

## STATEMENT OF RIGHTS & RESPONSIBILITIES OF PATIENTS



A Facility of the South Florida Broward Hospital District

### **Purpose**

The Memorial Healthcare System (Memorial Regional Hospital, Memorial Regional Hospital South, Joe DiMaggio Children's Hospital, Memorial Hospital West, Memorial Hospital Pembroke and Memorial Hospital Miramar) and their respective Medical Staffs acknowledge this statement of rights and responsibilities, in accordance with the standards promulgated by The Joint Commission, State and Federal laws. Every facility of Memorial Healthcare System will make available to its patients a written statement of the rights and responsibilities of patients, including the following:

### **Patients Rights**

Florida law requires that your health care provider or health care facility recognize your rights while you are receiving medical care and that you respect the health care provider's or health care facility's right to expect certain behavior on the part of patients. You may request a copy of the full text of this law from your health care provider or health care facility. A summary of your rights and responsibilities follows:

1. A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.
2. A patient has the right to a quick and reasonable response to questions and requests.
3. Patients have the right, working with their physicians, to make decisions involving their care.
4. Patients have the right to accept medical care or refuse medical care, services or treatment to the extent permitted by law, and to be informed of the medical risks of such refusal.

responsible for their care or for indicating, in advance, their desire to seek alternatives to the proposed course of treatment. This may include following the instructions of nurses and allied health personnel as they carry out the coordinated plan of care and implement the responsible practitioner's orders, and as they enforce the applicable Memorial Healthcare System rules and regulations. Patients are responsible for keeping appointments and, when they are unable to do so for any reason, for notifying the responsible practitioner or the appropriate site.

2. Patients are responsible for the consequences of their actions if they refuse treatment or do not follow the practitioner's instructions.
3. Patients are responsible for assuring that the financial obligations for their health care are fulfilled as promptly as possible.
4. Patients are responsible for following the Memorial Healthcare System rules and regulations affecting patient care and conduct.
5. Patients are responsible for being considerate of the rights of other patients and the Memorial Healthcare System personnel, and for assisting in the control of noise, and the number of visitors. Patients are responsible for complying with ensuring their visitors' compliance with facility smoking policies. Patients are responsible for being respectful of the property of other persons and the Memorial Healthcare System.

6. In the case of neonatal, adolescent, pediatric or incompetent adult patients, the parent or legal guardian shares responsibility, on behalf of and/or in addition to the patient, to ensure the patient responsibilities enumerated above are observed and accomplished.

7. Patients are responsible for being involved in their own care, as a patient safety strategy.

2310-10041 (REV. 08/07)

26. Patients have the right to retain and use personal clothing or possessions, as space permits unless for them to do so would infringe upon the rights of another patient, or would be medically inadvisable for documented medical or safety reasons.

27. In the care of neonatal, adolescent, pediatric or incompetent adult patients, a parent or legal guardian has the right to obtain all information to which the patient would otherwise be entitled and to issue informed consents or treatment refusals in accordance with the Memorial Healthcare System policies and applicable law.

28. Patients have the right to be informed about the outcomes of care, including unanticipated outcomes.

29. Patients have the right to be free from mental, physical, sexual and verbal abuse, corporal punishment, neglect and exploitation.

30. Patients have the right to have active involvement in their own care, to promote patient safety.

31. Patients have a right to be free from restraint and seclusion imposed as a means of coercion, discipline, convenience, or retaliation. Restraint or seclusion may only be imposed to ensure the immediate physical safety of the patient, a staff member, or others and must be discontinued at the earliest possible time.

### **Patients Responsibilities**

Patients have the responsibility to provide, to the best of their knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications and other matters relating to their health. Patients have the responsibility to report unexpected changes in their medical condition to be responsible practitioner. 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.

