

PATIENT RIGHTS AND RESPONSIBILITIES

This policy is to ensure that all patients receiving care in this facility shall have his/her rights observed, respected and enforced by the health care providers of this facility, from clinical staff to business staff and any other personnel that has contact and/or provides services to the patient. The following are the rights of the patient receiving care in this facility.

1. 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.
2. 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, after hours and emergency care.
3. 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.
4. The patient will be informed of other health care and educational institutions participating in the patient's treatment.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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 harm. Drugs and other medications shall not be used for discipline of patients or for convenience of the Center's personnel.
11. 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 health care 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 Idaho 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.
12. 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.
13. 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.
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 credentialing of Health Care Professionals at the Center.
17. The patient shall be informed verbally and by written notice the date of the procedure and of his/her physician's 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.
18. The patient shall be informed verbally and offered written notice on the date of the procedure, information on the ASC's policy on advance directives, including a description of applicable IDAHO health and safety laws and, if requested, official IDAHO 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.

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, nor will he/she be deprived of any constitutional, civil and/or legal rights solely because of receiving services from the facility.
21. The patient has the right to change their provider and reschedule their procedure.
22. The patient has the right to be informed about procedures for expressing suggestions, including complaints and grievances such as 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 organization.
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 facility.
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 facility 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 as well as any allergies or sensitivities.
34. A patient is responsible to follow the treatment plan prescribed by his/her provider.
35. A patient is accountable for providing a responsible adult to transport him/her home from the facility 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 must 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.

Questions and Complaints

Patients can communicate concerns about patient safety issues that occur before,
during and after care is received by contacting:

Laura Hession, RN, BSN
Director of Nursing
Southwest Idaho Surgery Center, Inc.
Address: 900 N. Liberty Ste. 450
Boise, ID 83704
Phone: (208) 367-7448
Fax: (208) 367-7433
Email: laurah@swisc.com

Michael Leoz, Regional Manager
Office for Civil Rights
U.S. Department of Health and Human Services
Address: 90 7th Street, Ste. 4-100
San Francisco, CA 94103
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

The Medicare Ombudsman is available to the public and the facility 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, seven days including some federal holidays.
 TTY/TDD users can call 1-877 486 2048. This system is available 24 hours, seven 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>