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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 4@ Intermediate Care Facilities

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Article 3@ Services

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Section 73399@ Special Disability Services-Rights of Patients

73399 Special Disability Services-Rights of Patients

(a)

Each patient admitted to a special disability program in an intermediate care facility shall have the following rights, a list of which shall be prominently posted in English and Spanish in all facilities providing such services, and otherwise brought to the patient's attention by such additional means as is appropriate: (1) To wear his or her own clothes; to keep and use his or her own personal possessions including toilet articles; and to keep and be allowed to spend a reasonable sum of his or her own money for small purchases. (2) To have access to individual storage space for private use. (3) To see visitors each day. (4) To have reasonable access to telephones, both to make and receive confidential calls. (5) To have ready access to letter writing materials, including stamps and to mail and receive unopened correspondence. (6) To refuse shock treatment. (7) To refuse lobotomy. (8) Other rights as provided by law.

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(2)

To have access to individual storage space for private use.

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To see visitors each day.

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To have reasonable access to telephones, both to make and receive confidential calls.

(5)

To have ready access to letter writing materials, including stamps and to mail and receive unopened correspondence.

(6)

To refuse shock treatment.

(7)

To refuse lobotomy.

(8)

Other rights as provided by law.

(b)

The attending physician or psychologist may, for good cause, deny a patient his or her rights under this section, except the right to refuse lobotomy or shock treatment. Any denial of a patient's rights shall be entered in the patient's health record.

(c)

Information pertaining to denial of rights contained in the patient's health record shall be made available, on request, to the patient, the patient's attorney, the patient's conservator or guardian, or the Department, members of the State Legislature or a member of a county board of supervisors.