

70707 Patients' Rights

(a)

Hospitals and medical staffs shall adopt a written policy on patients' rights.

(b)

A list of these patients' rights shall be posted in both Spanish and English in appropriate places within the hospital so that such rights may be read by patients.

This list shall include but not be limited to the patients' rights to: (1) Exercise these rights without regard to sex, economic status, educational background, race, color, religion, ancestry, national origin, sexual orientation, disability, medical condition, marital status, registered domestic partner status, or the source of payment for care. (2) Considerate and respectful care. (3) Knowledge of the name of the licensed healthcare practitioner acting within the scope of his or her professional licensure who has primary responsibility for coordinating the care, and the names and professional relationships of physicians and nonphysicians who will see the patient. (4) Receive information about the illness, the course of treatment and prospects for recovery in terms that the patient can understand. (5) Receive as much information about any proposed treatment or procedure as the patient may need in order to give informed consent or to refuse this course of treatment. Except in emergencies, this information shall include a description of the procedure or treatment, the medically significant risks involved in this treatment, alternate courses of treatment or nontreatment and the risks

involved in each and to know the name of the person who will carry out the procedure or treatment. (6) Participate actively in decisions regarding medical care. To the extent permitted by law, this includes the right to refuse treatment. (7) Full consideration of privacy concerning the medical care program. Case discussion, consultation, examination and treatment are confidential and should be conducted discreetly. The patient has the right to be advised as to the reason for the presence of any individual. (8) Confidential treatment of all communications and records pertaining to the care and the stay in the hospital. Written permission shall be obtained before the medical records can be made available to anyone not directly concerned with the care. (9) Reasonable responses to any reasonable requests made for service. (10) Leave the hospital even against the advice of members of the medical staff. (11) Reasonable continuity of care and to know in advance the time and location of appointments as well as the identity of persons providing the care. (12) Be advised if the hospital/licensed healthcare practitioner acting within the scope of his or her professional licensure proposes to engage in or perform human experimentation affecting care or treatment. The patient has the right to refuse to participate in such research projects. (13) Be informed of continuing health care requirements following discharge from the hospital. (14) Examine and receive an explanation of the bill regardless of source of payment. (15) Know which hospital rules and policies apply to the patient's conduct while a patient. (16) Have all patients' rights apply to the person who may have legal responsibility to make decisions regarding medical care on behalf of the patient. (17) Designate visitors of his/her choosing, if the patient has decision-making capacity, whether or not the visitor is related by blood, marriage, or registered domestic partner status, unless: (A) No visitors are allowed. (B) The facility reasonably determines that the presence of a

particular visitor would endanger the health or safety of a patient, a member of the health facility staff, or other visitor to the health facility, or would significantly disrupt the operations of the facility. (C) The patient has indicated to the health facility staff that the patient no longer wants this person to visit. (18) Have the patient's wishes considered for purposes of determining who may visit if the patient lacks decision-making capacity and to have the method of that consideration disclosed in the hospital policy on visitation. At a minimum, the hospital shall include any person living in the household. (19) This section may not be construed to prohibit a health facility from otherwise establishing reasonable restrictions upon visitation, including restrictions upon the hours of visitation and number of visitors.

(1)

Exercise these rights without regard to sex, economic status, educational background, race, color, religion, ancestry, national origin, sexual orientation, disability, medical condition, marital status, registered domestic partner status, or the source of payment for care.

(2)

Considerate and respectful care.

(3)

Knowledge of the name of the licensed healthcare practitioner acting within the scope of his or her professional licensure who has primary responsibility for coordinating the care, and the names and professional relationships of physicians and nonphysicians who will see the patient.

(4)

Receive information about the illness, the course of treatment and prospects for recovery in terms that the patient can understand.

(5)

Receive as much information about any proposed treatment or procedure as the patient may need in order to give informed consent or to refuse this course of treatment. Except in emergencies, this information shall include a description of the procedure or treatment, the medically significant risks involved in this treatment, alternate courses of treatment or nontreatment and the risks involved in each and to know the name of the person who will carry out the procedure or treatment.

(6)

Participate actively in decisions regarding medical care. To the extent permitted by law, this includes the right to refuse treatment.

(7)

Full consideration of privacy concerning the medical care program. Case discussion, consultation, examination and treatment are confidential and should be conducted discreetly. The patient has the right to be advised as to the reason for the presence of any individual.

(8)

Confidential treatment of all communications and records pertaining to the care and the stay in the hospital. Written permission shall be obtained before the medical records can be made available to anyone not directly concerned with the care.

(9)

Reasonable responses to any reasonable requests made for service.

(10)

Leave the hospital even against the advice of members of the medical staff.

(11)

Reasonable continuity of care and to know in advance the time and location of appointments as well as the identity of persons providing the care.

(12)

Be advised if the hospital/licensed healthcare practitioner acting within the scope of his or her professional licensure proposes to engage in or perform human experimentation affecting care or treatment. The patient has the right to refuse to participate in such research projects.

(13)

Be informed of continuing health care requirements following discharge from the hospital.

(14)

Examine and receive an explanation of the bill regardless of source of payment.

(15)

Know which hospital rules and policies apply to the patient's conduct while a patient.

(16)

Have all patients' rights apply to the person who may have legal responsibility to make decisions regarding medical care on behalf of the patient.

(17)

Designate visitors of his/her choosing, if the patient has decision-making capacity, whether or not the visitor is related by blood, marriage, or registered domestic partner status, unless: (A) No visitors are allowed. (B) The facility reasonably determines that the presence of a particular visitor would endanger the health or safety of a patient, a member of the health facility staff, or other visitor to the health facility, or would significantly disrupt the operations of the facility. (C) The patient has indicated to the health facility staff that the patient no longer wants this person to visit.

(A)

No visitors are allowed.

(B)

The facility reasonably determines that the presence of a particular visitor would endanger the health or safety of a patient, a member of the health facility staff, or other visitor to the health facility, or would significantly disrupt the operations of the facility.

(C)

The patient has indicated to the health facility staff that the patient no longer wants this person to visit.

(18)

Have the patient's wishes considered for purposes of determining who may visit if the patient lacks decision-making capacity and to have the method of that consideration disclosed in the hospital policy on visitation. At a minimum, the hospital shall include any person living in the household.

(19)

This section may not be construed to prohibit a health facility from otherwise establishing reasonable restrictions upon visitation, including restrictions upon the hours of visitation and number of visitors.

(c)

A procedure shall be established whereby patient complaints are forwarded to the hospital administration for appropriate response.

(d)

All hospital personnel shall observe these patients' rights.