

## Resident Rights

### DIGNITY, RESPECT AND QUALITY OF LIFE

#### The resident has the right to:

- Be treated with consideration, respect and full recognition of his or her dignity and individuality, including privacy in treatment and in care for his or her personal needs.
- A dignified existence, self-determination and communication with—and access to—persons and services inside and outside the facility.
- Exercise his or her rights as a resident of the facility and as a citizen or resident of the United States.
- Be free of interference, coercion, discrimination and reprisal from the facility in exercising his or her rights.
- Have rights exercised by the person appointed under State law to act on the resident's behalf if adjudged incompetent under the laws of Nebraska.
- Have rights exercised by any legal-surrogate designated in accordance with State law if not adjudged incompetent under the laws of Nebraska.
- 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.
- Share a room with his or her spouse when married residents live in the same facility and both spouses consent to the arrangement.

#### The nursing facility must:

- Protect and promote the rights of each resident.
- Inform the resident both verbally and in writing in a language that the resident understands of his or her rights and all rules governing resident conduct and responsibilities during the stay in the facility.
- Provide the resident with notice (if any) of the state plan developed under the Social Security Act. Such notification must be made before or upon admission and during the resident's stay. Receipt of such information and any amendments must be acknowledged in writing.
- Inform each resident who is entitled to Medicaid benefits, in writing, at the time of admission to the nursing facility or, when the resident becomes eligible for Medicaid of items and services that:
  - Are included in nursing facility services under the Nebraska plan for which the resident may not be charged;
  - The facility offers and for which the resident may be charged and the amount of charges for those services; and
- Inform the resident when changes are made to items and services.
- Inform each resident before, or at admission, and periodically during the resident's stay, of services available and of any charges for those services, including and charges for services not covered under Medicare or by the facilities per diem (daily allowance) rate.
- Care for residents in a manner and in an environment that promotes maintenance or enhancement of a resident's quality of life. Promote care for residents, in a manner and in an environment that maintains or enhances a resident's dignity and respect recognizing his or her individuality.
- Provide a safe, clean, comfortable and home-like environment, allowing the resident to use personal belongings to the extent possible.
- Housekeeping and maintenance services necessary to maintain a sanitary, orderly and comfortable interior.
- Clean bed and bath linens in good condition.
- Private closet space in each resident room.
- Adequate and comfortable lighting levels in all areas.
- Comfortable and safe temperature levels.
- Maintenance of comfortable sound levels.

### MEDICAL CARE AND TREATMENT

#### The resident has the right to:

- Choose a personal attending physician.
- Be fully informed in a language the resident can understand of the resident's total health status including but not limited to, the resident's medical condition.
- Be fully informed in advance about care and treatment and of any changes in that care or treatment that may affect the resident's well-being.
- Refuse treatment and to refuse to participate in experimental research, and to formulate an advance directive. A resident may participate in experimental research only upon informed written consent.
- Participate in planning care and treatment or changes in care and treatment, unless adjudged incompetent or otherwise found to be incapacitated under the laws of Nebraska.
- Receive the necessary care and services to attain or maintain the highest practicable physical, mental and psychosocial well-being in accordance with the comprehensive assessment and plan of care.