

<b>Texas Health Outpatient Surgery Center Alliance</b>		<b>Policy No. PR-10</b>
<b>Prepared by: LB</b>	<b>Approved by: MEC</b>	<b>Title – Ethics, Rights &amp; Responsibilities PR-Patient Rights and Responsibilities</b>
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**Policy:**

The facility will observe and respect a patient's rights and responsibilities without regard to age, race, color, sex, national origin, religion, culture, physical or mental disability, personal values or belief systems. The facility will, prior to the start of the surgical procedure, provide the patient, the patient's representative, or the patient's surrogate with verbal and written notice of the patient's rights

**Patient Rights:**

The patient has the right to:

- Considerate, respectful, and dignified care and respect for personal values, beliefs, and preferences.
- Access to treatment without regard to race, ethnicity, national origin, color, creed/religion, sex, age, mental disability, or physical disability. Any treatment determinations based on a person's physical status or diagnosis will be made on the basis of medical evidence and treatment capability.
- Respect of personal privacy.
- Receive care in a safe and secure environment.
- Exercise your rights without being subjected to discrimination or reprisal.
- Know the identity of persons providing care, treatment, or services and, upon request, be informed of the credentials of healthcare providers and, if applicable, the lack of malpractice coverage.
- Expect the center to disclose, when applicable, physician financial interests or ownership in the center.
- Receive assistance when requesting a change in primary or specialty physicians or dentists if other qualified physicians or dentists are available.
- Receive information about health status, diagnosis, the expected prognosis, and expected outcomes of care, in terms that can be understood, before a treatment or a procedure is performed.
- Receive information about unanticipated outcomes of care.
- Receive information from the physician about any proposed treatment or procedure as needed in order to give or withhold informed consent.
- Participate in decisions about the care, treatment, or services planned and to refuse care, treatment, or services, in accordance with law and regulation.
- Be informed, or when appropriate, your representative be informed (as allowed under state law) of your rights in advance of furnishing or discontinuing patient care whenever possible.
- Receive information in a manner tailored to your level of understanding, including provision of interpretative assistance or assistive devices.
- Have family be involved in care, treatment, or services decisions to the extent permitted by the patient or your surrogate decision maker, in accordance with laws and regulations.
- Appropriate assessment and management of pain, information about pain, pain relief measures and participation in pain management decisions.
- Give or withhold informed consent to produce or use recordings, film, or other images for purposes other than care, and to request cessation of production of the recordings, films or other images at any time.

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- Be informed of and permit or refuse any human experimentation or other research/educational projects affecting care or treatment.
- Confidentiality of all information pertaining to care and stay in the center, including medical records and, except as required by law, the right to approve or refuse the release of your medical records.
- Access to and/or copies of your medical records within a reasonable time frame and the ability to request amendments to your medical records.
- Obtain information on disclosures of health information within a reasonable time frame.
- Have an advance directive, such as a living will or durable power of attorney for healthcare, and be informed as to the center's policy regarding advance directives/living will. Expect the center to provide the state's official advance directive form if requested and where applicable.
- Obtain information concerning fees for services rendered and the center's payment policies.
- Be free from restraints of any form that are not medically necessary or are used as a means of coercion, discipline, convenience, or retaliation by staff.
- Be free from all forms of abuse or harassment.
- Expect the center to establish a process for prompt resolution of patients' grievances and to inform each patient whom to contact to file a grievance. Grievances/complaints and suggestions regarding treatment or care that is (or fails to be) furnished may be expressed at any time. Grievances may be lodged with the state agency directly using the contact information provided on the patient rights poster posted in the center lobby.

**Patient Responsibilities:**

The Patient is responsible for:

- Being considerate of other patients and personnel and for assisting in the control of noise, smoking, and other distractions.
- Respecting the property of others and the center.
- Identifying any patient safety concerns.
- Observing prescribed rules of the center during your stay and treatment.
- Providing a responsible adult to transport you home from the center and remain with you for 24 hours if required by their provider.
- Reporting whether you clearly understand the planned course of treatment and what is expected of you and asking questions when you do not understand the care, treatment, or service or what you are expected to do.
- Keeping appointments and, when unable to do so for any reason, notifying the center and physician.
- Providing caregivers with the most accurate and complete information regarding present complaints, past illnesses and hospitalizations, medications, unexpected changes in your condition or any other patient health matters.
- Promptly fulfilling your financial obligations to the center, including charges not covered by insurance.
- Payment to center for copies of the medical records they may request.
- Informing your providers about any living will, medical power of attorney, or other advance directive that could affect your care.

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English and Spanish versions of Patient Rights and Responsibilities handout are available from the SCA Compliance Documents folder entitled Patient Rights and Responsibilities: <http://scaconnect.scasurgery.net/legal/compliance/Compliance%20Documents/Forms/AllItems.aspx>.

**References:**

1. SCA Patient Rights and Responsibilities- 2009 from the SCA Intranet HIPAA Homepage
2. The Joint Commission, Standards for Ambulatory Surgical Centers 2017: Chapter for Rights and Responsibilities of the Patient.
3. ASPAN Standards of Perianesthesia Nursing Practice 2015-2017: Standard 1: Patient Rights, Resource 1: Understanding Expectations, Rights, and Responsibilities.
4. Accreditation Association for Ambulatory Health Care, Inc., Accreditation Handbook for Ambulatory Health Care 2017: Rights of Patients.
5. 42 Code of Federal Regulations §416.50(a)(1)and(2)effective May 18, 2009