

The Patient Bill of Rights

Instructions for the Learner



We hope you enjoy this Inservice, prepared especially for nursing assistants like you. You work very hard, and we appreciate the effort you make to complete these educational materials. It shows your desire to continue learning and growing in your profession!

After finishing this inservice, you will be able to:

- Explain the purpose of having a patient bill of rights.
- Discuss at least four main patient rights.
- Describe the patient responsibilities that go along with each patient right.
- Demonstrate your support of patient rights in your daily work.

If you are studying the inservice on your own, please:

- Read through all the attached materials. You may find it useful to have a highlighting marker nearby as you read. Highlight any information that is new to you or that you feel is especially important.
- If you have questions about anything you read, please ask _____.
- Take the quiz. Think about each statement and circle the best answer.
- Check with your supervisor for the right answers. You pass the quiz with at least six correct answers! Print your name, write in the date, and then sign your name.
- Keep the inservice information for yourself, and turn in the quiz page to _____ no later than _____.
- Show your Inservice Club Membership Card to _____ so that it can be initialed.

THANK YOU!

The Patient Bill of Rights

Health Care Rights

Rights are very important to Americans. Our country was founded on the belief that every individual is entitled to certain rights—*like life, liberty and the pursuit of happiness*. And, we don't lose our rights just because we get sick, need home care or move into a nursing home or assisted living facility. Wherever we go, our rights go with us!



However, when people become *patients*, it's common for them to feel like they are powerless over what happens to them. That's why it's so important for your patients to learn about their health care rights. This helps them to:

- Know they will be treated as individuals.
- Understand they can make their own medical decisions.
- Realize that they do have power because of the important role they play in their own health.

While there are a few differences between the rights of a hospital patient, a nursing home or assisted living resident and a home care client, you'll find that the basic list of health care rights is the same for everyone.

Health Care Responsibilities

Isn't it true that there is a *responsibility* to go along with every *right*? For example, when teenagers gain the right to drive a car, they also take on the responsibility of driving under the speed limit. Or, when people have the right to vote in elections, they must be responsible for learning how to complete a ballot!

Health care rights are no different. Health care requires a *team effort* between patients, families and health care workers. It's not enough for a patient to sit back and say, "I know my rights. Now, take care of me and make me well!" Patients have responsibilities, too.



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PLEASE NOTE:

- We know that some of you work with "clients", some with "patients" and some with "residents". However, when people talk about health care rights, they usually say "patient rights". So, to simplify things, throughout this inservice we will refer to all people who need health care as "patients".

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Federal & State Laws



- The first Patient Bill of Rights was approved by the American Hospital Association in February, 1973. The Patient Bill of Rights used by your organization today probably contains a similar list of rights.
- In 1987, the Nursing Home Reform Act was passed. This is a federal law that outlines certain rights for residents of nursing homes—especially those who are covered by Medicare and Medicaid. This law also requires each state to have its own rules about patient rights. (The state law can be tougher than the federal law, if desired.) If a nursing home fails to comply with these laws, it may not be able to accept residents who have Medicare or Medicaid coverage.
- Congress is currently debating a new law about patient rights. This new law covers areas such as:
 - Health Care Decisions. This new law would require that doctors and patients—not insurance companies—decide what's best for the patient.
 - Clinical Trials. The new patient rights law would force insurance companies to pay for treatments—even if they are experimental. (Currently, many insurance companies won't pay for experimental treatments, even if they are the best hope for saving a patient's life.)
 - Affordable Health Insurance. Another goal of the new patient bill of rights would be to make sure that every American is able to afford health insurance.
- People in the U.S. Congress have been "fighting" over this new law for some time. Some say that there's no way to make health insurance *better* and *cheaper* at the same time!
- There are *three* basic goals for every health care bill of rights:
 - To help patients be treated as individuals by health care workers and insurance companies.
 - To encourage a strong relationship between patients and their health care workers.
 - To show patients that they play a huge role in their own health.



Time To Laugh...

At age 83, Grandpa was admitted to the hospital for the first time. "What's this?" he asked as he held up the bell cord they had fastened to his pillow.

"That's the bell, Grandpa," I replied. He pulled it several times, then remarked, "I don't hear it ringing."

"Oh, it doesn't ring," I explained. "It turns on a light in the hall for the nurse."

"Well!" he replied indignantly, "If the nurse wants a light on in the hall, she can turn it on herself."



