

## **87872 Personal Rights**

### **(a)**

Each resident shall have personal rights which include, but are not limited to, the following: (1) To be accorded dignity in his/her personal relationships with staff and other persons. (2) To be accorded safe, healthful and comfortable accommodations, furnishings, and equipment to meet his/her needs. (3) To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule, coercion, threat, mental abuse, or other actions of a punitive nature, including but not limited to interference with daily living functions, including eating, sleeping, or toileting; or withholding of shelter, clothing, medication or aids to physical functioning. (4) To be informed, and to have his/her authorized representative, if any, informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the Department, and of information regarding confidentiality. (5) To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. (A) Attendance at religious services, in or outside the facility, shall be on a completely voluntary basis. (6) To leave or depart the facility at any time.(A) The licensee shall not be prohibited by this provision from setting curfews or other house rules for the protection of residents. (7) Not to be locked in any room, building, or facility premises by day or night.(A) The licensee shall not be prohibited by this

provision from locking exterior doors and windows or from establishing house rules for the protection of residents provided the residents are able to exit the facility. (B) The licensee shall be permitted to utilize means other than those specified in (A) above for securing exterior doors and windows only with the prior approval of the Department. (8) Not to be placed in any restraining device. (9) To receive or reject medical care, or health-related services. (10) To be informed of the facility's policy concerning family visits and other communication with residents. (11) To have access to telephones in order to make and receive confidential calls, provided that such calls do not infringe upon the rights of other residents and do not restrict availability of the telephone during emergencies. (A) The licensee shall be permitted to require reimbursement from the resident or his/her authorized representative for long distance calls. (B) The licensee shall be permitted to prohibit the making of long distance calls upon documentation that requested reimbursement for previous call(s) has not been received. (12) To mail and receive unopened correspondence in a prompt manner. (13) To receive assistance in exercising the right to vote. (14) To move from the facility.

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**(2)**

To be accorded safe, healthful and comfortable accommodations, furnishings, and equipment to meet his/her needs.

**(3)**

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physical functioning.

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To be informed, and to have his/her authorized representative, if any, informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the complaint receiving unit of the Department, and of information regarding confidentiality.

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To receive or reject medical care, or health-related services.

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To be informed of the facility's policy concerning family visits and other communication with residents.

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To have access to telephones in order to make and receive confidential calls, provided that such calls do not infringe upon the rights of other residents and do not restrict availability of the telephone during emergencies. (A) The licensee shall be permitted to require reimbursement from the resident or his/her authorized representative for long distance calls. (B) The licensee shall be permitted to prohibit the making of long distance calls upon documentation that requested reimbursement for previous call(s) has not been received.

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documentation that requested reimbursement for previous call(s) has not been received.

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To mail and receive unopened correspondence in a prompt manner.

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To move from the facility.

**(b)**

At admission, a resident and the resident's authorized representative, shall be personally advised of and given a list of the rights specified in Sections 87872(a)(1) through (14).

**(c)**

The information specified in (b) above including the visiting policy as stated in the admissions agreement shall be prominently posted in areas accessible to residents, their relatives and visitors. The posted information shall also include:

(1) Procedures for filing confidential complaints. (2) A copy of the personal rights or, in lieu of a posted copy, instructions on how to obtain additional copies of these rights.

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A copy of the personal rights or, in lieu of a posted copy, instructions on how to obtain additional copies of these rights.

**(d)**

The licensee shall ensure that each resident is accorded the personal rights as

specified in this section.