



POLICIES AND PROCEDURES MANUAL

☒ System ☐ Department

Supersedes: CH PA - 4011 UH 6.090, BMC-Patient Rights and Responsibilities, ADM 01_004

Section: PATIENT RIGHTS AND ORGANIZATION ETHICS

Subject: Patient Rights and Responsibilities

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Attachments:

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PATIENT RIGHTS AND RESPONSIBILITIES

Nebraska Medicine recognizes that patients have inherent rights and responsibilities as they relate to their health care.

Patients who feel their rights have not been respected, or who have questions or concerns, should talk to their health care provider or the Patient Relations office.

Patients and their families also have responsibilities while under the care of Nebraska Medicine in order to facilitate the provision of safe, high-quality health care for themselves and others.

The following patient rights and responsibilities shall be provided to, and expected from, patients or legally authorized individuals.

PATIENT RIGHTS

RESPECT AND DIGNITY . . . Patients have the right to appropriate medical care and services provided by competent staff that respect their personal values and beliefs, and to be treated with dignity at all times. Respect for dignity includes at a minimum the patient's right to be free from mental, physical, sexual, and verbal abuse, neglect, and exploitation.

PRIVACY . . . Patient privacy is a significant consideration in facility designs, in all communication with or about patients, and in information system implementation.

CONFIDENTIALITY . . . Patient records, care discussion, consultation, examination and treatment are confidential and conducted with discretion. Patient participation in training or research is voluntary and is treated with the same confidentiality as patient care.

PATIENT COMMUNICATION . . . Patients have the right to have their own physician, family member or other person of their choice be notified promptly of their admission to the hospital. Each patient and family has the right to receive complete explanations regarding procedures and treatment in a language and manner that they can understand. Patients and families also have the right to know the name and professional status of the people involved in their care and which physician has primary responsibility for their care.

Additionally, patients have the right to receive or refuse visitors, mail, and telephone calls during their stay at Nebraska Medicine. Refer to MI12, *Visitation Policy* and RI15, *Private Designation*.

PATIENT EDUCATION . . . Patients and their families have a right to be provided with appropriate education and training to enhance their knowledge of the patient's illness and treatment needs, and to learn and demonstrate skills and behaviors that promote wellness or improve function. Patients with questions regarding the cost of their care have the right to contact a financial counselor for an advance estimate.

EQUAL CONSIDERATION . . . Available and medically appropriate patient care and treatment services are offered to patients solely on the basis of medical condition, regardless of race, color, religion, national origin, age, sex, sexual orientation, gender identity or expression, disability, payment source, social status, or other social or economic criteria. Refer to ACCESS/Patient Registration Services policies.

SAFETY . . . Patients have the right to expect reasonable safety and accessibility in the physical environment of the hospital. Compliance with ADA and other applicable laws and regulations help assure a safe and accessible environment. Patients have the right to be free from restraints of any form that are not medically necessary.

PARTICIPATION . . . Patients have the right to ask questions and be involved in decisions about their medical condition and treatment. Patients and, when appropriate, their families have the right to be informed about the nature, process, and outcomes of care, including unanticipated outcomes. Patients have the right to access information contained in their clinical records within a reasonable time frame. To obtain a copy of the medical record, refer to IM13, *Access & Amendment of Designated Record Set*.

Patients have the right to participate in the consideration of ethical issues arising in the provision of their care, including the right to seek ethics consultation, resolution of conflict, withholding resuscitative measures, foregoing or withdrawing life-sustaining treatment, maintaining comfort and pain relief, and participation in investigative studies and/or clinical trials.

Patients have the right to designate a representative decision-maker (Advance Directive/Durable Power of Attorney) who will make decisions regarding the patient's care in the event that the patient becomes incapable of understanding a proposed treatment or procedure or is unable to communicate his or her wishes regarding care.

PAIN MANAGEMENT . . . Patients have a right to pain assessment and management. Nebraska Medicine health care providers will ensure this right by discussing pain assessment and management with all patients and/or surrogate decision makers upon admission and throughout the hospital stay. Health care providers will work with patients, and with each other, to establish patient-centered goals for comfort and pain relief, including the development, implementation, evaluation, and modification of a pain management plan.

CONSENT . . . Patients shall be reasonably informed by their physician so that they can participate in decisions involving their health care. To the degree possible, the following will be provided: clear, concise explanations of the patient's condition; procedure or treatment recommended; the anticipated benefits, the inherent risks and discomforts; reasonable alternatives; and who will treat them or perform the procedure. Patients shall not be subject to any procedure without their voluntary consent or the consent of their legally authorized representative. Patients shall be informed of and consent to all human experimentation or other research/educational projects affecting their care or treatment. In emergency situations, consent may be presumed. Patients shall have the right to refuse any treatment. Patients shall have the right to see a different physician or specialist for consultation.

Many children have the cognitive ability to participate in healthcare decisions and provide informed consent or assent. Children with decision-making capacity, regardless of age, should be involved in their healthcare decisions. Their verbal, and in some cases written, consent or assent for procedures and treatments should be sought.

REFUSAL OF TREATMENT . . . Patients may refuse recommended procedures or treatments to the extent permitted by law. Patients also have the right to know how this refusal may affect their medical condition. Patients have a right selectively to refuse certain portions or aspects of a course of therapy, and health professionals are under an obligation to negotiate respectfully with the patient about such aspects of therapy. However, should this refusal make treatment infeasible, treatment refusal may constitute termination of the patient/provider relationship upon reasonable notice.