1. Patients are responsible for following the treatment plan recommended by the practitioner primarily re-

5. Patients have the right to formulate advance directives and appoint a surrogate (substitute decision maker) to make healthcare decisions on their behalf, to the extent permitted by law. Patients and/or their legally designated representative have the right to make decisions regarding organ/tissue donation.
6. Patients have the right to obtain information necessary to enable them to make decisions that reflect their wishes; this includes information concerning diagnosis, planned course of treatment, alternatives, risks and prognosis. A patient has the right to know who is providing medical services, their qualifications, and who is responsible for his or her care.
7. Patients have the right to care that includes consideration of their background (psychological, social, spiritual, and cultural beliefs and attitudes).
8. Patients have the right to adequate relief of pain in a reasonable amount of time.
9. Dying patients have the right to care that gives them comfort and dignity, as desired by the patient (or the alternate legal decision maker) by effectively managing pain, and by acknowledging the psychological, social, spiritual, and cultural beliefs and attitudes concerns of the patient and the family.
10. Patients have the right to information explaining the Memorial Healthcare System's regulations and procedures and outlining patients' rights policy. Patients located in specially designated treatment areas (such as Behavioral Health Services) will receive additional information on patient rights and responsibilities.
11. Patients have the right to express concerns or complaints, verbally, or in writing, about any aspect of patient care, patient safety or patient rights. The complaint may be directed to the attending healthcare professional, or the manager or department leader of the Hospital. The action will not result in retaliation or barriers to patient care. The Hospital will attempt to resolve your complaint to your satisfaction as soon as possible. If we cannot promptly resolve your complaint, we will consider it a grievance, and respond according to our grievance policy.
12. Patients have the right to express grievances regarding any violation of their rights as stated in Florida law and to the appropriate licensing agency. If you have a complaint against a hospital or ambulatory surgical center, call the Consumer Assistance Unit at 1-888-419-3456 or write to: Agency for Health Care Administration, Consumer Assistance Unit, 2727 Mahan Drive/Bldg. 1, Tallahassee, Florida 32308. If you have a complaint against a health care professional and want to receive a complaint form, call the Consumer Service Unit at 1-888-419-3456 or write to: Agency for Health Care Administration, Consumer Services Unit, P.O. Box 14000, Tallahassee, Florida 32317-4000. The Joint Commission has an unannounced survey process. If you would like to contact the Joint Commission to express concerns which are not resolved, you may contact them at (800) 994-6610.
13. Patients or patients' designated representatives have the right to participate in the consideration of ethical issues that arise in patient care.
14. Patients have the right to be informed of any human experimentation or other research/educational projects affecting their care or treatment. A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.
15. Patients have the right, within the limits of the law, to personal privacy and confidentiality of information. Patients have the right to expect that information will not be released without the patient's consent.
16. Patients and/or their legally designated representatives have the right to access the information contained in the patient's medical records, within the limits of the law.
17. Patients' guardians, next of kin, or legally authorized responsible persons have the right to exercise, to the extent permitted by law, the rights delineated on behalf of the patient if the patient has been ruled incompetent in accordance with law, is found by a physician to be medically incapable of understanding the proposed treatment or procedure, is unable to communicate wishes regarding treatment, or is a minor.
18. The hospital respects the right of patients to effective communication. Patients have the right to know what patient support services are available, including whether an interpreter is available if the patient does not speak English.
19. Patients have the right to access protective and advocacy services.
20. A patient has the right to know what rules and regulations apply to his or her conduct.
21. Patients have the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for their care. A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.
22. Patients who are eligible for Medicare have the right to know the Memorial Healthcare System accepts the Medicare assignment rate.
23. Patients have the right to receive upon request, prior to treatment, reasonable estimates of charges for such services. Such reasonable estimates shall not preclude the Memorial Healthcare System from exceeding the estimate or making additional charges based on changes in the patient's condition or treatment needs.
24. In accordance with Title VII of the Civil Rights Act of 1964, The Americans with Disabilities Act of 1990, and the Broward County Human Rights Act (Broward County Code, Chapter 16), decisions regarding the delivery of service will be made without regard to, or consideration of race, age, religion, color, gender, sexual orientation, national origin, marital status, physical or mental handicap or disability, political affiliation, source of payment or another factor which cannot be lawfully used as a basis for service delivery.
25. Patients have the right to treatment for any emergency medical condition that will worsen from failure to provide treatment.