



Fact Sheet:

Patients' Rights

The Long Term Care, Health Safety and Security Act amended sections of Title 22 of the California Health and Safety Code and created new requirements concerning nursing home care in California. The law became effective on January 1, 1974. It sets minimum standards of care in nursing homes and empowers the state to impose civil penalties upon substandard facilities. Section 72523 of Title 22 specifies Patient's Rights. Each patient has the following rights:

1. To be fully informed of his/her rights and of all rules and regulations of the nursing home governing patient conduct.
2. To be fully informed of the services available in the facility and of the charges for the services.
3. To be fully informed by a physician of his/her medical condition*; to have the opportunity to participate in the planning of his/her medical treatment and to refuse to participate in experimental research.
4. To refuse treatment to the extent permitted by law and to be informed of the medical consequences of refusal.
5. To be transferred or discharged only for medical reasons, or for his/her welfare or that of other patients, or for nonpayment for his/her stay, and to be given reasonable advance notice.
6. Be encouraged and assisted throughout his/her period of stay to exercise his/her rights as a patient and as a citizen, free from restraint, interference, coercion, discrimination or reprisal.
7. To manage his/her personal financial affairs, or to be given at least quarterly, an accounting of financial transactions made on his/her behalf if the facility accepts this responsibility for him/her.
8. To be free from mental and physical abuse and from chemical and physical restraints except as authorized in writing by a physician for a specified and limited period of time, or when necessary to protect the patient from injury to himself/herself or to others.
9. To be assured of confidential treatment of his/her personal medical records, and to approve or refuse their release to any individual outside the facility.
10. To be treated with consideration, respect and full recognition of his/her dignity and individuality, including privacy in treatment and in care for his/her personal need.

11. Not to be required to perform services for the facilities that are not included in his/her plan of care for therapeutic purposes.
12. To associate and communicate privately with persons of his/her choice and to send and receive personal mail unopened.*
13. To meet with and participate in activities of social, religious, and community groups at his/her discretion.*
14. To retain and use his/her personal clothing and possessions as space permits, unless to do so would infringe upon the rights of other patients.*
15. If married, to be assured privacy for visits by his/her spouse; and, if both are patients in the facility, to be permitted to share a room.*
16. To have daily visiting hours established.
17. To have members of the clergy admitted at the request of the patient or person responsible at any time.
18. To allow relatives or persons responsible to visit critically ill patients at any time.
19. To be allowed privacy for visits with family, friends, clergy, social workers or for professional or business purposes.
20. To have reasonable access to telephones both to make and receive confidential calls.*

**The patients' right may be denied or limited for good cause only by a physician. Denial of such rights shall be documented by the attending physician in the patient's health record.*

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Resources

San Diego County:

Southern Caregiver Resource Center

3675 Ruffin Road, Suite 230
 San Diego, CA 92123
 (858) 268-4432; (800) 827-1008 (in CA)
 Fax: (858) 268-7816
 E-mail: scrc@caregivercenter.org
 Web site: www.caregivercenter.org

The Southern Caregiver Resource Center offers services to family caregivers of adults with chronic and disabling health conditions, and is for residents of San Diego and Imperial counties. Services include information and referral, counseling, family consultation and case management, legal and financial consultation, respite care, education and training, and support groups.

Long Term Care Ombudsman Program

(800) 640-4661
www.sandiegocounty.gov/content/sdc/hsa/programs/ais/ombudsman_long_term_care/

The Long- Term Care Ombudsman program advocates for residents in long-term care facilities and investigates allegations of abuse and complaints regarding their level of care.