

Resident Bill of Rights

A Guide to Your Rights as a Resident at Orchard View

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RESIDENTS BILL OF RIGHTS

A GUIDE TO YOUR RIGHTS AS A RESIDENT AT ORCHARD VIEW

INTRODUCTION

This book consists of your rights as a resident/client of Orchard View. It has been written in an effort to make you aware of what responsibilities we have to you.

These rights should help you understand what to expect while a resident here and to know that you will be treated with dignity and respect.

It is not always easy to adjust to new surroundings and we want to make your stay here as comfortable and relaxed as possible. We pride ourselves with an "open door" policy which we extend to you, and members of your family, an invitation to ask questions or make comments concerning your Rights.

We want you to know who we are, as well as knowing how we must work together to deliver the quality of care and services you deserve. We will make every effort to protect your rights as fully, fairly and uniformly as we can.

We encourage you to discuss these rights with us at anytime. We are here for you and it is important to do our job with a sense of purpose and commitment.

A. Exercise of Rights

1) The right to exercise your rights as a resident of Orchard View and a citizen or resident of Canada.

2) The right to be free of interference, coercion, discrimination or reprisal from Orchard View in exercising your rights.

3) In the case of a resident adjudged incompetent in a court of law, the rights of the resident are exercised by the person appointed by the court to act on the resident's behalf.

4) In the case of a resident who has not been judged incompetent by the court, a surrogate or proxy may exercise the resident's rights to the extent provided by law.

B. Notice of Rights and Service

- 1) The right to be fully informed of your total health status, including but not limited to your medical condition.
- 2) The right to refuse treatment.
- 3) Orchard View must inform each resident upon admission of the following:
 - a) The items and services that are covered by the per diem rate and for which the resident will not be charged.
 - b) Those other items and services that Orchard View offers and for which the resident may be charged.
 - c) When changes are made to items and services specified in section 3(a) and (b).
 - d) Orchard View Can not demand or accept, or cause or permit any person to demand or accept on behalf of Orchard View, payment for accommodation and services provided in the nursing home in an amount in excess of that prescribed by the regulation.
 - e) Orchard View is not required to offer additional services on behalf of a resident other than those services provided by the province.

C. Notification of Changes

1. Orchard View will immediately inform the resident; consult with the physician and notify the resident's legal representative or interested family member where there is:
 - a) an incident involving the resident which results in injury and has the potential for requiring physician intervention.
 - b) a significant change in the resident's physical, mental or psychosocial status.
 - c) a need to alter treatment significantly.
 - d) a decision to transfer or discharge the resident from the facility.
 - e) a change in room or roommate assignment.
2. Orchard View must record and periodically update the address and phone number of the resident's legal representative or interested family member.

D. 1. Protection of Resident Funds

The right to manage your financial affairs. Orchard View may not require a resident to deposit his/her personal funds with the facility.

2. Management of Personal Funds

The right to have Orchard View manage your personal funds. The facility must hold, safeguard, manage and account for the personal funds of the resident deposited (with) the facility.

3. Deposit of Funds

Orchard View must deposit any resident's personal funds in an account that is separate from any of Orchard View's operating accounts. In pooled accounts there must be a separate accounting for each resident's share.

4. Accounting and Records

Orchard View must establish and maintain a system that assures a full, complete and separate accounting of each resident's personal funds entrusted to Orchard View on the resident's behalf.

5. Notice of Certain Balances

1) All residents of a licensed nursing home receiving provincial assistance from the Department of Social Development are entitled to retain a comfort & clothing allowance from their monthly income plus their full HST rebate and the full yearly low income seniors benefit as part of their personal comfort & clothing allowance.

6. Expenditure for the Comfort & Clothing Allowance

1) The Comfort & Clothing allowance is for the resident's personal use to purchase items not supplied by Orchard View such as transportation, hair care, telephone, cable TV, medications not covered by prescription drug, canteen service, pre-paid funeral, etc.

2) A resident may chose to purchase a major item for personal use, ie. TV set, chair, etc.

7. Monitoring & Disposal of Accumulated Allowance

1) Upon the death of the resident, all monies remaining in the resident's comfort & clothing account will go towards first paying any outstanding debts owing to the resident's comfort & clothing account.

2) The resident's comfort & clothing account will not be used to pay any portion

of the per diem rate charged by the nursing home.

3) A cheque may be made payable to the “Estate of the Deceased” for the accumulated amount in the Comfort & Clothing account and should be given either to the resident’s executor or the resident’s representative.

4) If no next of kin can be identified, contact should be made with Nursing Home Services for instructions on how to dispose of the resident’s assets.

E. Free Choice

1. The right to choose a personal attending physician.
2. The right to be fully informed in advance about any changes in that care or treatment that may affect the resident's well being.
3. The right to participate in planning care and treatment or changes in care or treatment.

