

Know your rights as a long-term care resident



ABLE ADVOCATES
FOR BASIC LEGAL
EQUALITY, INC.



Long-Term Care
Ombudsman

Ombudsman/Nursing Home
Advocacy Program

Know your rights...

How to get help when your rights are not being met

Who can you turn to when you feel your rights as a long-term care consumer are not being met? The Long-Term Care Ombudsman Program at Advocates for Basic Legal Equality, Inc. (ABLE) works to uphold the rights of people who receive long-term care services in nursing homes, group homes, other adult care facilities or through in-home care programs. The program investigates and resolves complaints about long-term care ranging from admission and discharge problems to abuse, neglect and violations of civil rights.

Your Ombudsman, or long-term care advocate, can help you:

- answer questions about quality of care and services.
- to talk to the right person so that your wishes and rights are respected.
- work with you and the facility to help ensure you receive the best care and services.
- find solutions for problems you may have with the facility, your family, guardian, or services outside the facility.
- offer assistance if you have been a victim of a crime.

Call us. We can help.

Please call ABLE's Long-Term Care Ombudsman Program at 1-800-542-1874, toll-free, or 419.259.2891 in Toledo.

Know your rights... as a long-term care resident

If you live in a nursing home or residential care facility, you have the same rights you would if you still lived in your own home. As a consumer of long-term care, you are entitled to a safe and healthy home, and the safekeeping of your belongings. You also have the right to be treated with dignity and consideration at all times.

About your home

You have the right to choose

- your daily routine,
- to have visitors,
- to have your personal belongings, *and*
- to pursue interests in and outside of the facility.



You have the right to know

- what services are available to you
- what the services cost, *and*
- how to apply for Medicaid

You have the right to be free from

- abuse,
- neglect,
- discrimination, *and*
- being restrained against your will.

About your health

You have the right to choose

- your doctors and other health care providers.
- your course of treatment, and to have your treatment documented in your plan of care.

You have the right

- to know the status of your health condition at all times.
- to receive all of the care to which you agreed in your personal plan of care.

About your privacy

You have the right to full confidentiality regarding

- all communication, including mail, e-mail, telephone calls, and in-person visits.
- your personal care, treatment, and medical records.

Your long-term care facility must also assist in meeting your needs by providing

- sufficient staff each day, during all shifts,
- reasonable notice before making room or roommate changes,
- an announcement before entering your room, except in cases of emergency,
- assistance with your waking and sleeping routines,
- prompt response to reasonable, personal requests,
- a safe and clean living environment, *and*
- by showing respect and courtesy at all times.

About your personal property

As a resident of a long-term care facility, state law gives you the right to keep and use personal possessions, including furnishings and clothing, unless it interferes with the rights or health and safety of other residents. Although you have the right to keep your personal belongings with you, remember that such items could be lost or stolen. It is wise to take steps to protect your personal property.

What you can do to protect your personal property from theft or loss:

- Request a personal, locked storage space if one is available at your long-term care facility.
- Label all clothing and personal items with your name and date of birth.
- Ask the facility to indelibly mark personal effects and small appliances with ID numbers.
- Engrave or permanently mark dentures and eyeglasses with your name and date of birth. (Most dentists can engrave dentures.)
- Take pictures or videos of valuable items such as jewelry or artwork.
- Keep an up-to-date inventory of your belongings and give a copy to the long-term care facility.
- Update your inventory list whenever you bring in something new or throw something away.
- Check your homeowner's insurance to see if coverage can be extended to protect property during your stay at the facility.

What you can do if your belongings are missing:

- Report any missing possessions to the facility as soon as possible in writing. Be detailed in your description, including what the article looks like, where and when it was last seen and the value of the item(s). Provide a copy of a receipt if you have one.
- Ask the facility to investigate the loss. Set a reasonable deadline and request a written response from the facility.
- Insist that the facility file a police report if you believe property has been stolen. If the facility refuses, contact the local police yourself and tell them you want to report a theft.
- Do not let any waiver of liability that you may have signed when entering the facility keep you from exercising your rights. Such agreements are not legally enforceable.
- Request reimbursement if the property cannot be recovered. If you are unable to resolve your complaint against the facility, you have the option to sue to recover the value of the property in small claims court. Your Long-Term Care Ombudsman can tell you how and where to file suit.



How to voice your concerns

You have the right to make a formal complaint about being mistreated by informing the following:

- your family and friends
- your resident council
- Long-term care facility staff
- the facility's grievance committee
- your Long-Term Care Ombudsman, or advocate
- The Ohio Department of Health

When a crime is committed

If a crime happens, do you know what to do? Your Long-Term Care Ombudsman can help you know your rights and report a possible crime.

Under Ohio law, you have rights as a victim of crime, including crimes relating to:

- Personal property
- Domestic violence
- Intimidation of a crime victim or witness
- Menacing and aggravated menacing
- Murder, rape, kidnapping, and felonious assault
- Negligent and vehicular homicide
- Sexual imposition and sexual abuse
- Stalking

More about crime victim assistance programs

Compensation

The State of Ohio has promised crime victims, and in some cases, their families, certain rights in connection with our justice system. Ohio's Crime Victims Compensation Unit administers awards of compensation for a victim's unreimbursed economic loss in accordance with state laws. For more information, call 800.582.2877 toll-free.

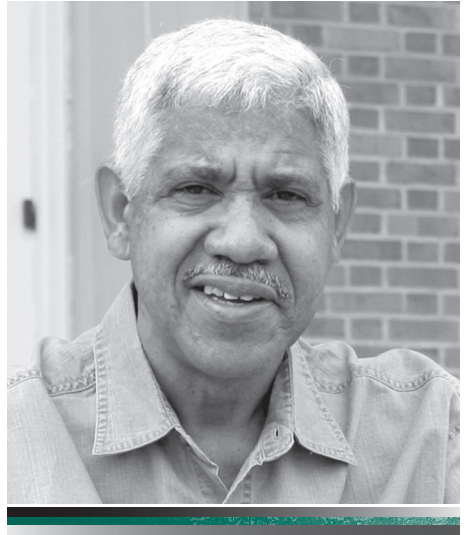


Identity theft verification

Under the Passport program, victims of identity theft are provided a Passport card to demonstrate to law enforcement and creditors that their identity has been stolen. Victims are also given step-by-step instructions on how to begin rectifying their situation. For more information, call 888.694.3463 (888 MY ID 4 ME) toll-free.

Victim Information and Notification Everyday (VINE)

VINE is available to everyone, including victims and their advocates. The program provides free, anonymous, 24-hour access (over the phone or through the Internet) to information regarding the custody status of offenders in the Ohio Department of Rehabilitation and Correction, county jails, and juvenile inmates in the Department of Youth Services. VINE also provides automated telephone or e-mail notification when an offender has a change in custody, including release, transfer, escape, re-arrest (return from escape) or death. For more information, call 800.770.0192 toll-free or visit www.vinelink.com.



If you are a victim of a crime, you may be asking:

- Who will pay my medical bills relating to the crime?
- Do I need an attorney to fill out a claim for me?
- What type of expenses will the Ohio Crime Victims Compensation Program cover?
- If I am not an Ohio resident, can I still file a claim?



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FOR BASIC LEGAL
EQUALITY, INC.

Advocates for Basic Legal Equality, Inc.

525 Jefferson Avenue, Suite 300

Toledo, Ohio 43604

419.259.2891 • Fax 419.259.2880

Long-Term Care Ombudsman Program:

1-800-542-1874 toll-free

www.ablelaw.org

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