

Adult Foster Home Resident's Rights and Freedoms — To Be Posted —

The Resident's Bill of Rights

Each resident has the right to:

- ◆ Be treated as an adult with respect and dignity.
- ◆ Be informed of all resident rights and all house policies.
- ◆ Be encouraged and assisted to exercise constitutional and legal rights, including the right to vote.
- ◆ Be informed of their medical condition and the right to consent to or refuse treatment.
- ◆ Receive appropriate care and services and prompt medical care as needed.
- ◆ Be free from abuse.
- ◆ Complete privacy when receiving treatment or personal care.
- ◆ Associate and communicate privately with any person of choice, and send and receive personal mail unopened.
- ◆ Have access to and participate in activities of social, religious and community groups.
- ◆ Have medical and personal information kept confidential.
- ◆ Keep and use a reasonable amount of personal clothing and belongings, and to have a reasonable amount of private, secure storage space.
- ◆ Be free from chemical and physical restraints except as ordered by a physician or other qualified practitioner, and as consented to by the resident or the resident's legal representative. Restraints are used only for medical reasons, to maximize a resident's physical functioning, and after other alternatives have been tried, and may not be used for discipline or convenience.
- ◆ Manage own financial affairs unless legally restricted.
- ◆ Be free from financial exploitation. The licensee must not charge or ask for application fees or non-refundable deposits or solicit, accept or receive money or property from a resident other than the amount agreed to for services.
- ◆ A written agreement regarding services to be provided and the rates to be charged. The licensee must give 30 days' written notice before any change in the rates or ownership of the home.
- ◆ Not to be transferred or moved out of the adult foster home without 30 calendar days' written notice and an opportunity for a hearing. A licensee may transfer a resident only for medical reasons or for the welfare of the resident or other residents, or for nonpayment.
- ◆ A safe and secure environment.
- ◆ Be free of discrimination in regard to race, color, national origin, gender, sexual orientation or religion.
- ◆ Make suggestions or complaints without fear of retaliation.
- ◆ Be free of discrimination in regard to the execution of an Advance Directive, Physician's Order for Life-Sustaining Treatment (POLST) or Do Not Resuscitate (DNR) orders.

Rights and Freedoms in Home and Community-Based Care Settings

As authorized by 42 CFR 441.301(c)(4) and 42 CFR 441.530(a)(1), each resident has the right to:

- ◆ Live under a legally enforceable Residency Agreement with protections substantially equivalent to landlord-tenant laws.
- ◆ The freedom and support to access food at any time.
- ◆ Have visitors of the resident's choosing at any time.
- ◆ Privacy in the resident's bedroom, and to have a lockable door in the resident's bedroom, which may be locked by the resident.
- ◆ Choose a roommate when sharing a bedroom.
- ◆ Furnish and decorate the resident's bedroom according to the Residency Agreement.
- ◆ Freedom and support to control the resident's schedule and activities.
- ◆ Privacy in the resident's bedroom.