



A CONDENSATION OF NORTH CAROLINA'S
BILL OF RIGHTS FOR NURSING HOME RESIDENTS

The rights of residents of nursing homes are acknowledged and protected by State law. Every resident has the following rights:

1. To be treated with consideration, respect, and full recognition of personal dignity and individuality.
2. To receive care, treatment, and services that are adequate and appropriate, and in compliance with relevant federal and State statutes and rules.
3. To receive at the time of admission and during stay, a written statement of services provided by the facility, including those required to be offered on an as needed basis, and of related charges. Charges for services not covered under Medicare and Medicaid shall be specified. The patient will sign a written receipt upon receiving the above information.
4. To have on file physician's orders with proposed schedule of medical treatment. Written, signed evidence of prior informed consent to participation in experimental research shall be in patient's file.
5. To receive respect and privacy in his medical care program. All personal and medical records are confidential.
6. To be free of mental and physical abuse. Except in emergencies, to be free of chemical and physical restraint unless authorized for a specified period of time by a physician according to clear and indicated medical need.
7. To receive from the administration or staff of the facility a reasonable response to all requests.
8. To associate and communicate privately and without restriction with persons and groups of the patients choice at any reasonable hour. To send and receive mail promptly and unopened. To have access to a telephone where the patient may speak privately. To have access to writing instruments, stationary and postage.
9. To manage his/her own financial affairs unless other legal arrangements have been implemented. The facility may also assist the patient, but is required to follow stringent guidelines.

10. To have privacy in visits by the patient's spouse, and if both are patients in the same facility, they shall be given the opportunity, where feasible, to share a room.
11. To enjoy privacy in his/her room.
12. To present grievances and recommend changes in policies and services personally, through other persons or in combination with others, without fear of reprisal, restraint, interference, coercion, or discrimination.
13. To not be required to perform services for the facility without personal consent and the written approval of the attending physician.
14. To retain, to secure storage for, and to use his personal clothing and possessions, where reasonable.
15. To not be transferred or discharged from a facility except for medical, financial, or their own or other patient's welfare, nonpayment for the stay or when mandated by Medicare or Medicaid. Any such transfer shall require at least five days' notice, unless the attending physician orders immediate transfer, which shall be documented in the patient's medical record.
16. To be notified within ten days after the facility's license is revoked or made provisional. The responsible party or guardian must be notified as well.

The Law Office of Natalie J. Miller assists residents and families in understanding and exercising these rights. While this document is designed to help educate the public, it can in no way be an exhaustive summary of the law surrounding nursing home rights. We invite you to contact us with any other questions or if you would like additional explanation on something you read here.