

## **PATIENTS BILL OF RIGHTS**

Title 22, California Code of Regulations Section 72527

This written document lists the policies and procedures of LiveWell Medical Clinic to ensure that each patient shall have the following rights and be notified of the clinic's obligations.

1. To be fully informed, as evidenced by the patients written acknowledgement prior to or at the time of registration of these rights and of all rules and regulations governing patient conduct.
2. To be fully informed, prior to or at the time of registration, of services available in the Clinic and of related charges, including any charges for services not covered by the clinic's basic per-diem rate or not covered under Titles XVIII or XIX of the Social Security Act.
3. To be fully informed by a physician or physician extender of the patient's total health status, and to be afforded the opportunity to participate on an immediate and ongoing basis in the total plan of care, including the identification of medical, nursing, and psychosocial needs and the planning of related services.
4. To consent to or refuse any treatment or procedure or participation in experimental research.
5. To receive all information that is material to an individual patient's decision concerning whether to accept or refuse any proposed treatment or procedure
6. To be transferred or discharged only for medical reasons, or the patients welfare or that of other patients, or for nonpayment, and to be given reasonable advance notice to ensure orderly transfer or discharge. Such actions shall be documented in the patient's health record.
7. To be encouraged and assisted throughout the period of stay to exercise rights as a patient, and to this end to voice grievances and recommend changes in policies and services to Clinic staff and/or outside representatives of the patient's choice, free from restraint, interference, coercion, discrimination or reprisal.
8. To manage personal financial affairs, or to be given at least a quarterly accounting of financial transactions made on the patient's behalf should the Clinic accept written delegation of this responsibility subject to the provisions of Section 72529.
9. To be free from mental or physical abuse.
10. To be assured confidential treatment of financial and health records and to approve or refuse their release, except as authorized by law.
11. To be treated with consideration, respect and full recognition of dignity and individuality, including privacy in treatment and in care of personal needs.
12. Not to be required to perform services for the Clinic that are not included for therapeutic purposes in the patient's plan of care.
13. To associate and communicate privately with persons of the patient's choice, and to send and receive personal mail unopened.
14. To meet with others and participate in activities of social, religious, and community groups.
15. To retain and use personal clothing and possessions as space permits, unless to do so would infringe upon the health, safety or rights of the patient or other patients
16. To have reasonable access to telephones and to make and receive confidential calls.
17. To be free from any requirement to purchase drugs or rent or purchase medical supplies or equipment from any particular source in accordance with the provisions of Section 1320 of the Health and Safety Code
18. Other rights as specified in Health and Safety Code, Section 1599.1 and in Welfare and Institutions Code, Sections 4502, 4503, 4505 for patients who are developmentally disabled.

A patient's rights, as set forth above, may only be denied or limited if such denial or limitation is otherwise authorized by law. Reasons for denial or limitation of such rights shall be documented in the patient's health record.

If the patient lacks the ability to understand these rights and the nature and consequences of proposed treatment, the patient's representative shall have the rights specified in this section to the extent the right may devolve to another, unless the representative's authority is otherwise limited. The patient's incapacity shall be determined by a court in accordance with state of law or the patient's physician unless the physician's determination is disputed by the patient or patient's representative.

Persons who may act as the patient's representative include a conservator, as authorized by Parts 3 and 4 of Division 4 of the Probate Code (commencing with section 1800), a person designated as attorney in fact in the patient's valid durable power of attorney for health care, patient's next of kin, other appropriate surrogate decision maker designated consistent with statutory and case law, a person appointed by a court authorizing treatment pursuant to Part 7 (commencing with Section 3200) of Division 4 of the Probate Code, or, if the patient is a minor, a person lawfully authorized to represent the minor.

Patients' rights policies and procedures established under this section concerning consent, informed consent and refusal of treatments or procedures shall include, but not be limited to the following:

1. How the Clinic will verify that informed consent was obtained or a treatment or procedure was refused pertaining to the administration of psychotherapeutic drugs or physical restraints or the prolonged use of a device that may lead to the inability of the patient to regain the use of a normal bodily function.
2. How the Clinic, in consultation with the patient's physician, will identify consent with current statutory case law, who may serve as a patient's representative when an incapacitated patient has no conservator or attorney in fact under a durable power of attorney for health care.