

PATIENT'S RIGHTS UNDER NC LICENSURE RULES:

1. Transitions LifeCare (TL) shall provide each patient with a written notice of the patient's rights and responsibilities in advance of furnishing care to the patient or during the initial evaluation visit before the initiation of services. TL must maintain documentation showing that each patient has received a copy of his rights and responsibilities.
2. The notice shall include at a minimum the patient's right to:
 - a. be informed and participate in the patient's plan of care;
 - b. voice grievances about the patient's care and not be subjected to discrimination or reprisal for doing so;
 - c. confidentiality of the patient's records;
 - d. be informed of the patient's liability for payment for services;
 - e. be informed of the process for acceptance and continuance of service and eligibility determination;
 - f. accept or refuse services;
 - g. be informed of TL's on-call service;
 - h. be advised of the agency's procedures for discharge; and
 - i. be informed of supervisory accessibility and availability.
3. TL shall provide all patients with a business hours telephone number for information, questions or complaints about services provided by TL. The agency shall also provide the Division of Health Service Regulation's complaints number and the Department of Health and Human Services Care-Line number. The Division of Health Service Regulation shall investigate all allegations of non-compliance with the rules.
4. TL shall initiate an investigation within 72-hours of complaints made by a patient or their family. Documentation of both the existence of the complaint and the resolution of the complaint shall be maintained by the agency. ^{10A}
NCAC 13K .0604

PATIENT'S RIGHTS UNDER MEDICARE CONDITIONS OF PARTICIPATION:

1. The patient has the right to be informed of his or her rights, and TL must protect and promote the exercise of these rights.
2. During the initial assessment visit in advance of furnishing care TL must provide the patient or representative with verbal (meaning spoken) and written notice of the patient's rights and responsibilities in a language and manner that the patient understands.
3. TL will inform and distribute written information to the patient concerning its policies on advance directives, including a description of applicable state law.
4. TL must obtain the patient's or representative's signature confirming that he or she has received a copy of the notice of rights and responsibilities.
5. The patient has the right:
 - a. To exercise his or her rights as a patient of TL;
 - b. To have his or her property and person treated with respect;
 - c. To voice grievances regarding treatment or care that is (or fails to be) furnished and the lack of respect for property by anyone who is furnishing services on behalf of TL; and
 - d. To not be subjected to discrimination or reprisal for exercising his or her rights.
6. If a patient has been adjudged incompetent under state law by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed pursuant to state law to act on the patient's behalf.
7. If a state court has not adjudged a patient incompetent, any legal representative designated by the patient in accordance with state law may exercise the patient's rights to the extent allowed by state law.
8. TL must:
 - a. Ensure that all alleged violations involving mistreatment, neglect, or verbal, mental, sexual, and physical abuse, including injuries of unknown source, and misappropriation of patient property by anyone furnishing services on behalf of TL, are reported immediately by agency employees and contracted staff to the Chief Executive Officer (CEO);
 - b. Immediately investigate all alleged violations involving anyone furnishing services on behalf of TL and immediately take action to prevent further potential violations while the alleged violation is being verified. Investigations and/or documentation of all alleged violations must be conducted in accordance with established procedures;
 - c. Take appropriate corrective action in accordance with state law if the alleged violation is verified by the CEO or an outside body having jurisdiction, such as the State survey agency or local law enforcement agency; and
 - d. Ensure that verified violations are reported to State and local bodies having jurisdiction (including to the State survey and certification agency) within 5 days of becoming aware of the violation.

9. The patient has a right to the following:
 - a. Receive effective pain management and symptom control from TL for conditions related to the terminal illness;
 - b. Be involved in developing his or her agency plan of care;
 - c. Refuse care or treatment;
 - d. Choose his or her attending physician;
 - e. Have a confidential clinical record. Access to or release of patient information and clinical records as permitted by law;
 - f. Be free from mistreatment, neglect, or verbal, mental, sexual, and physical abuse, including injuries of unknown source, and misappropriation of patient property;
 - g. Receive information about the services covered under the Medicare benefit;
 - h. Receive information about the scope of services that TL will provide and specific limitations on those services. CoP 418.52

PATIENT'S RIGHTS UNDER THE ACCREDITATION COMMISSION FOR HEALTH CARE

1. Be fully informed in advance about care to be provided, including the disciplines that furnish care and the frequency of visits as well as any modifications to the care plan.
2. Receive information about the services covered under the Medicare home health or hospice benefit.
3. Participate in the development and periodic revision of the plan of care.
4. Refuse care or treatment after the consequences of refusing care or treatment are fully presented.
5. Be informed, both orally and in writing, in advance of care to be provided, of the charges for which the patient will be responsible.
6. Have one's property and person treated with respect, consideration, and recognition of patient dignity and individuality.
7. Be able to identify visiting staff members through proper identification.
8. Be free from mistreatment, neglect of verbal, mental, sexual, and physical abuse, including injuries of unknown source, and misappropriation of patient property.
9. Voice grievances/complaints regarding treatment or care, lack of respect of property or recommend changes in policy, staff, or service/care without restraint, interference, coercion, discrimination, or reprisal.
10. Have grievances/complaints regarding treatment or care that is (or fails to be) furnished, or lack of respect of property investigated.
11. Choose a health care provider, including choosing an attending physician.
12. Confidentiality and privacy of all information contained in the patient record and of Protected Health Information.
13. Be advised on the agency's policies and procedures regarding the disclosure of clinical record.
14. Receive appropriate care without discrimination in accordance with physician orders.
15. Be informed of any financial benefit when being referred to an organization.
16. Be fully informed of one's responsibilities.
17. Receive information about the scope of services that TL will provide and specific limitations on those services.
18. Be informed of patient rights under state law to formulate advance care directives.
19. Be informed of anticipated outcomes of care and of any barriers in outcome achievement.
20. Receive effective pain management and symptom control for conditions related to terminal illness(s).
21. Be informed of patient rights regarding the collection and reporting of OASIS information (home health only).
22. To be advised of the telephone number and hours of operation of the Complaint Intake Unit with the Division of Health Service Regulation (DHSR). The Complaint Intake Unit receives complaints for all agencies licensed by DHSR, including home care agencies. The telephone number for the Complaint Unit is 1-800-624-3004 or 919-855-4500 (within NC). The mailing address is Complaint Intake Unit, Division of Health Service Regulation, 2711 Mail Service Center, and Raleigh, NC 27699. The Acute Care, Home Care and CLIA Branch with Licensure and Certification Section at DHSR is responsible for enforcing state statutes for home care agencies and answering questions and requests for information. The telephone number is 919-855-4620. The address is Acute Care, Home Care and CLIA Branch, Licensure and Certification Section, Division of Health Service Regulation, 2712 Mail Service Center, Raleigh, NC 27699.

To give Transitions LifeCare feedback regarding your concerns
call: 919-828-0890
 and ask for a patient care supervisor or the nurse on call.