Patient Right #1: The Right to Information

All patients have the right to:

- Receive current information about their diagnosis, treatment and prognosis. This includes learning about any risks involved in a particular treatment and what the alternatives might be. They must also be told how long a treatment will take and if a certain treatment is experimental. (They have the right to *refuse* the treatment if they don't want it.)
- Know the identity of health care workers involved in their care. (They also have the right to be told if any of their caregivers are students or trainees.)
- Know how much a particular treatment or service will cost—and how much of this cost will come out of their pocket.
- *The only exception to this right is in an emergency situation. For example, let's say that Bob is in a car accident. He's rushed to the emergency room, unconscious and bleeding badly. In this case, doctors can go ahead and perform any treatments or surgeries necessary to save Bob's life. They don't have to wait until they've explained the treatment to Bob or until Bob has given his permission.)*



Along with this right, patients have a responsibility to:

- Tell the health care team about their medical history, including any past illnesses, hospitalizations and medications.
- Let someone know when they experience new health problems—or when old health problems start up again.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Help your patients understand any information you give them. If your patient does not speak English, let your supervisor know that an interpreter may be needed.
- Ask your patients if they understand their health care rights. (*Remember...if state or JCAHO surveyors interview your patient, they will ask the same question! And, they will expect the patient to understand his or her rights.*)
- Wear your name tag every day and remember to identify yourself when you enter a patient's room.
- Let your supervisor know if your patients are asking questions about their illnesses, treatments or medications. A nurse or doctor can answer those important questions.



Patient Right #2: The Right to Respect

All patients have the right to:

- Expect their health care workers to be considerate and respectful.
- Receive care without discrimination because of their race, culture, religion, age, gender or physical disability.
- Expect their health care workers to be honest and ethical.
- Remain free from any abuse or neglect.
- Be allowed to live a high quality of life, free from unnecessary physical or chemical restraints.
- Be able to keep and use their personal belongings...and have those belongings treated carefully and respectfully.



Along with this right, patients have a responsibility to:

- Show respect for every member of their health care team—regardless of the race, color, age, sex or religion of each health care worker.
- Be considerate of any other patients who may be close by.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Show sensitivity to the beliefs and needs of every patient. For example, let's say you are a home health aide assigned to care for Mrs. Green who is a vegetarian. You can show your respect for Mrs. Green by learning about vegetarian diets and by fixing her nutritious vegetarian meals.
- Address your patients the way they prefer. (To be safe, call your patients Mr. or Ms. unless they ask you to call them by their first name. And, avoid using terms like "Honey" or "Sweetie". If may offend some of your patients.)
- Don't touch your patients' personal belongings unless it's necessary. If you do handle their belongings, be careful and put the items back where you found them.
- Do your best to go along with your patients' personal preferences every day...such as letting them decide which clothes they'd like to wear or which foods they'd like to eat.



Patient Right #3: The Right to Participate

All patients have the right to:

- Make decisions about their own care.
- Change their minds about health care treatments and services.
- Refuse care (after being told what might happen if they do refuse).
- Have an advance directive if they want one...including a living will or a health care power of attorney.



Along with this right, patients have a responsibility to:

- Ask for more information if they don't understand something.
- Go to all scheduled doctor appointments.
- Follow the plan of care that they help create.
- Give your workplace a copy of any living will or other advance directive.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Honor any advance directive. For example, if your patient has a "Do Not Resuscitate" order, make sure you know what to do if he or she stops breathing during your care.
- Encourage your patients to take their medications as scheduled.
- Help your patients follow any exercise plans that have been set up for them by a physical or occupational therapist.
- Allow your patients to refuse care if they wish—but be sure to document the situation and let your supervisor know. (Keep in mind that a patient's medical insurance may have rules about paying for care that the patient keeps refusing!)
- Encourage your patients to participate in their personal care. Even if they aren't strong enough to bathe by themselves, they can probably wash their faces or comb their hair. The more they do for themselves, the more independent they will remain!

Ha, Ha!!



Just as a surgeon was finishing up an operation and was about to close, the patient opens his eyes, sits up, and demands to know what is going on.

"I'm about to close," the surgeon says.

The patient grabs the surgeon's hand and says, "I'm not going to let you do that! I'll close my own incision!"

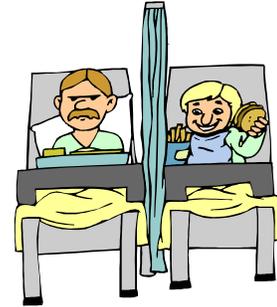
The surgeon hands him the thread and says, "Suture self".