PROTECTIVE SERVICES . . . Patients have the right to contact Protective Services. Nebraska Medicine will assist in determining the patient's need for special services through the Social Work Department.

TRANSFER AND CONTINUUM OF CARE . . . To ensure the continuity of care, appropriate patient information is communicated to any health care organization or provider to/from which patients are admitted, referred, transferred, or discharged. Relevant patient information includes, but is not limited to: the reason for transfer or discharge, the patient's physical and psychosocial status at time of transfer, a summary of care and/or service provided, progress toward achieving goals, and instruction or referrals provided to the patient. Patients may not be transferred to another facility or organization unless they have been given an explanation of the need for the transfer and available alternatives, and they or their legal representative have consented to such transfer.

NEBRASKA MEDICINE RULES AND REGULATIONS . . . Patients and their guests shall have the right to be informed of health care organization rules and regulations. (Guest Guides are available at admission.)

PARENT/GUARDIAN RIGHTS . . . Unless prohibited by the following: court order, CPS, law enforcement, **law or other regulation**, or parental rights have been terminated, parents and guardians of hospitalized children at Nebraska Medicine have the right to visit their children or call the patient care unit at any time. They have the right to receive information needed

to give informed consent for their children's medical treatment. Additionally, they have the right to refuse treatment for their children to the extent permitted by law, and the right to know how this refusal may affect their children's medical condition.

Parents also have the right to be educated with regard to how therapies are likely to affect themselves and their other children in the long and short run.

GRIEVANCE PROCESS . . . Patients and their representatives have the right to share concerns regarding their care, facilities and/or personal interactions with the staff. When a concern is received relating to the patient rights outlined in this document, the complainant will be responded to within seven business days by a Patient Relations advocate. If this is not possible, the complaint facilitator will contact the patient, explain the delay and provide a time frame within which a response may be expected. The patient may contact the Patient Relations Department at:

- Nebraska Medicine 402-559-8158
- Nebraska Medicine Bellevue 402-763-3790

If further assistance is needed, patients, their families, representatives and visitors have the right to seek assistance regarding complaints or grievances through the following resources (refer to RI23, *Patient Complaint and Grievance Management*):

- Nebraska Department of Health & Human Services, Licensure Unit 402-471-0316
- The Joint Commission:
 - Fax 630-792-5636
 - online: https://www.jointcommission.org/report_a_complaint.aspx
 - Mail: Office of Quality and Patient Safety
The Joint Commission
One Renaissance Boulevard
Oakbrook Terrace, Illinois 60181
- Quality Improvement Organization, Livanta (888) 755-5580

PATIENT RESPONSIBILITIES

PROVISION OF INFORMATION...Patients, and their families, friends, and/or guardians, have the responsibility to provide, to the best of their knowledge, all accurate and relevant information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to the patient's health and course of treatment. The patients/parents/guardians are responsible for indicating whether they clearly understand the course of action considered and what is expected of them.

COMPLIANCE WITH INSTRUCTIONS . . . Patients/parents/guardians are responsible for following the treatment plan recommended by the attending physician. This may include following the instructions of nurses and allied health personnel as they carry out the coordinated plan of care, implement the attending physician's orders, follow isolation and infection control procedures, and enforce the applicable Nebraska Medicine rules and regulations. Patients/parents/guardians are responsible for keeping appointments and, when unable to do so for any reason, for notifying the practitioner or health care organization.

Patients/parents/guardians also have the responsibility to ask questions if they do not understand their diagnosis, medical treatment, and instructions for follow-up care, as well as to communicate any limits of their abilities and circumstances to adhere to the agreed upon plan of care. They also have the responsibility to inform the people involved in their care if they are not satisfied at any time during their stay or appointment.

REFUSAL OF TREATMENT . . . Patients/parents/guardians are responsible for their actions and consequences if they refuse treatment or do not follow the practitioner's instructions.

FINANCIAL OBLIGATION . . . Patients/parents/guardians are responsible for assuring that the financial obligations of their health care are fulfilled as promptly as possible. Insurance assignment does not relieve the patient/parent/guardian from fulfillment of financial obligations.

RULES AND REGULATIONS . . . Patients/parents/guardians are responsible for following all Nebraska Medicine rules and regulations affecting patient care and conduct.

RESPECT AND CONSIDERATION . . . Patients, their families and their visitors are responsible for being considerate of the rights, privacy and confidentiality of other patients and hospital personnel, and for assisting in the control of noise, smoking, and the number of visitors. Patients, their families and their visitors are responsible for being respectful of the property of other persons and of Nebraska Medicine.

PRIVACY OF OTHERS ... Patients, their families and other visitors must respect the right to privacy of other patients, visitors and hospital staff, by not audio/video recording or photographing them at any time, unless specific permission has been obtained from each subject being recorded. **Patient medical information/data may not be photographed or recorded.** Refer to RI26, *Cell Phone Usage Photography and Recording by a Patient or a Patient’s Family Members or Visitors*.

PROCEDURE... All inpatients and outpatients can be notified of their rights and responsibilities through a variety of methods, including the following:

- Guest Guide/Patient Information Guide
- Nebraska Medicine Website
- Patient Rights and Responsibilities Brochures
- Staff in Clinical Care Areas
- Patient Rights Posters
- Patient Rights Flyer
- One Chart Patient Portal

STAFF ACCOUNTABILITY

Medical Ethics Committee – *Approved 06/2021*
Risk Management – *Approved 06/2021*
Patient Relations – *Approved 06/2021*
Access Services – *Approved 06/2021*

Department Approval		Administrative Approval	
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