

# RESIDENTIAL CARE FACILITY RESIDENTS' BILL OF RIGHTS

**The rights of residential care facility residents are protected under Ohio law. They are summarized below.**

**In addition to other rights, residents have the right to:**

1. a safe and clean living environment.
2. be free from physical, verbal, mental, and emotional abuse and to be treated at all times with courtesy, respect, and full recognition of dignity and individuality.
3. adequate and appropriate medical treatment and nursing care and to other related services that comprise necessary and appropriate care without regard to race, color, religion, national origin, age, or source of payment.
4. have all reasonable requests and inquiries responded to promptly.
5. have clothes and bed sheets changed as the need arises, to insure comfort and sanitation.
6. obtain the names of any person responsible for their care, including the physician, personal caregiver, or coordinator of care.
7. select a physician on the staff or a physician who is not on the staff of the home.
8. give or withhold informed consent for treatment, and communicate with the physician and staff in planning treatment or care, obtain current medical information, and have access to medical records.
9. withhold payment to the physician if the physician did not visit.
10. confidential treatment of personal and medical records and the right to refuse release of those records.
11. privacy during medical examination, treatment, and personal care.
12. refuse to serve as a research subject without jeopardizing medical care.
13. be free from physical or chemical restraints or prolonged isolation except to the minimum extent necessary to protect the resident from injury to himself, others, or property. The restraint must be authorized in person and documented in the medical record by the physician prior to use. If a restraint is used in response to an emergency, the order must be signed within 12 hours. Restraints are never to be used for staff convenience, punishment, or incentive.
14. obtain the pharmacist of choice and pay fair market prices for similarly packaged drugs.
15. exercise all civil rights unless adjudicated incompetent by a court.

16. have access to opportunities that enable the resident to achieve their fullest potential.
17. consume a reasonable amount of alcoholic beverages unless contradictory to written admission policies.
18. use tobacco unless contradictory to written admission policies.
19. get up and go to bed on their own schedule as long as others are not disturbed.
20. observe religious obligations and activities, maintain individual and cultural identity, and participate in social and community groups.
21. private and unrestricted communications, including sending and receiving sealed and unopened mail, access to a telephone, and private visits,
22. private spousal visits, and the right to share a room with a spouse living in the home.
23. have room doors closed and not opened without knocking.
24. retain and use personal clothing and a reasonable amount of possessions in a reasonably secure manner.
25. be fully informed in writing of basic rate charges, services offered by the home, charges for additional services, and thirty days written notice of any basic rate changes.
26. receive an itemized bill for charges on a monthly basis.
27. be free from financial exploitation and manage their own financial affairs (or receive a quarterly accounting of financial transactions if the right is delegated to the home).
28. unrestricted access to property on deposit at reasonable hours, unless the requests constitute a nuisance.
29. reasonable notice and an explanation before their room or roommate is changed.
30. not be transferred or discharged unless the transfer is necessary because of the welfare and needs of the resident, the resident's health has improved sufficiently so that the resident no longer needs the services provided, the safety and health of individuals in the home is endangered, the resident has failed to pay or to have the Medicare or Medicaid program pay on their behalf for the care provided. The resident has the right to appeal a discharge from the home.
31. voice grievances and recommendations to the home free from restraint, interference, coercion, discrimination, or reprisal. This includes access to a residents' rights advocate.
32. have any significant change in his health status reported to their sponsor.

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**Long Term Care Ombudsman**  
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