

**CATSKILL REGIONAL MEDICAL CENTER
HARRIS, NY ** CALLICOON, NY**

Patient Care Services Policy and Procedure Manual

Subject:	Adult Patients' Bill of Rights & Responsibilities	Policy Number:	RI 1005
Approval:	VP of Medicine	Page:	1 of 6
TJC Standard:	RI 01.01.01, 01.06.03, 02.01.01	NYSDOH Reg:	
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Initiator:	Case Management Services	Date Revised:	4/79, 8/79, 10/81, 1/86, 7/86, 8/88, 7/89, 5/91, 10/92, 6/95, 1/98, 3/98, 5/98, 8/98, 3/00, 3/4/04, 3/08, 01/26/09, 05/27/2010, 8/2/10, 1/25/12, 2/8/12, 3/25/13, 7/28/14, 11/18/14, 12/11/14, 01/06/16
Concurrences:	None		

PURPOSE: To define patient's rights and responsibilities, to provide a system for notification of and distribution of the Bill of Rights and Responsibilities to all patients, patient representatives, parents or guardians of patients in the hospital.

POLICY: The Hospital respects the rights of the patient, recognizes that each patient is an individual with unique health care needs and because of this importance of respecting each patient's personal dignity, provides considerate, respectful care/treatment/services focused upon the patient's individualized needs. Policies/practices address the rights of patients to care/treatment/services within its capability, mission and in compliance with laws and regulations.

CRMC respects the rights of the patient and their companion(s) and shall not deny equal services, accommodations or other opportunities for translations needs to that individual or to anyone because of the known relationship to that person.

The Hospital affirms each patient's right to make decisions regarding his/her medical care/treatment/services including the decision to discontinue treatment, to the extent permitted by law.

The Hospital will assist the patient to exercise his/her rights and will inform the patient of any responsibilities incumbent upon him/her in the exercise of those rights.

All hospital employees and Medical staff are responsible for ensuring that the patient's rights are respected and enforced. The patient has the right to have

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cultural, psychosocial, spiritual, personal values, beliefs, translation needs, gender identity or expression and sexual orientation and/or preferences respected.

All patients have the right to receive treatment without discrimination as to race, color, religion, sex, national origin, cultural differences, spiritual beliefs, disability, psychosocial, personal values, translation needs, gender identity or expression, sexual orientation and/or preferences, source of payment, or age.

It is the responsibility of the Nursing staff to notify each patient of their rights and responsibilities by reviewing the Patient Rights and Responsibilities with the patient/parent/guardian representative.

A written copy of the statement of patients' rights and responsibilities is given to each patient upon admission and is available to them throughout their hospital stay. The written statement is appropriate to the patient's age, understanding and language.

A copy of the booklet titled "Your Rights as a Hospital Patient in New York State" (which includes "Plain English" version of the Patients' Bill of Rights) is provided to all patients/parents/ guardians/representatives prior to or upon admission. This booklet is also available in Spanish.

The hospital will shall provide interpretation services for comprehension to any patient and their companion(s) by use of auxiliary aids. Please refer to Policy RI 1023 Interpreter Services (Language Assistance Program).

DEFINITIONS: The use of "**Family**" means any person(s) who plays a significant role in an individual's life. This may include a person(s) not legally related to the individual. Members of "family" include spouses, domestic partners, and both different-sex and same-sex significant others. "Family" includes a minor patient's parents, regardless of the gender of either parent.

PROCEDURE: **Patient Bill of Rights -**

Inpatients

All patients, when admitted, will receive a copy of the New York State Department of Health booklet titled "Your Rights as a Hospital Patient" which contains plain English version Patients' Bill of Rights as follows:

1. The Registrar will give Patient Bill of Rights to all patients as part of the admission process and state "these are your rights as a patient". The plain version of the Bill of Rights is available in English and Spanish. Any patient or their companion(s) wishing to have this Bill of Rights provided in their language of choice or that have specific translation or interpretation needs will be afforded this service free of charge by

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implementation of auxiliary aids provided by CRMC. Please refer to Policy RI 1023, Interpreter Services (Language Assistance Program)

2. If a patient is unable to accept and read the Bill of Rights, i.e., neonate, pediatric, adolescent or geriatric patients who are deemed incompetent in accordance with the law, medically incapable of understanding the proposed treatment or procedure or are unable to communicate, the member, parent/guardian or a representative may be informed of their rights.
 - A. Copies of the "Plain English" version of the Patients' Bill of Rights will be posted in clearly viewed areas of the Hospital at readable heights including the admitting office, patient units and out-patient department and Emergency Room waiting areas.
 - B. The nurse or registrar will meet with each inpatient or patient representative to explain the Patient Bill of Rights and provide information on how their rights can be exercised.
 - a. The nurse or registrar will document on the acknowledgment form that the meeting and discussion was held. This form will be maintained in the Medical Record.
 - b. All Behavioral Health Unit patients must receive a copy of the Plain version of the Patients' Bill of Rights as well as those required by the office of Mental Hygiene regulations.

Outpatients, Emergency Room Patients, Family Health Center Patients

It is not required that outpatients, Emergency Room patients and Family Health Center patients receive a copy of the Plain English version of the Patients' Bill of Rights unless requested by the patient/responsible party.

