

What Are my Rights as a Patient?

Federal law requires that all individuals receiving home care services be informed of their rights as a patient. Following is a model patient bill of rights the National Association for Home Care (NAHC) has developed, based on the patient rights currently enforced by law.

Home care patients have the right to:

- be fully informed of all his or her rights and responsibilities by the home care agency;
- choose care providers;
- appropriate and professional care in accordance with physician orders;
- receive a timely response from the agency to his or her request for service;
- be admitted for service only if the agency has the ability to provide safe, professional care at the level of intensity needed;
- receive reasonable continuity of care;
- receive information necessary to give informed consent prior to the start of any treatment or procedure;
- be advised of any change in the plan of care, before the change is made;
- refuse treatment within the confines of the law and to be informed of the consequences of his or her action;
- be informed of his or her rights under state law to formulate advanced directives;
- have health care providers comply with advance directives in accordance with state law requirements;
- be informed within reasonable time of anticipated termination of service or plans for transfer to another agency;
- be fully informed of agency policies and charges for services, including eligibility for third-party reimbursements;
- be referred elsewhere, if denied service solely on his or her inability to pay;
- voice grievances and suggest changes in service or staff without fear of restraint or discrimination;
- a fair hearing for any individual to whom any service has been denied, reduced, or terminated, or who is otherwise aggrieved by agency action. The fair hearing procedure shall be set forth by each agency as appropriate to the unique patient situation (i.e., funding source, level of care, diagnosis);
- be informed of what to do in the event of an emergency; and
- be advised of the telephone number and hours of operation of the state's home health hot line, which receives questions and complaints about Medicare-certified and state-licensed home care agencies.
- NAHC's affiliate, the Hospice Association of America, has developed the following model bill of rights for all individuals receiving hospice care. It also is based on the patient rights currently enforced by law.