



Liberty Corner

SURGICAL CENTER

LIBERTY CORNER SURGICAL CENTER

POLICY: PATIENTS' RIGHTS AND RESPONSIBILITIES

Patients at the Center have the following rights by state and Federal law and regulations. It is the responsibility of all employees to ensure that the patients' rights are complied with.

Patients are given a copy of the patients' rights prior to the procedure.

The Patient's rights are also posted in the Waiting and Holding Areas in the Center.

The patient or his/her surrogate/guardian, if applicable, has the right to:

- Be informed of these rights, as evidenced by the patient's written acknowledgement, or by documentation by staff in the medical record that the patient was offered a written copy of these rights and given a written or verbal explanation of these rights, in terms the patient or the patient representative could understand, prior to the procedure and prior to obtaining the patient's informed consent.
- The Center must protect and promote the exercise of such rights. The facility shall have a means to notify patients of any rules and regulations it has adopted governing patient conduct in the facility;
- Be informed, where applicable, of physician financial interests or ownership in the ambulatory surgical center facility. Disclosure of information must be in writing and furnished to the patient prior to the procedure and prior to obtaining the patient's informed consent.
- Be provided, prior to the procedure and prior to obtaining the patient's informed consent with information concerning its policies on advance directives, including a description of applicable State health and safety laws, and if requested, official State Advance Directive form.
- Documentation in a prominent part of the patient's current medical record, whether or not the individual has executed an advance directive.
- Be informed of services available in the facility, of the names and professional status of the personnel providing and/or responsible for the patient's care, and of fees and related charges, including the payment, fee, deposit, and refund policy of the facility and any charges for services not covered by sources of third-party payment or not covered by the facility's basic rate;
- Be informed if the facility has authorized other health care and educational institutions to participate in the patient's treatment. The patient also shall have a right to know the identity and function of these institutions, and to refuse to allow their participation in the patient's treatment and to change physicians if he or she so wishes;
- Receive from the patient's physician(s) or clinical practitioner(s), in terms that the patient understands, an explanation of his or her complete medical/health condition or diagnosis, recommended treatment, treatment options, including the option of no treatment, risk(s) of treatment, and expected result(s)/outcome(s). This shall occur prior to any treatment being performed. If this information would be detrimental to the patient's health, or if the patient is not capable of understanding the information, the explanation shall 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, shall be documented in the patient's medical record;
- Receive as soon as possible, the services of a translator or interpreter if you need one to help you communicate with the Center's health care personnel free of charge;
- Have information regarding patient conduct, responsibilities and participation.
- Make informed decisions regarding care.
- Participate in the planning of the patient's care and treatment, and to refuse medication and treatment. Such refusal shall be documented in the patient's medical record;
- Change primary or specialty physicians if other qualified physicians are available.
- Continuity of health care. The physician may not discontinue treatment of a patient as long as

further treatment is medically indicated, without giving the patient sufficient opportunity to make alternative arrangements;

