

PATIENT RIGHTS AND RESPONSIBILITIES

- Shore Memorial Hospital Shore Rehab Shore LifeCare
 Shore Health Care at Home MMC Lingle/Goldstein Surgical Assoc.

Effective: 1/93

Reviewed/Revised: 5/95, 2/99, 7/99, 1/01, 9/04

V.P., Chief Nursing Officer

POLICY:

It is the policy of Shore Memorial Hospital to treat each patient with respect.

PATIENT RIGHTS:

- **Access to Care** – Individuals shall be accorded impartial access to treatment or accommodations as to his/her requests and needs for treatment or service that are within the department/facility’s capacity, availability, its stated mission and applicable law and regulation, regardless of race, creed, sex, national origin, religion, disability/handicap or ability to pay for care.
- **Respect and Dignity** – Every individual, whether adult, adolescent, or newborn, has the right to considerate, respectful care at all times and under all circumstances, with recognition of his/her personal dignity, his/her psychosocial, spiritual and cultural variables that influence the perceptions of illness.
- **Privacy and Confidentiality** – The patient or his/her parent or legal designated representative has the right, within the law, to personal and informational privacy, as manifested by the right to:
 - Refuse to talk with or see anyone not officially connected with the department/facility, including visitors or persons officially connected with the department/facility but who are not directly involved in his/her care.
 - Wear appropriate personal clothing and religious or other symbolic items, as long as they do not interfere with diagnostic procedures or treatment.
 - Be interviewed and examined in surroundings designed to assure reasonable audiovisual privacy. This includes the right to have a person of one’s own sex present during certain parts of a physical examination, treatment or procedure performed by a health professional of the opposite sex; and the right to remain

disrobed no longer than is required for accomplishing the medical purpose for which the patient was asked to disrobe.

- Expect that any discussion or consultation involving the patient's case – whether the patient is an adult, adolescent or newborn – will be conducted discreetly, and that individuals not directly involved in his/her care will not be present without his/her permission.
- Have the right to review his/her medical records and have the information explained, except where restricted by law.
- Have the medical records read only by individuals directly involved in the treatment or the monitoring of its quality, and by other individuals only on the patient's or his/her parent or legal designated representative's written authorization. When the records are released to insurers, the confidentiality is emphasized.
- Expect all communications and other records pertaining to care of the individual including the source of payment for treatment, to be treated as confidential.
- Request a transfer to another treatment room if another patient or visitor is unreasonably disturbing him/her.
- Be placed in protective privacy when considered necessary for personal safety.
- **Identity** – The patient or his/her parent or legal designated representative has the right to know the identity and professional status of the individuals providing service to the patient and to know which physician or other practitioner is primarily responsible for his/her care. This includes the right to know of the existence of any professional relationship among the individuals who are treating him/her, as well as the relationship of the department/facility to any other health care or educational institution involved in his/her care. Participation by patients in clinical training programs or in the gathering of data for research purposes should be voluntary.
- **Personal Safety** – The patient, whether adult, adolescent or newborn, has the right to expect reasonable safety insofar as the department/facility practices and environment are concerned.
- **Information** – The patient or his/her parent or legal designated representative has the right to obtain from the practitioner responsible coordination of his/her complete and current information concerning his/her diagnosis (to the degree known), treatment and known prognosis. This information should be communicated in terms the patient or his/her parent or legal designated representative can reasonably be expected to understand. When it is not medically advisable to give such information to the patient, the information should be made available to a legally authorized individual.

- **Communication** – The patient or his/her parent or legal designated representative has the right of access to people outside the department/facility by means of visitors and verbal and written communication.

When the patient or his/her parent or legal designated representative does not speak or understand the predominant language of the community, he/she should have access to an interpreter. This is particularly true where language barriers are a continuing problem.

- **Consent** – The patient or his/her parent or legal designated representative has the right to the information necessary to enable him/her, in collaboration with the health care practitioner, to make treatment decisions involving his/her health care that reflect his/her wishes. To the degree possible, this should be based on a clear, concise explanation of his/her condition and of all proposed technical side effects, problems related to recuperation and probability of success. The patient should not be subjected to any procedure without voluntary, competent and understanding consent by the individual or by his/her parent or legal designated representative. Where a medically significant need for care or treatment exists, the patient or his/her parent or legal designated representative shall be so informed.

The patient or his/her parent or legal designated representative has the right to know who is responsible for authorizing and performing the procedures or treatment. The patient or his/her parent or legal designated representative shall be informed if the department/facility proposes to engage in or perform human experimentation or other research/educational projects affecting his/her care or treatment, and the patient has the right to participate in any such activity. If the patient chooses not to take part, he/she shall receive the most effective care the department/facility otherwise provides.

