

PERSONAL RIGHTS — COMMUNITY CARE FACILITIES and RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

EXPLANATION: The California Code of Regulations, Title 22 requires that any person admitted to a facility must be advised of his/her personal rights. Facilities are also required to post these rights in areas accessible to the public. Consequently, this form is designed to meet both the needs of persons admitted to facilities and the facility owners who are required to post these rights.

The back of this form describes the personal rights to be afforded each person admitted to a facility. The back of this form also provides the complaint procedures for the client/resident and representative/parent/guardian.

This form is to be reviewed, completed and signed by each client/resident and/or each representative/parent/guardian upon admission to the facility. The client/resident and/or representative/parent/guardian also has the right to receive a completed copy of the originally signed form. The original signed copy shall be retained in the client's/resident's/child's file which is maintained by the facility.

TO: CLIENT/RESIDENT/CHILD OR AUTHORIZED REPRESENTATIVE:

Upon satisfactory and full disclosure of the personal rights as explained, complete the following acknowledgment:

ACKNOWLEDGMENT: I/We have been personally advised of, and have received a copy of the personal rights contained in the California Code of Regulations, Title 22, at the time of admission to

(PRINT THE NAME OF THE FACILITY)

(PRINT THE ADDRESS OF THE FACILITY)

(PRINT THE NAME OF THE CLIENT/RESIDENT/CHILD)

(SIGNATURE OF THE CLIENT/RESIDENT/CHILD)

(DATE)

(SIGNATURE OF THE REPRESENTATIVE/PARENT/GUARDIAN)

(TITLE OF THE REPRESENTATIVE/PARENT/GUARDIAN)

(DATE)

THE CLIENT/RESIDENT/CHILD AND/OR THE REPRESENTATIVE/PARENT/GUARDIAN HAS THE RIGHT TO BE INFORMED OF THE APPROPRIATE LICENSING AGENCY TO CONTACT REGARDING COMPLAINTS, WHICH IS:

NAME

ADDRESS

CITY

ZIP CODE

AREA CODE/TELEPHONE NUMBER

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PERSONAL RIGHTS

Community Care Facilities and Residential Care Facilities For The Elderly

(a) All Facilities. Each person receiving services from a community care facility and/or a Residential Care Facility for the Elderly shall have rights which include, but are not limited to, the following:

- (1) To be accorded dignity in his/her personal relationships with staff and other persons.
- (2) To be accorded safe, healthful and comfortable accommodations, furnishings and equipment to meet his/her needs.
- (3) To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule, coercion, threat, mental abuse, or other actions of a punitive nature, including but not limited to: interference with daily living functions, including eating, sleeping, or toileting; or withholding of shelter, clothing, medication or aids to physical functioning.
- (4) To be informed, and to have his/her authorized representative, if any, informed by the licensee of the provisions of law regarding complaints including, but not limited to, the address and telephone number of the licensing agency's complaint receiving unit, and of information regarding confidentiality.
- (5) To be free to attend religious services or activities of his/her choice and to have visits from the spiritual advisor of his/her choice. Attendance at religious services, either in or outside the facility, shall be on a completely voluntary basis.
- (6) To leave or depart the facility at any time, except for house rules for the protection of clients or for minors and others for whom legal authority has been established.
- (7) Not to be locked in any room, building, or facility premises by day or night.
- (8) Not to be placed in any restraining devices without advance approval by the licensing agency.

(b) Residential Facilities. In addition to (a) above, each person provided services by a residential facility should have and may exercise the following rights:

- (1) To visit the facility with his/her relatives or authorized representative prior to admission.
- (2) To have his/her relatives or authorized representative regularly informed by the facility of activities related to care and supervision including but not limited to modifications to needs and services plan.
- (3) To have communications to the facility from his/her relatives or authorized representative answered promptly and completely.
- (4) To be informed of the facility's policy concerning family visits and other communication with clients. This policy shall encourage regular family involvement and provide ample opportunities for family participation in activities at the facility.
- (5) To have visitors, including advocacy representatives, visit privately during waking hours provided such visitations do not infringe upon the rights of other clients, unless prohibited by court order or the authorized representative.
- (6) To wear his or her own clothes, to possess and control his/her own cash resources, to possess and use his/her own personal items, including his/her own toilet articles.
- (7) To have access to individual storage space for his/her private use.
- (8) To have access to telephones, to make and receive confidential calls, provided such calls do not infringe on the rights of other clients and do not restrict availability of telephone in emergencies.
- (9) To mail and receive unopened correspondence unless prohibited by court order or by the authorized representative and for children to have ready access to letter writing materials and stamps.
- (10) To receive assistance in exercising the right to vote.
- (11) To receive or reject medical care or health-related services, except for minors and others for whom legal authority has been established.
- (12) To move from the facility in accordance with the terms of the admission agreement.

Reference: California Code of Regulations - General Licensing Regulations, Section 80072, Community Care Facilities; Section 81072, Social Rehab. Facilities; Section 83072, Small Family Homes; Section 84072, Group Homes; Section 85072, Adult Residential Facilities; Section 87072, Foster Family Homes; Section 87572, Residential Care Facilities for the Elderly; Section 87872, Residential Care Facilities for the Chronically III; and Section 102423, Family Day Care Homes.