Leaving the Facility: You have the right to choose to leave a facility. If you are prevented from doing so, contact the local Ombudsman office at 510-638-6878.

- Consent
  The law provides you with the right to be fully informed of health care issues that have the potential to affect your life. As part of the informed consent process, your health care provider, (usually your physician), must tell you about the risks and benefits of certain actions or treatments, and about the risk of not having treatment. Actions or treatments that require informed consent include decisions about what medication to take, whether to change medical treatment, or how to handle life threatening problems, etc. (You have the right to refuse medications and treatment.) Except in an emergency, informed consent must be obtained by your physician before a health care decision is made, whether or not you have an advance directive.

- Restraint
  You have the right to be free from chemical or physical restraints. Federal law prohibits the use of anti-psychotic or psychoactive drugs for the convenience of staff.
  - Physical Restraints: Any time you are limited in your movement, such as being tied in a wheelchair or bed, you are being physically restrained. Unless your doctor ordered this and you have agreed to it, it is against the law.
  - Chemical Restraints: These are drugs – anti-psychotics and other psychoactive drugs – that cause you to feel tired, drowsy; to drool; slump in your wheelchair; have vacant stares. There has to be a documented medical need for the drugs and the physician is required to obtain consent from you or your legal representative before administering these drugs. If you feel you are being restrained unnecessarily, talk with your doctor and the facility’s Director of Nursing, or call the Ombudsman.

Some Things to Know as a Resident of a Long Term Care Facility

Alameda County Has a Long Term Care Ombudsman Program

The Alameda County Long Term Care Ombudsman Program has staff and volunteers who are advocates for facility residents.

An Ombudsman is available to help…
- you resolve complaints that you may have with the facility staff and
- to answer your questions about your rights as a resident in a long term care facility.

When you want to see an Ombudsman, contact your local Ombudsman office to request that an Ombudsman visit you. Facility staff will help you make the call.

When you call, make sure you give
- your full name
- your room number, and
- a telephone number so that you can be contacted by the Ombudsman.

There should be a large Ombudsman Poster, similar to the one above, posted in a highly visible location within the facility, listing the telephone number for the local Ombudsman office & 24/7 CRISIS telephone line: 510-638-6878
1-800-231-4024
At the time of admission, you should have received a copy of the following:

- Your Admissions Agreement – If you don’t have a copy, you should ask for a copy from the facility staff.
- Residents’ Rights
- Facility Rules

Shortly after admission, you should have received a copy of your Personal Inventory list.

- The facility is required to keep an inventory list of your personal possessions for loss and theft purposes.
- It should be updated on a regular basis when a new item is brought to you or something is removed from your room.
- When additional items are brought into the facility, it is your responsibility to make sure they are added to the facility’s copy of your inventory list.

Once a quarter, you should have a Care Conference or a Care Planning Meeting.

- These meetings are held specifically so you can participate in your care. They provide a review of your progress in the facility; describe the strategies that the facility and staff will use to enhance, restore or maintain your optimal physical, mental and psychosocial well-being.
- Future treatment is outlined, and any special problems or concerns are discussed. You have the right to fully participate and attend these meetings.
- Conferences/Meetings are held on a regular quarterly basis. If you wish, family members and the Ombudsman can attend these meetings. Having the Ombudsman attend can be beneficial when you have unresolved issues with the facility staff.
- You can request to have an Ombudsman attend your conference with you, if you desire.

Residents Rights

It is important that you become familiar with your rights as a resident. As stated earlier, a copy of your rights as a resident should have been included with your Admissions Agreement. Following are some rights we have chosen to highlight for you. The following list does not discuss all of your rights.

- Choice – Your Right to Choose
  - Activities: You have the right to choose the activities in which you participate. You cannot be forced to participate in activities if you don’t want to do so.
  - Schedules: You have the right to choose the schedules you follow in the facility. If you want to get up at a different time in the mornings, for instance, or wish to take a bath/shower at a different time and/or day, let the facility staff know the time and day/time you prefer. The facility should work with you to create a schedule that meets your preference, and it should be included in your care plan.
  - Personal Physician: You have the right to choose your own personal attending physician. Make sure the doctor you select will visit the facility or that you have transportation to the doctor’s office. Many doctors will not visit you at the facility, especially if you are a Medi-cal recipient.
  - Pharmacy or Medical Supplier: You have the right to purchase drugs, rent or purchase medical supplies or equipment from any pharmacy or medical supplier of your choice. There may be some special needs regarding the packaging of prescriptions that must be followed. All other supplies, such as incontinence pads, may be purchased from the supplier of your choice.

- Visitors: You have the right to receive visitors any time you wish. You have the right to visit with whomever you wish. You can refuse to see a visitor, but no one else is allowed to refuse on your behalf, except for a court-appointed guardian.