- **Consultation** – The patient or his/her parent or legal designated representative has the right to accept medical care or to refuse treatment to the extent permitted by law and to be informed of the medical consequences of such refusal. When refusal of treatment by the patient or his/her parent or legal designated representative prevents the provision of appropriate care in accordance with ethical and professional standards, the relationship with the patient may be terminated upon such reasonable notice.
- **Transfer and Continuity of Care** – A patient has the right to expect that the department/facility will give necessary health services to the best of its ability. Treatment referral or transfer may be recommended. If transfer is recommended or requested, the patient will be informed of the risks, benefits and the alternatives. The patient will not be transferred until the other institution agrees to accept such patient.

- **Charges** – Regardless of the ability to pay for the individual’s care, the patient or his/her parent or legal designated representative has the right to request and receive an itemized and detailed explanation of his/her total bill for services rendered in the department/facility. The patient has the right to timely notice prior to termination of his/her eligibility for reimbursement by any third-party payer for the cost of his/her care.

- **Delineation of Patient’s Rights** – The rights of the patient may be delineated on behalf of the patient, to the extent permitted by law, to the patient’s guardian, next of kin or legally authorized responsible person if the patient:
 - Has been adjudicated incompetent in accordance with the law;
 - Is found by his/her physician to be medically incapable of understanding the proposed treatment or procedure;
 - Is unable to communicate his/her wishes regarding treatment;
 - Is a minor.

- **Rules and Regulations** – The patient or his/her parent or legal designated representative should be informed of the facility rules and regulations applicable to his/her conduct as a patient. Patients are entitled to information about the mechanism for initiation, review and resolution of patient complaints.

All hospital personnel, medical staff members, and contracted agency personnel performing patient care activities shall observe these patients’ rights.

Access to out of doors, except if contraindicated, the patient has the right to enjoy all freedoms of everyday life that are consistent with his need for services, his protection, and the protection of others, and that do not interfere with his services or the services of others. These freedoms include the following:

1. Freedom to move within the service setting, its grounds and the community.
2. Freedom to use recreational facilities and enjoy the outdoors.

PATIENT RESPONSIBILITIES:

- A patient or his/her parent or legal designated representative has the responsibility to provide to the best of his/her knowledge, accurate and complete information about present complaints, past illness, hospitalizations, medications and matters relating to his/her health. He/She has the responsibility to report unexpected changes in his/her condition to the responsible practitioner. A patient or his/her parent or legal designated representative is responsible for making it known whether he/she clearly comprehends a contemplated course of action and what is expected of him/her.

- A patient or his/her parent or legal designated representative is responsible for following the treatment plan recommended by the practitioner primarily responsible for the patient’s care. This may include following the instructions of health care

personnel as they carry out the coordinated plan of care and implement the responsible practitioner's orders and as they enforce the applicable department/facility rules and regulations. The patient is responsible for keeping appointments, and when he/she is unable to do so for any reason, for notifying the responsible practitioner or the department/facility.

- The patient or his/her parent or legal designated representative is responsible for his/her actions if he/she refuses treatment or does not follow the practitioner's instructions. If the patient cannot follow through with the treatment, he/she is responsible for informing the physician.
- The patient or his/her parent or legal designated representative is responsible for assuring that the financial obligations of his/her health care is fulfilled as promptly as possible. The patient is responsible for providing information for insurance.
- The patient or his/her parent or legal designated representative is responsible for being considerate to the rights of other patients and personnel, and for assisting in the control of noise, smoking and the number of visitors. The patient is responsible for being respectful of the property of other persons and of the department/facility.
- The patient or his/her parent or legal designated representative is responsible for following department/facility rules and regulations affecting patient care and conduct.
- A patient's health depends not just on his/her care, but, in the long term, on the decisions he/she makes in his/her daily life. He/She is responsible for recognizing the effect of lifestyle on his/her personal life.

PROCEDURES:

Shore Health Services Incorporated informs all patients of their rights as well as their responsibilities.

1. The Patient Bill of Rights is posted in the Registration Office and the Emergency Department.
2. The Patient Bill of Rights is included in the Hospital Information Book located in each patient's room.
3. The pamphlet "Your Rights as a Patient" is available in the Admitting Office, the Outpatient Surgery area, the Emergency Department and each nursing unit and other out-patient waiting areas.
 - a. The patient is given a copy of the pamphlet "You Rights as a Patient" on admission.
4. The nursing staff will document on "Admission Assessment: Nursing Documentation" form that patient has been informed of his/her rights and responsibilities.
5. The "Patient's Rights" pamphlet is available in English and Spanish.