F. Privacy and Confidentiality

1. The right to personal privacy and confidentiality of your personal and clinical records including:

a) accommodations, medical treatment, written and telephone communications, personal care, visits and meetings of family and resident groups.

b) the resident may approve or refuse release of personal and clinical records to any individual outside the facility except:

- 1) When the resident is transferred to another health care facility,
or
- 2) When record release is required by law;
- 3) Requested & required for consulting professionals.

G. Grievances

1. The right to voice grievances without discrimination or reprisal. Such grievances include those with respect to treatment which has been provided as well as that which has not been provided.

2. The right to prompt efforts by Orchard View to resolve grievances the resident may have including those with respect to the behaviour of other residents.

H. Mail

1. The right to privacy in written communication, including:
 - a) to send and receive mail promptly that is unopened;
 - b) to have access to stationary, postage and writing implements at the resident's own expense.

I. Access and Visitation Rights

1. The resident has the right to access the following;
 - a) the resident's physician.
 - b) any agency 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.
 - c) the immediate family or other relatives of the resident, subject to the resident's right to deny or withdraw consent at any time.
 - d) others who are visiting with the consent of the resident, subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time.

J. Telephone

1. The right to have reasonable access to the use of a telephone.

K. Personal Property

1. 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.

L. Married Couples

1. The right to share a room with your spouse when a married resident lives in the same facility and both spouses consent to the arrangement.

M. Self Administration of Drugs

1. An individual resident may self-administer drugs if the criteria for same have been met according to the policy of Orchard View.

N. Dignity and Respect

1. The right to be treated with dignity and to expect Orchard View will:
 - a) treat you as an individual and assist you in getting the most out of the

programs and services offered;

b) make sure your surroundings are safe, clean and comfortable and that there is no misappropriation of your property;

c) make it possible for you to keep using your own clothing and other personal items to the extent space permits.

2. The right to be free from verbal, sexual, physical or mental abuse, corporal punishment, and involuntary seclusion.

3. The right to be free from any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat medical symptoms.

4. The right to know that all alleged violations involving mistreatment, neglect or abuse will be reported to the administrator or other management person and will be thoroughly investigated and that further potential abuse will be prevented while the investigation is in progress. The results of the investigation must be reported to the administrator or his designate, and if verified, corrective action must be taken.

5. The right to be cared for in an environment that promotes maintenance or enhancement of your dignity and respect in full recognition of your individuality.

O. Groups and Activities

1. The right to select activities, schedules, and groups in which to participate, as well as health care, all consistent with your interest, assessments and plan of care.

2. The right to participate in groups of residents and to have members of your family participate in family groups.

3. The right to participate in social, religious and community activities of your choosing, so long as they do not interfere with the rights of other residents.

4. The right to exercise your right to vote in local, provincial and federal elections.

5. The right to interact with members of the community both inside and outside the facility.

6. The right to make choices about aspects of your life at Orchard View that are significant to you.

P. Accommodation of Needs

1. The right to receive services with reasonable accommodations of individual needs and preferences unless the health and safety of other residents would be

endangered.

Q. Transfer and Discharge Rights

Transfer & discharge - definition - transfer and discharge include movement of a resident to a bed outside of the facility. It does not refer to movement of a resident to a bed within Orchard View.

1. Transfer and Discharge

Orchard View must permit the resident to remain at Orchard View, and not transfer or discharge, unless;

- 1) it is necessary for the resident's welfare and the resident's needs cannot be met;
- 2) if your health has improved sufficiently so that our services are no longer needed;
- 3) if the health or safety of individuals in the facility is endangered;
- 4) if you have failed, after reasonable notice, to pay for your stay at Orchard View.

2. Documentation

When a transfers/discharges of a resident occurs under any circumstances, (resident's welfare, needs cannot be met, health of individual endangered etc.)

- 1) The clinical record must be documented by the resident's physician for the resident's welfare.
- 2) notification of a family member or legal representative of the transfer or discharge and reason for same.

3. Notice of Bed Hold Policy and Readmission

1) The right to a maximum 30 day leave, during which the resident is permitted to return and resume residence in the facility after hospitalization or therapeutic leave.

2) If a hospitalization leave exceeds 30 days, a request must be made for "bed extension" to the Department of Social Development.

3) The resident is responsible for payment of the bed in the facility, while on leave, whether medical or social.

ACKNOWLEDGEMENT

I HAVE READ THE ATTACHED RESIDENT RIGHTS AND HAVE BEEN GIVEN EVERY OPPORTUNITY FOR QUESTIONS AND HAVE RECEIVED ANSWERS; THUS GIVING ME A FULL UNDERSTANDING OF RESIDENT RIGHTS. IT IS ALSO MY UNDERSTANDING THAT I MAY AT ANY TIME ASK TO REVIEW THESE RIGHTS OR TO ASK ANY QUESTIONS I MAY HAVE CONCERNING THESE RIGHTS.

Orchard View

Date

**Resident
Legal Representative,
or Legal Guardian**

Date

Witness & Title

Date