

Resident Rights



October is "Residents' Rights Month,"

an annual event to recognize respect, dignity and rights that all residents living in long-term care must be afforded. The federal Nursing Home Reform Law guarantees many residents' rights and emphasizes individual dignity, respect, and the right of residents to make choices for themselves.

What Rights Does Each Resident Have?

These rights seek to protect residents from abuse, neglect, and exploitation, as well as help improve the quality of life and provide quality care for each person living in a nursing home.

Some of these rights include the following:

- * Freedom from discrimination
- * Freedom from abuse, neglect, and exploitation
- * To make complaints and exercise their rights without fear of retaliation
- * To be fully informed
- * To have access to services, visitors, and personal belongings
- * To manage their financial affairs (or choose someone to do it for them)
- * To privacy
- * Rights during discharge/transfer



The Right to be *Free From Abuse and Neglect*

Federal nursing home regulations protect each residents' right to be free from all forms of mistreatment:

The resident has the right to be free from abuse, neglect, misappropriation of resident property, and exploitation. This includes but is not limited to freedom from corporal punishment, involuntary seclusion, and any physical or chemical restraint not required to treat the resident's medical symptoms.

[State Operations Manual, Appendix PP: 42 CFR § 483.12]

Promoting Resident Rights

- ✓ Get to know your residents, including their likes, dislikes, and preferences
- ✓ Invite your local ombudsman to make Resident Rights presentations to residents and/or resident councils
- ✓ Avoid conversations about residents that others may overhear (right to privacy)
- ✓ Assure residents it is safe to voice concerns
- ✓ Treat all residents with respect and dignity
- ✓ Help your co-workers understand and honor resident rights

Did You Know...?

If a resident has a court-appointed guardian, the *guardian should protect the resident's rights* and may be able to make decisions for the resident. You should still treat the resident with respect and allow the resident to make as many choices as possible.

Sample Questions to Ask Your Residents

1. *Do you know you have many rights as a resident?*
2. *What do “quality of care” and “quality of life” mean to you? (Then discuss it with him/her.)*
3. *If someone was speaking to you in a manner that felt disrespectful, how might you respond to that person? (For example, you could say, “I don’t like the way you are talking to me.”)*
4. *What are the most important things you want the staff who care for you to know?*
5. *What can I do to help you feel more valued as a resident here?*
6. *Do you feel that any of your rights are being violated?*
7. *Would you like to learn about your resident council?*



Great Resources for Residents!

CONSUMER VOICE



Click on the link below for a free, 20-page downloadable **Staying Engaged Enrichment Activities** booklet for residents!

https://theconsumervoice.org/uploads/files/events/2022_Enrichment_Book.pdf

Consumer Voice also has several suggestions for activities that you can do with your residents. Click on: <https://theconsumervoice.org/events/2022-residents-rights-month/activities>

Did you know that the Michigan Long Term Care Ombudsman Program website has numerous resources, including



Resident Rights brochures in multiple languages?!

They are available in English, Spanish, Mandarin, and Arabic. Just go to: <https://mltcop.org/> and click on Resources.

And coming soon on the MLTCOP website... 15 minute video, “Understanding Nursing Home Resident Rights”

To Report Abuse, Neglect, or Exploitation

Of a nursing home resident by a staff member:
Call **LARA: (800) 882-6006**

Of an older adult living at home, in assisted living, adult foster care, home for the aged, or a nursing home, by anyone who is *not* a staff member:

Call **Adult Protective Services: (855) 444-3911**

If you think a crime has occurred: Call your local police/sheriff department (and LARA)—If the danger is immediate, call 911

Happy Fall!
Thank you for
caring for and
protecting your
residents’ rights.



For More Information

Long Term Care Ombudsman: (517) 394-3027

Tri-County Office on Aging: (800) 405-9141

The *Michigan Elder Justice Initiative (MEJI)*’s **Excellence in Caring** newsletter is published with grant funds from the **Tri-County Office on Aging**.

Written by: **Tammy Cordes**
Michigan Elder Justice Initiative
15851 South U.S. 27
Lansing, MI 48906
517-827-8030

Questions or comments? Contact **Tammy Cordes** at: tcordes@meji.org

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