Patient Right #4: The Right to Privacy

All patients have the right to:

- Expect confidentiality from every health care worker who provides care.
- Review their own health care records if they want to. If they read something in their record that they don't understand, they have the right to have it explained to them.
- Expect privacy during their care.
- Be allowed to visit privately with friends or family members.
- Have private telephone conversations.
- Receive personal mail.



Along with this right, patients have a responsibility to:

- Share any personal information that has an effect on their health.
- Store their valuables in a safe place.
- Respect the privacy of their health care workers.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Respect your patients' privacy during personal care. For example, keep a sheet over your patient during a bed bath. Or, close the bathroom door while your patient uses the toilet.
- Knock before entering a patient's room or bathroom.
- Keep all patient information confidential, including information that you *write* or *say*. No one needs to hear about your patients except other members of the health care team.
- Don't share confidential information about patients with your friends or family—even if it seems like an interesting thing to talk about.
- Avoid talking about your clients—even in the hallways, elevator or lunch room at work. You might accidentally violate a patient's right to confidentiality. Remember that no one outside your health care team has the right to know *who* your patients are or *what* is wrong with them.
- Give your patients privacy when they have visitors or when they are speaking on the telephone.



Patient Right #5: The Right to Quality Care

All patients have the right to:

- Expect that the *same* health care workers will care for them every day—as much as possible.
- Be treated like an individual.
- Expect that their health care workers will keep them safe from harm or injury.
- Get regular exercise (as tolerated).
- Receive the same quality of care—regardless of their ability to pay their health care bills.



Along with this right, patients have a responsibility to:

- Recognize the impact of their own lifestyle choices. For example, Mrs. Kelly needs to realize that all the medicines in the world may not help her diabetes if she continues to eat sweets and skip her insulin shots.
- Follow the safety rules of your facility.
- Remember that *every* patient has the right to quality care. This means that everyone needs to think about how their rights affect other people. For example, Mr. Wilson has a roommate in the nursing home. His right to watch TV in his room affects his roommate's right to have it quiet.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Provide a safe environment for your patients. Help them avoid falls and other common injuries.
- Stick to a routine with your patients—as much as possible. This helps them to know *what* to expect and *when* to expect it.
- Keep your promises. For example, if you tell your patient that you'll help her with her bath at 10:00, then be there on time.
- Encourage your patients to exercise regularly. Help them take walks or perform range-of-motion exercises—any activity that helps them keep their muscles strong and flexible.
- Keep learning new skills that you can use on the job. And, don't be afraid to ask for help if you don't know how to do something.



Patient Right #6: The Right to Make a Complaint

All patients have the right to:

- Make suggestions or complaints about their care—without being afraid of the consequences. For example, patients can't be discharged simply because they're grumpy or they make frequent complaints.
- Switch to a different health care facility or agency if they want to.
- Know the health care organization's policies for handling a complaint.
- Have a prompt and fair response to any complaint.
- Take their complaint to the state if they are not satisfied with how an organization handles it.



Along with this right, patients have a responsibility to:

- Cooperate with the rules of your workplace.
- Consider the rights of other patients and/or their health care workers.

Ways To Meet This Patient Right

As you go through your work day, be sure to:

- Make sure your clients know how to make a complaint. (Remember, we can all learn from patient suggestions and complaints. They help us develop our customer service skills.)
- Encourage your patients to tell you when they are unhappy with or worried about their care. The more your patients come to trust you, the less likely they are to take legal action when problems arise.
- Stay calm if your supervisor tells you that a patient has made a complaint. Let your supervisor hear all the facts about the situation. (And, you may be asked to document the incident. Stick to the facts.)
- And to avoid complaints...
 - Help every patient in need—*not just those who are assigned to you*. It violates patient rights to ignore a patient just because he or she is not one of "yours". It might also be considered neglect. (Remember...abuse and neglect are not just violations of patient rights. They are also illegal!)
 - Review your patient's plan of care frequently to make sure you are providing the proper care.



Additional Rights for *Residents*

Keep in mind that residents of nursing homes and assisted living facilities have the same rights they used to have when they lived in their own homes. This includes:

- Having family members visit anytime...24 hours a day.
- Refusing to see a particular visitor.
- Managing and spending their own money (or deciding who will manage it for them).
- Bringing in their own furniture.
- Wearing their own clothes.
- Participating in the activities of their choice, including religious observances.
- Visiting with their spouse in private.
- Sending and receiving personal mail.
- Leaving the nursing home to go shopping, run errands or visit friends. Depending on state rules, they may also have the right to leave the facility overnight.
- Moving freely about the facility without restraints (as long as they aren't a danger to themselves or others).



