

TITLE:	RESIDENT RIGHTS	POLICY 5.01
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Authority: [WAC 388.78A.2660, Policies and procedures.](#)
[RCW 70.129, Long term care resident rights](#)
[RCW 7.70, Actions for injuries resulting from health care](#)
[RCW 70.122, Natural death act](#)
[RCW 11.88, Guardianship, appointment, qualification, removal](#)
[RCW 11.92, Guardians powers and duties](#)
[RCW 11.94, Power of attorney](#)

PURPOSE:

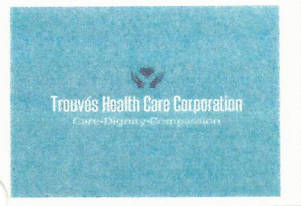
This policy outlines the rights of each Trouves resident.

SCOPE:

This policy applies to all Trouves residents and employees.

POLICY:

- A. Trouves Health Care promotes and protects each resident’s rights and complies with all state and federal law regarding resident’s rights.
- B. Trouves ensures employees provide care and services that are consistent with RCW 70.129.
- C. The Resident has a right to dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility.
- D. Trouves promote the rights of each resident and assists the resident which include:
 - a. The right to be free from verbal, sexual, physical, mental abuse, corporal punishment and involuntary seclusion.
 - b. The resident has the right to exercise his or her rights as a resident of the facility and as a citizen or resident of the United States and the state of Washington.



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- c. The resident has the right to be free of interference, coercion, discrimination, and reprisal from the facility in exercising his or her rights.
- d. In the case of a resident adjudged incompetent by a court of competent jurisdiction, the rights of the resident are exercised by the person appointed to act on the resident's behalf.
- e. In the case of a resident who has not been adjudged incompetent by a court of competent jurisdiction, a representative may exercise the resident's rights to the extent provided by law.

E. Resident rights include:

- a. Upon oral or written request, access to all records pertaining to himself or herself, including clinical records within 24 hours, and to purchase at a cost photocopies of records with two days advance notice to the facility.
- b. Information regarding services, items, facilities, per diem rate, facility rules, activities not covered by the facility.
- c. Written notice of changes for services and facility rules. Except in emergencies, 30 day notice will be given.
- d. A description of the manner of protecting personal funds, under RCW 70.129.040;
- e. A posting of names, addresses, and telephone numbers of the state survey and certification agency, the state licensure office, the state ombuds program, and the protection and advocacy systems; and
- f. A statement that the resident may file a complaint with the appropriate state licensing agency concerning alleged resident abuse, neglect, and misappropriation of resident property in the facility.
- g. A facility must immediately consult with the resident's physician, and if known, make reasonable efforts to notify the resident's legal representative or an interested family member when there is:
 - i. An accident involving the resident which requires or has the potential for requiring physician intervention;
 - ii. A significant change in the resident's physical, mental, or psychosocial status (i.e., a deterioration in health, mental, or psychosocial status in either life-threatening conditions or clinical complications).



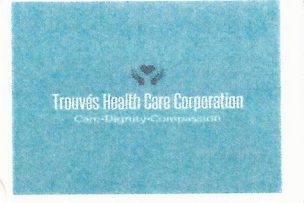
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- h. The facility must promptly notify the resident or the resident's representative shall make reasonable efforts to notify an interested family member, if known, when there is:
 - i. A change in room or roommate assignment; or
 - ii. A decision to transfer or discharge the resident from the facility.
- i. The facility must record and update the address and phone number of the resident's representative or interested family member, upon receipt of notice from them.
- j. The resident has the right to manage his or her financial affairs and will not require residents to deposit their funds with the facility.
- k. The resident has the right to personal privacy and confidentiality of his or her personal and clinical record.
- l. The resident has the right to:
 - i. Voice grievances. Such grievances include those with respect to treatment that has been furnished as well as that which had not been furnished; and
 - ii. Prompt efforts by the facility to resolve grievances the resident may have, including those with respect to the behavior of other residents.
- m. The resident has the right to:
 - i. Examine the results of the most recent survey or inspection of the facility conducted by federal or state surveyors or inspectors and plans of correction in effect with respect to the facility. A notice that the results are available must be publicly posted with the facility's state license, and the results must be made available for examination by the facility in a place readily accessible to residents; and
 - ii. Receive information from agencies acting as client advocates, and be afforded the opportunity to contact these agencies.
- n. The resident has the right to privacy in communication:
 - i. Send and promptly receive mail that is unopened;
 - ii. Have access to stationery, postage, and writing implements at the residents own expense; and



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- iii. Have reasonable access to the use of a telephone where calls can be made without being overheard.
- o. The resident has the right and the facility must not interfere with access to any resident by the following:
 1. Any representative of the state;
 2. The resident's individual physician;
 3. The state long-term care ombuds as established under chapter 43.190 RCW;
 4. The agency responsible for the protection and advocacy system for individuals with developmental disabilities as established under part C of the developmental disabilities assistance and bill of rights act;
 5. The agency responsible for the protection and advocacy system for individuals with mental illness as established under the protection and advocacy for mentally ill individuals act;
 6. Subject to reasonable restrictions to protect the rights of others and to the resident's right to deny or withdraw consent at any time, immediate family or other relatives of the resident and others who are visiting with the consent of the resident;
 7. The agency responsible for the protection and advocacy system for individuals with disabilities as established under section 509 of the rehabilitation act of 1973, as amended, who are not served under the mandates of existing protection and advocacy systems created under federal law.
 8. The facility must provide reasonable access to a resident by his or her representative or an entity or individual that provides health, social, legal, or other services to the resident, subject to the resident's right to deny or withdraw consent at any time.
 9. The facility must allow representatives of the state ombuds to examine a resident's clinical records with the permission of the resident or the resident's legal representative, and consistent with state and federal law.



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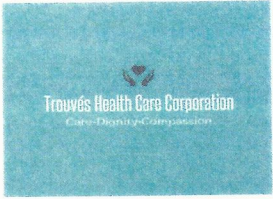
- p. The resident has the right to retain and use personal possessions, including some furnishings, and appropriate clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents.
- q. Upon the request of the residents, the facility will provide a lockable container or other lockable storage space for small items of personal property, unless the resident’s individual room is lockable with a key issued to the resident.
- r. The resident has the right to Quality of Life rights. Trouves Policy 2.02, Quality of Life Rights.
- s. Trouves will not require or request residents to sign waivers of potential liability for losses of personal property or injury or to sign waivers of residents’ rights set forth in this chapter or in the applicable licensing or certification laws.
- t. The resident has the right to be free from physical or chemical restraint. This section does not require or prohibit facility staff from reviewing the judgement of the resident’s physician in prescribing psychopharmacologic medications.

PROCEDURE:

- A. Resident Rights are provided to each resident upon admission and at minimum every 24 months thereafter. Trouves provide both oral and written in a language the resident understands, his or her rights and all rules and regulations governing resident conduct and responsibilities while at Trouves. Receipt of this information is provided in writing [RCW 70.129.030](#).
- B. Resident Rights are posted in Day Areas and near Nursing Stations at each Trouves Health Care Facility.
- C. Employees are trained to Resident rights during New Employee Orientation and annually thereafter.

EXCEPTIONS:

No exceptions to this policy may be granted without the prior written approval of the Director.



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SUPERCEDES:

None