- Be included in experimental research only when the patient gives informed, written consent to such participation, or when a guardian gives such consent for an incompetent patient in accordance with law, rule and regulation. The patient may refuse to participate in experimental research, including the investigation of new drugs and medical devices;
- Voice grievances or recommend changes in policies and services to facility personnel, the governing authority and /or outside representatives of the patient's choice either individually or as a group, and free from restraint, interference, coercion, discrimination, or reprisal;
- Use the grievance procedure to document the existence, submission, investigation, and disposition of a written or verbal grievance to the Center.
- Documentation by the Center of all alleged violation/grievances relating, but not limited to, mistreatment, neglect, verbal, mental, sexual, or physical abuse.
- Have all allegations reported to the person in authority of the Center.
- Have substantiated allegations reported to the state authority or the local authority, or both.
- Be provided with timeframes for review of the grievance and the provisions of a response.
- Voice grievances and to investigation of all grievances made regarding treatment or care that is (or fails to be) furnished.
- Written notice of the Centers decision which must contain the name of a facility contact person, the steps taken to investigate the grievance, the results of the grievance process, and the date the grievance process was completed.
- Exercise his/her rights without being subjected to discrimination or reprisal.
- Be fully informed about a treatment or procedure and the expected outcome before it is performed.
- Have the person appointed under State law to act on the patient's behalf if the patient is adjudged incompetent under applicable State health and safety laws by a court of proper jurisdiction
- 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 injury. Drugs and other medications shall not be used for discipline of patients or for convenience of facility personnel; appropriate assessment and management of pain. To education including education for the patient's significant others (if applicable), regarding pain and symptom management in the discharge planning process; To expect and receive appropriate assessment, management and treatment of pain as an integral component of that person's care.
- **Information regarding credentials of healthcare professionals including malpractice insurance.**
- Confidential treatment of information about the patient. 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 the information, or unless the release of the information is required and permitted by law, a third-party payment contract, or a peer review, or unless the information is needed by the New Jersey State 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;
- Be treated with courtesy, 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;
- Privacy and security of individually identifiable health information;
- Receive care in a safe setting and be free from all forms of abuse or harassment.
- Not be required to perform 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;
- 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; and
- 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 facility.
- Have his/her rights exercised by the person appointed under State law to act on the patient's behalf. If a patient is adjudged incompetent under applicable State health and safety laws by a court of proper jurisdiction. 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.

- Have representation of accreditation that accurately reflects the Center,
- Be provided marketing or advertising that is not misleading regarding the competence and capabilities of the Center, The administrator shall provide all **patients and/or their families and/or surrogates/guardians** upon request with the names, addresses, and telephone numbers of the following offices where complaints may be lodged:

<p>LIBERTY CORNER SURGICAL CENTER 140 Allen Road Basking Ridge, NJ 07920 Phone: 973-656-2828 Fax: Email: ccetnar@virma.com</p>	<p>State of New Jersey Office of the Ombudsman for the Institutionalized Elderly PO Box 852 Trenton, New Jersey 08625- 0852 Telephone 1-877-582-6995 Medicare Ombudsman Email: www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html</p>
<p>The Office of Acute Care Assessment and Survey Division of Health Facilities Evaluation and Licensing New Jersey State Department of Health PO Box 358 Trenton, New Jersey 08625-0358 Telephone: (800) 792-9770; (609) 292-9900 Choose Option 2 for Surgical Centers, then Complaint Investigator of the Day</p>	

The Administrator shall also provide all patients and/or families and/or **surrogates/guardians** upon request with the names and telephone numbers of offices where information concerning Medicare and Medicaid coverage may be obtained.

Addresses and telephone numbers shall be conspicuously posted throughout the facility, including, but not limited to, the admissions waiting area or room, the patient service area of the business, office and other public areas. The Center needs the cooperation of its patients to ensure that efficient, safe and considerate care is available to all patients.

Patients and/or **surrogates/guardians** are responsible for:

- a. Providing physicians, center personnel and healthcare providers with complete and accurate information about their medical history and complete and accurate information related to their condition and care.
- b. Informing healthcare providers about all the medications they are taking as well as over-the-counter products, herbal remedies, and dietary supplements.
- c. Adhering to the treatment plans recommended by his/her doctors and providers and participate in his/her care.
- d. Arranging for a responsible adult to take them home and remain with them for 24 hours if required by their physician.
- e. Telling his/her doctor about any living will, power of attorney, or other advanced directives.
- f. Being respectful of healthcare professionals, staff members, and other patients.
- g. Being responsible for medical consequences, which result from refusing treatment or not following instructions of physicians and surgery center personnel.
- h. Being considerate of the Center's staff that is committed to excellence in patient care.
- i. Supplying insurance information and paying bills promptly so that the Center can continue to serve its patients effectively. Agreeing to pay any expenses not covered by his/her insurance.