



Resident Rights and Responsibilities

Your Rights and Protections as a Swing Bed Resident in a Critical Access Hospital

What are my rights in a critical access hospital swing bed?

As a swing bed resident, you have certain rights and protections under Federal and state law that help ensure you get the care and services you need. You have the right to be informed, make your own decisions, and have your personal information kept private. The nursing home must tell you about these rights and explain them in writing in a language you understand. They must also explain in writing how you should act and what you're responsible for while you're in the nursing home. This must be done before or at the time you're admitted, as well as during your stay. You must acknowledge in writing that you got this information.

At a minimum, Federal law specifies that nursing homes must protect and promote the following rights of each resident. You have the right to:

You have the right to a dignified existence, self determination, and communication with and access to persons and services inside and outside the facility. The facility must protect and promote each resident's rights, including the following rights:

You have a right to be fully informed in language that is tailored to your age, language, and ability to understand, of your total health status, including but not limited to, your medical condition. This includes communication that accommodates vision, speech, hearing, and cognitive impairments. Interpretation or translation services will be provided for you when needed.

You will be provided written information about your right to refuse care, treatment and services, and the critical access hospital will respect your right to refuse care, treatment, and services in accordance with law and regulation.

When a resident is unable to make decisions about his or her care, treatment, and services, a surrogate decision-maker will be involved in decision-making for the resident.

The resident's family may be included in decision-making to the extent allowed by the resident or surrogate.

You have the right to be informed of unanticipated outcomes to care, treatment, and services.

Informed consent will include a discussion of potential risks, benefits, and side effects of any proposed treatment.

You have a right to be informed of the name of the practitioner who is responsible for providing your care, treatment, and services, and to choose a personal attending physician, dentist, or practitioner from those who have privileges.

You have the right to be free from physical and chemical restraints.



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You have the right to be free from neglect, abuse, and exploitation; including verbal, mental, physical, and sexual abuse.

The facility will evaluate all allegations, observations, and suspicions of abuse, neglect, and exploitation, and any events will be reported as required by law.

You and your family have a right to make a complaint and have that complaint reviewed by the facility, and the facility provides contact information for state authorities. The facility will acknowledge all complaints and when possible resolve them with the resident and representative. You have the right to access protective and advocacy services.

You have the right to an environment that preserves your dignity and self image, including wearing your own clothes and having possessions in your room, unless it would infringe on the rights of others or be detrimental to your care.

You have the right to share a room with a spouse or significant other if you are both residents in the facility and both consent to the arrangement.

You will be informed of items and services that are not covered by Medicare and the charges related to those items.

Unless you are adjudged incompetent or incapacitated by state law, you have the right to participate in care planning and treatment decisions.

You have the right to work or not work for the facility. If you choose to work for the facility, your care plan will reflect your desire to do so and the nature of the services you perform, as well as whether your services are voluntary or paid and any work must be medically appropriate.

Because the facility functions as your home, you have the right to receive visitors you choose to see and have private communications. You may refuse visitors you do not want to see. Visiting hours will be limited by you.

The facility will arrange your transportation to and from outside medical and dental appointments.

You have the right to be free from discrimination. The facility does not have to accept all applicants, but they must comply with Civil Rights laws that say they can't discriminate based on race, color, national origin, disability, age, or religion. The Department of Health and Human Services, Office for Civil Rights has more information. Visit <http://www.hhs.gov/ocr>.



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You have the right to make a complaint to the staff, or any other person, without fear of punishment. The facility must address the issue promptly.

You have the following rights regarding your medical care:

To be fully informed about your total health status in a language you understand.

To be fully informed about your medical condition, prescription and over-the-counter drugs, vitamins, and supplements.

To be involved in the choice of your doctor.

To participate in the decisions that affects your care.

To access all your records and reports, including clinical records (medical records and reports) promptly (on weekdays). Your legal guardian has the right to look at all your medical records and make important decisions on your behalf.

To express any complaints (sometimes called “grievances”) you have about your care or treatment.

To create advance directives (a health care proxy or power of attorney, a living will, after-death wishes) in accordance with State law.

To refuse to participate in experimental treatment.

You have the right to have your doctor notified and, if known, your legal representative or an interested family member when the following occurs:

You’re involved in an accident and are injured and/or need to see a doctor.

Your physical, mental, or psychosocial status starts to get worse.

You have a life threatening condition.

You have medical complications.

Your treatment needs to change significantly.

The facility decides to transfer or discharge you.

You have the right to be told in writing about all services and fees (those that are charged and not charged to you) before you move into the swing bed, and to be notified at any time when services and fees change.

You have the following rights for proper privacy, property, and living arrangements:

To keep and use your personal belongings and property as long as they don’t interfere with the rights, health, or safety of others.

To have private visits.

To make and get private phone calls.

To have privacy in sending and getting mail and email.

To have the facility protect your property from theft.

To share a room with your spouse or significant other if you both are residents (if you both agree to do so).



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The facility has to notify you before your room or your roommate is changed and should take your preferences into account.

To privacy and confidentiality, including your personal and clinical records.

To review the facility's health and fire safety inspection results.

You have the following rights:

To spend private time with visitors.

To have visitors at any time, as long as you wish to see them, as long as the visit does not interfere with the provision of care and privacy rights of other residents.

To see any person who gives you help with your health, social, legal, or other services may at any time. This includes your doctor, a representative from the health department, among others.

The facility must provide you with any needed social services, including the following:

Counseling.

Help solving problems with other residents.

Help in contacting legal and financial professionals.

Discharge planning.

You have the right to form or participate in resident groups to discuss issues and concerns about the facility policies and operations. The facility must give you meeting space and must listen to and act upon grievances and recommendations of the group.

You have the right to have family and friends involved in your care. Family and friends can help make sure you get good quality care. They can visit and get to know the staff and the facility rules. If a family member or friend is your legal guardian, he or she has the right to look at all medical records about you and make important decisions on your behalf.

Your Responsibilities as a Swing Bed Resident

What are your responsibilities?

You are responsible for providing information about your health.

You need to notify us when you experience pain and assist us in assessing your pain.

You are responsible to meet your financial obligations for your care and services. This includes providing information for insurance and working with our Business Office to arrange payment, as needed.

You are responsible for asking questions when you don't understand information or instructions you are



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You are responsible for following your plan of care or telling your physician and care team when you don't believe you can follow your treatment recommendations.

You and your visitors are responsible for being considerate of other residents and their needs and the staff.

If you have concerns about resident safety or care at Effingham Health System, please contact your nurse, caregiver, or the social services director to give us the opportunity to resolve your concern. If your concern is not resolved please contact the Compliance Officer at:

(912) 754-0143 or (912) 754 6451

P.O. Box 386 Springfield, Georgia 31329

You have the right to contact the Ombudsman or the Office of Regulatory Services at anytime. You can reach them at:

Ombudsman

Local: (912) 367-4866

Area: (912) 262-0529

State: (888) 454-5826

Long Term Care Office of Regulatory Services

State: (800) 878-6442

Effingham Health System is accredited by the Joint Commission. The Joint Commission's accreditation process focuses on systems critical to the safety and quality of care, treatment and services. If we cannot resolve your concerns, you are welcome to contact the Joint Commission's Office of Quality Monitoring by phone or by mail at:

Phone: (800) 994-6610

Mail: The Joint Commission

One Renaissance Blvd.

Oakbrook Terrace, IL 60181

This Notice is available on the Effingham Health System website.

Website: www.effinghamhealthsystem.org