

Individual: \_\_\_\_\_

### YOUR RIGHTS AS AN INDIVIDUAL

Summary of Individual rights as stated in section 483.420 of the Medicaid Program: Conditions for Intermediate Care Facilities for the Mentally Retarded: Final Rule effective October 3, 1988.

1. You shall be informed of all your rights as an Individual and all the rules of this home. 483.420 (a) (1)
2. You shall be informed of your medical condition, developmental and behavioral status, risks of treatment and the right to refuse treatment. 483.420 (a) (2)
3. You shall be allowed and encouraged to exercise your rights as citizens of the home and as a citizen of the United States including the right to file complaints and the right to due process. 483.420 (a) (3)
4. You shall be allowed to manage your own financial affairs and shall be taught to do so in the best of your ability. 483.420 (a) (4)
5. It is insured that you shall not be subject to physical, verbal, sexual, or psychological abuse or punishment. 483.420 (a) (5)
6. It is insured that you shall not be subject to unnecessary drugs and physical restraints. You shall be provided Active Treatment to reduce dependency on chemical restraint. 483.420 (a) (6)
7. You shall be provided with the opportunity for personal privacy and shall be insured privacy during treatment and care of personal needs. 483.420 (a) (7)
8. It is insured that you shall not be compelled to perform services and be ensured that, if you do work for the home, you shall be paid at prevailing wages commensurate with your abilities. 483.420 (a) (8)
9. You shall be ensured of the opportunity to communicate, associate, and meet privately with individuals of your choice. You shall be ensured of the right to send and receive unopened mail. 483.420 (a) (9)
10. You shall be ensured access to telephone with privacy for incoming and outgoing local and long distance phone calls except if contraindicated by factors identified in your Individual Habilitation Plan. 483.420 (a) (10)
11. You shall be insured the opportunity to participate in social, religious, and community group activities. 483.420 (a) (11)
12. You shall be insured the right to retain and use appropriate personal possessions and clothing and to be dressed in your own clothing. 483.420 (a) (12)
13. You shall be permitted, if married, to share a room with your spouse. 483.420 (a) (13)
14. Your parent (if you are a minor) or legal guardian (if you have one) shall be informed of your rights as an Individual and of the rules of this home. They shall also be informed of you medical condition, developmental and behavioral status, attendant risks of treatment and the right to refuse treatment. 483.420 (a) (14)

#### **Additional rights summarized from part one of Article of the Nursing Home Care reform Act of 1979:**

15. You shall be provided adequate storage space for your belongings. (2-103)
16. You shall be provided means of safeguarding your valuables. Your theft complaints shall be investigated. (2-103)
17. You shall be permitted to retain the services of your own physician. (2-104A)

18. You shall be allowed to inspect and copy your records. (2-104C)
19. You shall not be subjected to experimental research or treatment without giving informed consent. (2-104A)
20. You shall be treated with consideration and respect and with full recognition of your dignity and individuality.
21. You shall be notified by a knock before personnel enter your room. (2-108C)
22. You shall be discharged from this home after giving written notice that you wish to be discharged, unless you are a minor or have a legal guardian in which case their written consent is required. (2-111)
23. You shall only be transferred or discharged for medical reasons, yours or other Individual's personal welfare, or for non-payment of care (except as prohibited by Title XIX Program).
24. You shall have all your records treated confidentially.
25. You shall give written consent before any information from your records is released except as authorized by law.
26. You shall have the right to purchase and keep personal food items in the kitchen to be given to you upon request except when contraindicated by a reduction diet or other Doctor's Order. You shall have the right to keep non-perishable food items in your room provided they are properly stored in a tightly sealed plastic or metal container. The home retains the right to remove improperly contained or perishable food stuffs which pose a health or sanitation danger to the Individuals.
27. Your family or guardian will be notified in the event of your death or if your death appears imminent.
28. You shall not be subject to traffic through your room in order to reach any other parts of this home..
29. Your family or guardian shall be notified of any emergency or unusual circumstances such as illness, unexplained absences, or Administrative matter that occurs.
30. You (or your parent/guardian if appropriate) shall have the right if you believe an emergency exists, to file a verified petition to the Circuit Clerk of the designated County for an Order placing this home under the control of a Receiver.

\_\_\_\_\_  
Signature of Individual

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Guardian

\_\_\_\_\_  
Date