NOTE: Nursing home and assisted living residents need to balance their rights with those of their fellow residents. *For example, Mr. Jones has the right to move about freely, but that doesn't mean he can enter another resident's room without permission.* They also need to follow the safety rules set up by the nursing home for all residents. *For example, if the facility has a designated smoking area, then Mrs. Winters must not smoke in her room.*



Time To Laugh!

Two elderly women in a nursing home were interested in two elderly gentlemen, living in the same home, but try as they might, they couldn't get the attention of the men. Then, one of the women had a brilliant idea. *"Why don't we strip off our clothes, and streak past them in the TV room?"* The second woman agreed that this might work.

The very next day, they mustered up their courage, took off their clothes, and ran past the two men as fast as they could, giggling all the way.

One man turned to the other and said, *"Joe, was that Irma that just ran past us?"*

The other one said, *"I think so, but what the heck was she wearing?"*

The first one said, *"I don't know, but it sure needs ironing!"*



Additional Rights for *Home Care Clients*

- Home care clients have the right to receive care in their own homes—but *not if it's unsafe*. For example, if Mr. Brown's medication needs to be refrigerated—and his home has no refrigerator and no electricity—then home care is not the best choice for him. Be sure to report any safety problems you notice with your home care clients.
- All adults have the right to choose where and how they want to live—even if that environment seems unsafe or unpleasant to us. Let's say that Mr. Brown's daughter (who has a refrigerator) invites him to live with her while he receives home care. As long as Mr. Brown is competent to make his own decisions, no one can force him to move in with his daughter. You might also have a client whose home is infested with roaches. If it were your home, you'd probably want to get rid of the bugs immediately, but it may not bother your client at all. You can't force her to have her home exterminated.
- Home care clients have the right to be told about the state home health "hotline"—a telephone number they can call with questions or complaints about home care agencies.
- Your home health clients also have the right to be told what to do in an emergency. Should they call the agency? Page the nurse? Call their doctor? Call the police? Be sure your clients know how to handle problems during those hours when you are not there.
- Home health clients have the right to ask for a certain caregiver. For example, Mrs. Brown likes Tony to be her aide because he is strong and she feels safe when he helps her transfer to her wheelchair. But, Mrs. Tucker asks the agency *not* to send Tony because she feels uncomfortable having a male help her with personal care.



Home Care Clients Have Special Responsibilities, Too!

- Your home care clients are responsible for providing a safe environment for you and the other members of your health care team. If you feel unsafe in a client's home—for any reason—discuss the issue with your supervisor immediately. (*If you feel physically threatened, leave the client's home right away and call your supervisor from the nearest telephone.*)
- Most home care clients are required to be under the care of a physician during the time they receive home care. The physician signs your agency's plan of care. Your clients have a responsibility to go to all scheduled doctor's appointments.
- Home care clients must notify your agency if they are not going to be home at the time of a scheduled visit.



Tips For Supporting Patient Rights



- Listen to your patients when they tell you what they need. Remember that each patient is different—even if they have the same health problems. Make an effort to treat every patient as an individual.
- Remember that the patient’s family may want to be involved in making health care decisions. This is okay if the patient wants family members to participate, but keep in mind that the patient has the right to privacy, too.
- Make it a habit to explain what you are going to do with a patient—*before* you do it! Your patients will be better prepared and more able to cooperate if they know what’s going on. For example, explain to Mr. Wilson that you’re going to help him change position in bed—*before* you pull down his blanket and sheet!
- Remember that it’s possible for strangers to use illegal electronic devices to listen in on cell phone conversations. If you are talking to your supervisor about a patient over a cell phone, don’t use the patient’s last name.
- If you travel from patient to patient during your work day, be careful to keep your patient documentation private. Don’t let your next patient see what you wrote about your previous patient.
- Don’t gossip about your patients with anyone—even other members of the health care team. It’s not necessary to share personal information about a patient unless it makes a difference to the patient’s health. For example, let’s say your patient, Mrs. Parker, told you a secret...that many years ago, she had an affair. This information has no impact on her current health and is no one else’s business.
- Be honest with your patients and their family members at all times. If they ask you a question that you can’t answer, try saying: “*I don’t know, but I’ll check with my supervisor.*” (But, be sure you follow through by discussing the issue with your supervisor.)
- Put your own needs aside during the work day. Your job is to put your patients’ needs first. By doing this, you’ll be protecting their health care rights—and showing your patients that you are truly concerned about them.
- Encourage your patients to tell you or your supervisor about a complaint first—so that you have a chance to make things better. (But, remember, all patients have the right to take their complaint to the state if they are unhappy with how your workplace handles the situation.)

