

Bergen Gastroenterology

PATIENT RIGHTS AND RESPONSIBILITIES

Section: **ADM-28**

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POLICY: To ensure that all patients (or the Patient's representative, or surrogate) who are receiving care in this Center shall have his/her rights observed, respected, and enforced by the Health Care providers, staff and any other personnel that has contact and/or provides services to the Patient. The Center must also post written notice of the Patient Rights in a place or places within the ASC likely to be noticed by patients waiting for treatment or by the patient's representative or surrogate. The following are the rights of the patient receiving care in this Center.

1. The patient shall be informed verbally and in writing of his/her rights in before their procedure, in terms that the patient can understand. A signature acknowledging receipt of verbal and written notification of these rights shall be obtained on the day of procedure, (or at a pre-op visit; and will be obtained by the patient and or legal guardian and placed in the patient's chart as part of the permanent medical record.
2. 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 Center personnel are discussing the patient.
3. The patient will be informed of the services offered at the 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 Center's provisions for emergency and after hours and emergency care.
4. The patient will be informed if requesting information of the fees and related charges, including the payment, fee, deposit, and refund policy of the Center and any charges not covered by third-party payers or by the Center's basic rate.
5. The patient will be informed of other Health Care and Educational Institutions participating in the patient's treatment.
6. 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.
7. 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.
8. The patient is given the opportunity to participate in decisions involving their health care , except when such participation is contradicted for medical reasons, If the patient refuses, it will be documented in the patient's chart and witnessed.
9. 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, including the investigation of new drugs and medical devices.
10. The patient has the right to voice grievances or recommend changes in policies and services to the Center personnel, the Governing Authority and/or outside representatives of the patient's choice, free from restraint, interference, coercion, discrimination, or reprisal. Whom to make grievances to is on the bottom of this policy.
11. The patient will be free from all forms of abuse or harassment, 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 Center's personnel.

12. 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 Center without the patient's approval, unless another Healthcare Center 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 State Department of Health for statutorily authorized purposes. The Center may release data about the patient for studies containing aggregated statistics when the patient's identity is masked.
13. The patient will not be required to work for the Center 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.
14. 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.
15. 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.
16. The patient has the right to information regarding the Credentialing process of Health Care Professionals at the Center.
17. The patient shall be informed verbally and by written notice on date of the procedure, of his/her Physicians financial interest or ownership in the Center; 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.
18. The patient shall be informed verbally and offered written notice on the date of the procedure, information on the Center's policy on Advance Directives, including a description of applicable State and safety laws and, if requested, official State Advanced Directive forms. The signed copy of patient acknowledgement and notification of the Center policy on Advance Directives will be placed in the patient's chart as part of the permanent medical record.
19. The patient has the right to refuse any treatment and research, except as otherwise provided by law.
20. 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 Center.
21. The patient has the right to change their Healthcare Provider, and reschedule their procedure.
22. The patient has the right to be informed about procedures for expressing feedback, including complaints and grievances, including those regulated by State and Federal regulations.
23. The patient has the right not to be misled by marketing or advertising regarding the competence and capabilities of the Center.
24. The patient has the right to be provided with appropriate information regarding the absence of malpractice insurance coverage.
25. The patient has the right to receive care in a safe setting free from all forms of abuse and harassment.
26. A patient is responsible for reporting unexpected changes in his or her condition to the Health Care provider.
27. 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.
28. A patient is responsible for following the treatment plan recommended by the Health Care provider.
29. 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 Center.
30. 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.
31. A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.
32. A patient is responsible for following Health Care Center rules and regulations affecting patient care and conduct.
33. 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.

34. A patient is responsible to follow the treatment plan prescribed by his/her Provider.
35. A patient is responsible to provide a responsible adult to transport him/her home from the Center (if the patient is receiving anesthesia) and remain with him/her for 24 hours if required by his/her provider.
36. 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.
37. A patient is responsible to be respectful of all the Health Care providers and staff, as well as other patients.
38. If a patient is adjudged incompetent under applicable State laws by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed under state law to act on the patient's behalf.
39. 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

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 Complaint Hotline

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**

Questions and Complaints

Patients can communicate concerns about patient safety issues that occur before, during and after care is received by contacting the Administrator, Ron Turk, 201-967-8221

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 the Center's 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 Medicare Contact Information:

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

Mailing address:

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

The website for the Medicare Ombudsman is: <https://www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html>

Reference:

Title CFR 416.50;Q-0219; Q-0220