

# **PATIENT RIGHTS & RESPONSIBILITIES**

## **SOMERSET AMBULATORY SURGICAL CENTER**

- I. The patient shall be informed verbally and in writing of his/her rights in advance of the date of the procedure, in terms that the patient can understand. A signature acknowledging receipt of verbal and written notification of these rights in advance of the day of the procedure will be obtained by the patient and or legal guardian and placed in the patient's chart as part of the permanent medical record.
- II. The patient will be informed of the services offered at the Surgery Center, the names of the professional staff and their professional status of who is providing and/or responsible for their care, including information on the facilities provisions for emergency and after hours and emergency care.
- III. The patient will be informed of the fees and related charges, including the payment, fee, deposit, and refund policy of the Surgery Center and any charges not covered by third-party payers or by the Surgery Center's basic rate.
- IV. The patient will be informed of other health care and educational institutions participating in the patient's treatment.
- V. The patient will be informed of the identity and the function of these institutions, and he/she has the right to refuse the use of such institutions.
- VI. The patient will be informed, in terms that the patient can understand, of his/her complete medical/health condition or diagnosis, the recommended treatment, treatment options, including the option of no treatment, risks of treatment, and expected results. If this information would be detrimental to the patient's health, or if the patient is not capable of understanding the information, then the information will be provided to the patient's next of kin or guardian. This release of information to the next of kin or guardian, along with the reason for not informing the patient directly will be documented in the patient's chart.
- VII. The patient will participate in the planning of his/her care, and has the right to refuse such care and medication. Upon refusal it will be documented in the patient's chart.
- VIII. The patient will be included in experimental care if the patient has agreed to such and gives written and informed consent to such treatment, or when a guardian has consented to such treatment. The patient also has the right to refuse such experimental treatment.
- IX. The patient has the right to voice grievances or recommend changes in policies and services to the Surgery Center personnel, the governing authority and/or outside representatives of the patient's choice, free from restraint, interference, coercion, discrimination, or reprisal.
- X. The patient will be free from mental and physical abuse, free from exploitation, and free from use of restraints unless they are authorized by a physician for a limited period of time to protect the patient or others from injury. Drugs and other medications shall not be used for discipline of patients or for convenience of the Surgery Center's personnel.
- XI. The patient will be assured of confidential treatment of information about him/herself. Information in the patient's medical record shall not be released to anyone outside the facility without the patient's approval, unless another healthcare facility to which the patient was transferred requires that information, or unless the release of the information is required or permitted by law, a third party payment contract, or a peer review, or unless the information is needed by the New Jersey State Department of Health for statutorily authorized purposes. The facility may release data about the patient for studies containing aggregated statistics when the patient's identity is masked.
- XII. The patient will receive courteous treatment, consideration, respect and recognition of the patient's dignity, individuality, and right to privacy, including, but not limited to, auditory and visual privacy. The patient's privacy shall also be respected when facility personnel are discussing the patient.
- XIII. The patient will not be required to work for the facility unless the work is part of the patient's treatment and is performed voluntarily by the patient. Such work shall be in accordance with local, State, and Federal laws and rules.
- XIV. The patient has the right to exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, or any attendance at religious services, shall be imposed upon any patient.
- XV. The patient has the right to expect and receive appropriate assessment management and treatment of pain as an integral component of that person's care.
- XVI. The patient has the right to information regarding credentialing of Health Care Professionals at the Center.
- XVII. The patient shall be informed verbally and by written notice in advance of the date of the procedure, of his/her physicians financial interest or ownership in the ASC; The signed copy of patient acknowledgement and notification of the physician financial interest or ownership will be placed in the patient's chart as part of the permanent medical record.
- XVIII. The patient shall be informed verbally and by written notice in advance of the date of the procedure, information on the ASC's policy on advance directives, including a description of applicable NJ health and safety laws and, if requested, official NJ advance directive forms. The signed copy of patient acknowledgement and notification of the ASC policy on advance directives will be placed in the patient's chart as part of the permanent medical record.
- XIX. The patient has the right to refuse any treatment, except as otherwise provided by law.
- XX. The patient will not be discriminated against because of age, race, religion, sex, nationality, or ability to pay, or deprived of any constitutional, civil, and/or legal rights solely because of receiving services from the facility.
- XXI. The patient has the right to change their provider if other qualified providers are available.
- XXII. The patient has the right to be informed about procedures for expressing suggestions, including complaints and grievances, including those regulated by state and federal regulations.
- XXIII. The patient has the right not to be misled by marketing or advertising regarding the competence and capabilities of the organization.
- XXIV. The patient has the right to be provided with appropriate information regarding the absence of malpractice insurance coverage.
- XXV. The patient has the right to receive care in a safe setting free from all forms of abuse and harassment.
- XXVI. A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.
- XXVII. A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.
- XXVIII. A patient is responsible for following the treatment plan recommended by the health care provider.
- XXIX. A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.
- XXX. A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.
- XXXI. A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.
- XXXII. A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.
- XXXIII. A patient is responsible to provide complete and accurate information about his/her health, any medications, including herbals and over the counter supplements and any allergies or sensitivities
- XXXIV. A patient is responsible to follow the treatment plan prescribed by his/her provider.
- XXXV. A patient is responsible to provide a responsible adult to transport hi/her home from the facility and remain with him/her for 24 hours if required by his/her provider.
- XXXVI. A patient is responsible to inform his/her provider about any living will, medical power of attorney, or other directive that could affect his/her care
- XXXVII. A patient is responsible to be respectful of all the health care providers and staff, as well as other patients.
- XXXVIII. The administrator will provide upon request to all patients and/or their families, the names, addresses, and telephone numbers of the following offices where complaints may be lodged:

Division of Health Facilities  
Evaluation and Licensing  
New Jersey Department of Health  
PO Box 367  
Trenton, NJ 08625-0367  
800-792-9770

State of New Jersey  
Office of the Ombudsman for the  
Institutionalized Elderly  
PO Box 808  
Trenton, NJ 08625-808  
609 943-4023  
877-582-6995 toll free

The administrator shall also provide all patients and/or their families, upon request, the names, addresses and telephone numbers of offices where information concerning Medicare and Medicaid coverage may be obtained

The Medicare Ombudsman is available to the public and ASC patients to get information about the Medicare and Medicaid programs, prescription drug coverage, and how to coordinate Medicare benefits with other health insurance programs. Information about filing a grievance or complaint, can be obtained from their website, by mail or via phone:

#### CMS Contact Information:

Telephone: 1-800-MEDICARE 24 hours 7 days including some federal holidays  
TTY/TTD users can call 1-877-486-2048. This system is available 24 hour 7 days per week.

#### Mailing address:

Centers for Medicare and Medicaid Services  
7500 Security Boulevard  
Baltimore MD 21244-1850

The website for the Medicare Ombudsman is: <http://www.cms.hhs.gov/center/ombudsman.asp>