As a nursing assistant, you have the right to:

- *Be paid for the work you perform.*
- *Work in a safe environment.*
- *Have proper supervision and regular evaluations of your work.*
- *Participate in inservice programs that help develop your skills.*
- *Be treated with respect by patients and coworkers.*



More Tips For Supporting Patient Rights

- Avoid using “slang” words that your patients may not understand. This includes medical slang and abbreviations. For example, don’t say, “Mrs. Williams, you need extra fluids to flush out that UTI of yours.” or “Mr. Matthews, you’ll get a “decube” if you sit in that chair all day.” Mrs. Williams may not know that UTI is short for “urinary tract infection”. And, Mr. Matthews may not know that “decube” is short for “decubitus”—or that a decubitus is a bed sore! If your patients don’t understand what you are saying, they’ll have a hard time cooperating with you.
- For patients who don’t speak English, try communicating with pictures. Cut out magazine photos of personal care items like a toothbrush, a comb, a brush, shampoo, a bathtub, etc. Have your patients point to the items they want you to help them with next.
- Help your patients have the best possible quality of life by 1) not smoking, 2) staying at a normal weight, 3) exercising regularly, 4) not abusing alcohol, 5) getting enough rest, and 6) seeing their doctors regularly. (*These are good health tips for all of us!*)
- Encourage independence in your patients by letting them make decisions about their care every day.
- Never threaten your patients to get them to cooperate. For example, it’s wrong to say, “If you don’t take a bath right now, you can’t watch TV this afternoon”.
- Don’t force care on a patient even if you know the patient will be better off. For example, you can’t force a patient to eat his lunch even if you are worried that he has been losing too much weight lately. (But be sure to document the fact that the patient refuses to eat.)
- Balance your loyalty to your coworkers with the safety and well-being of your patients. Report any violations of patient rights that you witness.
- Make sure you speak up for patients who can’t—or won’t—speak up for themselves. Because you spend so much time with your patients, you have the opportunity to notice if their needs are being met. They are counting on you!



What’s the bottom line?

***Make sure you’ve read the Patient Bill of Rights for your workplace.
And, to protect your patients’ rights, treat them the way
you would want to be treated if you were in their place.***



Are You "In the Know" About The Patient Bill of Rights?



Circle the best choice and then check your answers with your supervisor!

1. TRUE or FALSE

For every health care right, there is a "matching" responsibility.

2. A patient "bill of rights":

- A. Lists visiting hours, so family members will know when it's okay to visit.
- B. Helps people know what to expect if they become a patient.
- C. Applies to hospital patients only.
- D. Allows patients to carry guns as long as they have a license.

3. TRUE or FALSE

Your patients don't need to know how much your services cost since their insurance pays for it anyway.

4. You can help meet your patients' right to information by:

- A. Providing a safe environment.
- B. Offering them a choice of foods at meal time.
- C. Telling them when you'll be returning next.
- D. Allowing them to refuse a bath.

5. TRUE or FALSE

You must treat your patient with respect even if they are disrespectful to you.

6. You can help meet your patients' right to make a complaint by:

- A. Being on time every day.
- B. Ignoring patients who aren't assigned to you.
- C. Spending extra time with grumpy patients.
- D. Reporting your patients' concerns to your supervisor.

7. TRUE or FALSE

Every time you learn a new skill, it helps meet your patients' right to quality care.

8. TRUE or FALSE

If a patient tells you she is going to call the state to complain about her care, you should do your best to stop her.

9. TRUE or FALSE

It's okay to tell your patients that they can't have dessert unless they take a bath.

10. TRUE or FALSE

Tying patients to their beds violates their health care rights.

EMPLOYEE NAME _____

DATE _____

I understand the information presented in this inservice. I have completed this inservice and answered at least eight of the test questions correctly.

Employee Signature _____

Inservice Credit: 1 hour

Supervisor Signature _____

Self Study _____

File competed test in employee's personnel file.

Group Study _____