facility is endangered.
- The resident has failed, after reasonable and appropriate notice, to pay for a stay at the facility.
- The facility ceases to operate.

Advance notice is given upon admission that the facility reserves the right to transfer residents within the facility to accommodate admissions and level of care needs.

Except in an emergency, the resident has the right to determine the hospital or facility to which he or she chooses to be transferred. In case of an emergency, the resident will be transferred to the nearest hospital, which is St. John's Mercy Medical Center.

The resident's medical records shall contain documentation stating the reasons why the resident was transferred or discharged.

If the resident is transferred or discharged for the welfare of other residents, St. John's Mercy Skilled Nursing Center must have informed the resident, family, or legal guardian of how the resident's conduct represents a threat to the health or welfare of other residents.

If the resident is discharged from St. John's Mercy Skilled Nursing Center, a reasonable effort shall be made to arrange for services to assure continuity of care and to meet the resident's needs through other resources.

Room transfer within St. John's Mercy Skilled Nursing Center, except in an emergency situation, requires consultation with the resident in advance of the change.

Bed Hold Right. You may hold your bed while you are in the hospital or transferred to a skilled service at SNC. The daily bed hold charge will equal the current room and care charge for the patient who is holding the bed. The bed hold charge will be applied automatically to reserve the bed the patient and/or representative may opt not to reserve the bed by notifying the Business office within 48 hours of the discharge or transfer from the private pay bed to the hospital or a skilled service at SNC. Medicaid certified residents who are hospitalized may hold their bed in the facility provided certain restrictions are met.

Home & Community Based Services. You have the right to receive information on home and community based services.

You may obtain further information on your rights by contacting the Social Workers at the facility.