

COMMUNICATION

Residents have the right to:

- Have visits by family members, a legal guardian, or other relatives;
- Refuse to see family members, a legal guardian, or other relatives;
- Associate and communicate privately with persons of their choice;
- Meet with family members, their legal guardian, or other residents' family members to discuss matters related to the facility;
- Meet with and participate in social, religious, and community group activities, unless prohibited by a written medical order.

PERSONAL PRIVACY

Residents have the right to:

- Privacy when receiving personal care;
- Privacy for conjugal visits;
- Share a room with their spouse, unless the doctor states otherwise in the medical record;
- Have their personal records treated confidentially;
- Employ a sitter from outside the facility, unless there is a written agreement not to hire a private sitter.

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The Residents' Bill of Rights

*South Carolina Code of Laws
§44-81-20 et. seq.*

South Carolina Long Term Care Ombudsman Program



**1301 Gervais St., Suite 350
Columbia, SC 29201
(803) 734-9900 or
1-800-868-9095 (outside Richland County)
www.aging.sc.gov**

Legislative Findings §44-81-20

The General Assembly finds that persons residing within long term care facilities are isolated from the community and often lack the means to assert their rights fully as individual citizens. The General Assembly further finds that it is necessary to preserve the dignity and personal integrity of residents of long term care facilities through declaration of rights safeguarding against encroachments upon each resident's need for self-determination.

These rights are as follows:

Written and Oral Explanation

The facility must give each resident or the resident's representative a written and oral explanation of the rights, grievance procedures, and enforcement provisions as explained in this brochure before or at the time of admission to a long term care facility. Written acknowledgement by the resident or the resident's representative must be made a part of every resident's file.

Refund Policy

The facility must have a written policy on giving refunds to residents. The policy must be based on the actual number of days a resident is in the facility and any reasonable number of bed-hold days. Residents must be given a written copy of this policy and must be notified in writing of any change in services, charges, or the refund policy.

Medical Treatment

Residents have the right to:

- Choose a personal physician;
- Receive from their physician a complete and current description of their medical conditions in terms they can understand;
- Participate in the planning of their care and treatment;
- Be fully informed in advance of any changes to care/treatment that may affect their well-being;
- Refuse to participate in any type of experimental tests or research;
- Have privacy during treatment;
- Have their medical records treated with confidentiality;
- Approve or refuse release of their medical records to anyone outside the facility, unless they are transferred to another facility, or it is required by law or other third party contracts.

Personal Possessions

Residents have the right to:

- Secure storage of their personal possessions;
- Approve or refuse release of their personal records to anyone outside the facility, except as provided by law;

- Keep and use personal clothing and possessions as long as they do not affect other residents' rights;
- Manage their personal finances. If the facility has been delegated in writing to manage their finances, it must provide a quarterly report of their account.

Personal Treatment

Residents have the right to:

- Be treated with respect and dignity;
- Be free from mental or physical abuse;
- Be free from chemical or physical restraints unless ordered by a physician;
- Be free from working or performing services for a facility unless they are part of the plan of care;
- Be transferred or discharged only for medical reasons, for the welfare of a resident or for the welfare of other residents of the facility, or for non-payment. Residents must be given a written notice of not less than 30 days, except when the health, safety, or welfare of other residents would be endangered. Residents must also be given written notice before their rooms or roommates in the facility are changed.