The Plain English version of the Patients' Bill of Rights must be posted conspicuously in all outpatient and ER areas.

The Department Heads must designate someone as a regular assignment on a daily basis to be available to explain the Bill of Rights to any outpatient or ER patient.

Nursing Admission Assessment

1. Admitting Nurse will assure patient has received a copy of the Bill of Rights/Responsibilities and is capable of reading and understanding them. The Nurse will provide an explanation, provide an interpreter or translator if the patient has difficulty understanding or has questions

concerning the Bill of Rights/Responsibilities.

2. Comatose, critically ill or confused patients who are not accompanied by a family member or significant other will have the Bill of Rights/Responsibilities presented to a family member when they arrive.

Complaints

1. All patient complaints regarding care and services provided are to be referred immediately to the appropriate Department Head/designee.
 - a. A complete investigation will be conducted with a report to the Administrative Assistant, Director of Patient Advocates or designee within twenty-four (24) hours.
 - b. If the patient requests, the Administrative Assistant, Director of Patient Advocates or designee will provide the patient or his/her designee with a written summary of the findings of the investigation.
 - c. The written summary will include a statement notifying the patient or designee that if the patient is not satisfied with the hospital's response, the patient may notify the:

**Area Office of Health Systems Management,
(New Rochelle Area Office)
145 Huguenot Street - 6th Floor
New Rochelle, New York
Att: Hospital Program Director (914) 632-2347**

Additional rights are required by the Joint Commission and include the right to:

- Participate in consideration of ethical issues
- Security
- Access protective services
- To be cared for by staff educated about patient rights
- Access the Ethics Committee
- Psychosocial, cultural and spiritual considerations
- Reasonable access to care
- Considerate care that respects patient values and beliefs
- Equal access and consideration regardless of sexual orientation, gender identity or expression

Patients have the right to have pain relieved with appropriate pain management and education on alternative pain relief.

The patient has the right to be free from neglect; exploitation; and verbal, mental,

physical, and sexual abuse.

The explanation must include how to exercise such rights. The patient's/parent's or guardian's/representative's signature will be obtained on the acknowledgment form indicating that he/she understands the rights and responsibilities, how to exercise the rights and responsibilities and that all questions have been answered to his/her satisfaction.

It is the right of the patient's guardian, next of kin, or legally authorized responsible person to exercise, to the extent permitted by law, those rights delineated on behalf of the patient if the patient has been deemed 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, or is a minor.

When written communication is not effective, i.e. patient cannot read or the Patients' Bill of Rights is not available in the patient's language, the patient is informed again of his/her rights after admission, in a manner that he/she can understand.

Documentation must be made that patients have been informed of their rights upon admission or at any time throughout the patient's stay.

A copy of the Patients' Bill of Rights will be provided to all outpatients and ER patients upon request by the patient/parent/guardian/patient representative. The Department Heads will designate a staff member on a regular basis to be available to explain the Patients' Bill of Rights/Responsibilities to any out-patient.

A copy of the Patients' Bill of Rights will be posted at readable heights in public areas accessible to patients and their visitors, i.e. central lobby, Admission Department, Registration areas, waiting areas, each patient unit and outside practices.

The plain English version of the Patients' Bill of Rights must be posted conspicuously in all outpatient and ER areas.

All hospital employees and physicians are responsible and obligated to have knowledge of the Patients' Bill of Rights and Responsibilities, attend annual in-service education programs, and abide by the Patients' Bill of Rights as mandated by the regulatory agencies.

Patient responsibilities are provided separately form and are explained to the patient/parent/guardian/patient representative at the same time as the Patients' Bill of Rights.

The patient's scope of responsibilities, includes;

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1. Providing information that facilitates their care, treatment, and services, including the right to have his or her family and physician promptly notified of their admission to the hospital.
2. Asking questions or acknowledging when he or she does not understand the treatment course or care decision.
3. Following instructions, policies, rules, and regulations in place to support quality care for patients and a safe environment for all individuals in the hospital.
4. Supporting mutual consideration and respect by maintaining civil language and conduct in interactions with staff and licensed independent practitioners, and meeting financial commitments

The hospital is required to distribute a written notice to all suspected or confirmed adult domestic violence victims to inform them of their legal rights and remedies available under the relevant provisions of the Criminal Procedure Law. The nurse must document the patient's receipt of such notice.

The hospital is also required to advise patients who are victims of a sexual offense of the availability of the rape crisis or victim assistance organization to coordinate services for such victims. In addition, if the patient requests the presence of an advocate during the sexual offense examination, the hospital is required to contact the rape crisis or victim assistance program, i.e. RISE at 791-9595. However, the hospital cannot delay providing medical care if in the judgment of the practitioner, the delay is detrimental to the patient. The hospital may also contact the rape crisis hotline prior to advising the patient of his/her rights, but the patient's decision to have an advocate present is final. The presence of an advocate should not in any way interfere with the provision of medical care to the patient.

Victims of all other crimes can be referred to the Office of Victim Services (Crime Victims Board—800-247-8035) for services that may be available to them.

EXCEPTIONS: None

RELATED POLICIES: Interpreter Services (Language Assistance Program) RI 1023
Parents Bill of Rights and Responsibilities for Pediatric Patients RI 1040

REFERENCE: 10 NYCRR 405.7
OCR Voluntary Resolution Agreement

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