**RESIDENT’S RIGHTS**

In addition to your civil rights as a citizen, you have rights as a nursing facility resident, including the right:

* To be treated with respect and dignity, free from abuse, neglect, and financial exploitation.
* To exercise your rights as a resident of the facility and as a citizen or resident of the United States; to a dignified existence, self-determination, and to be free of interference, coercion, discrimination, and fear of reprisal.
* To be informed of, and participate in your treatment, including the right to be fully informed in language and format that you can understand; to participate in the development and implementation of your person-centered plan of care, including the right to request, refuses, and/ or discontinue treatment.
* To choose your attending physician.
* To retain and use your personal possessions, including furnishings, and clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents.
* To be free from any physical or chemical restraints imposed for purposes of discipline or convenience, and not required to treat medical symptoms.
* To share a room with your spouse when married residents live in the same facility and both spouses consent to the arrangement; to share a room with your roommate of choice when practicable, and to receive written notice before the resident’s room or roommate in the facility is changed.
* To interact with members of the community and to participate in community activities both inside and outside the facility.
* To receive visitors or deny visitors of your choosing.
* To organize and participate in resident groups in the facility.
* To choose or refuse to perform services for the facility and the facility must not require you to perform services for the facility.
* To manage your financial affairs and the facility will not require you to deposit your personal funds with the facility.
* To be informed of your rights and of all rules and regulations governing resident conduct and responsibilities during your stay in the facility, both orally and in writing in a language or format that you understand.
* To access personal and medical records pertaining to yourself.
* To communicate with individuals and entities within and external to the facility, including reasonable access to the use of a telephone, including TTY and TDD services, at a place in the facility where calls can be made without being overheard.
* To send and receive mail, and to receive letters, packages and other materials delivered to the facility for you that maintains personal privacy, including the right to privacy in oral written, and electronic communications, including the right to send and promptly receive unopened mail and other letters, packages and other materials delivered to the facility.
* To examine the results of the most recent survey of the facility conducted by Federal or State surveyors and any plan of correction(s) in effect with respect to the facility.
* To receive information from agencies acting as client advocates and be afforded the opportunity to contact these agencies.
* To a safe, clean, comfortable, and homelike environment.
* To voice grievances to the facility or other agency or entity that hears grievances without fear of discrimination or reprisal and the facility must make prompt efforts to resolve grievances that you may have.

*To learn more about your rights ask the facility for a copy of the Residents’ Bill of Rights.*

**How to Resolve a Concern**

If you have a complaint or problem, or you think your rights have been violated, you may want to:

* Clarify the concern. When did it happen? Who else is aware of the concern? Writing it down may help.
* Attempt to resolve the concern. **The best place to resolve most concerns is where you are - in the facility.** Contact the facility Grievance Official:

 Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone/Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If the Grievance Official is not immediately available, contact the administrator, director of nursing, your doctor, the social worker, or charge nurse. To resolve a concern, all parties must first be aware that the concern exists.

* When bringing your concern to a staff person, state the concern and discuss possible solutions. Be clear about what would help. Find out when and how you can expect the concern to be resolved. Set a time when you will return to discuss progress.

**If the Concern Remains Unresolved**

If a problem cannot be resolved within the facility, you may want to contact:

**Office of Licensure and Certification (OLC)**

Complaint Unit

Virginia Department of Health

9960 Mayland Drive

Suite 401

Richmond, VA 23233

1-804-367-2106

1-800-955-1819

<https://www.vdh.virginia.gov/licensure-and-certification/complaint-unit/>

OLC Complaint Unit Email:

OLC-Complaints@vdh.virginia.gov

**disAbility Law Center of**

**Virginia**

1512 Willow Lawn Drive

Suite 100

Richmond, Virginia 23230

1-804-225-2042

1-800-552-3962

info@dLCV.org

**Office of the State Long-Term**

*A resident may file a complaint with the state survey agency (OLC at Virginia Department of Health) concerning any suspected violation of state or federal nursing facility regulations, including but not limited to resident abuse, neglect, exploitation, misappropriation of resident property in the facility, non-compliance with the Advance Directives requirements (42 CFR part 489 subpart I) and requests for information regarding returning to the community.*

*If you need assistance with obtaining information about returning to the community, please call your*

*Local Area Agency on Aging (contact information provided above).*

**Care Ombudsman**

Virginia Department for Aging & Rehabilitative Services

8004 Franklin Farms Drive

Richmond, Virginia 23229

1-804-565-1600

1-800-552-3402

<https://www.elderrights.virginia.gov/about.htm#contact>

ombudsman@dars.virginia.gov

**Local Long-Term Care Ombudsman:**

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**Local Area Agency on Aging:**

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If you suspect fraud by a Medicaid provider, contact the Medicaid Fraud Control Unit of the **Office of the Attorney General**

202 North 9th Street

Richmond, Virginia 23219

1-804-786-2071

<https://www.oag.state.va.us/consumer-protection/index.php/file-a-complaint>

If you suspect abuse, neglect, or financial exploitation call your local Department of Social Services, **Adult Protective Services,** or the statewide hotline.

**1-888-832-3858**

APS@dars.virginia.gov

<https://www.dars.virginia.gov/aps/AdultProtServ.htm>