

COMPLIANCE



PATIENT RIGHTS AND RESPONSIBILITIES

Purpose:

1. To ensure compliance with Federal and State laws related to patient rights and responsibilities.
2. To outline and describe patient rights under Federal and State law.
3. To provide mechanisms to ensure patients are informed of their rights and are assisted in the exercise of those rights.

Scope: This policy applies to all Valley View staff, contractors and vendors in all departments, clinics and specialty care centers at Valley View and to all patients using any of Valley View's Services

Responsibilities: It is the responsibility of:

1. Valley View staff, contractors and vendors to acknowledge and respect these patient rights and ensure that patients receive adequate information describing their rights.
2. Valley View's Compliance Department to budget for and maintain supplies of appropriate educational materials that inform Valley View patients of their rights and responsibilities.
3. Admissions/Registration staff, in collaboration with the patient care staff, to ensure a copy of Patient's Rights and Responsibilities is made available to patients or their legal representative upon admission to the hospital and/or initial registration at a physician practice or specialty center.

Policy:

1. Valley View Hospital Association ("Valley View") shall provide a foundation for understanding and respecting the rights of patients and their families by providing care that is sensitive to cultural, racial, religious, or other differences.
2. Valley View shall comply with applicable Federal civil rights laws and shall not discriminate on the basis of age, race or ethnicity, color, national origin, religion, culture, socio-economic status, sex, sexual orientation, gender identity or expression, genetic information, or mental or physical disability.
3. Valley View and its staff shall inform patients and/or their designated representative of their right and responsibilities as a patient.
4. Valley View and its staff shall uphold the Patient Rights and Responsibilities toward the patient or their designated caregiver.

5. Valley View shall develop a list of Patient Rights and Responsibilities (see [Attachment D](#)) by:
 - a. revising and redistributing a list of Patient Rights and Responsibilities in accordance with Valley View's procedures whenever there is a material change to these rights;
 - b. making the Patient Rights and Responsibilities available to any person upon request;
 - c. posting the Patient Rights and Responsibilities in clear and prominent locations where it is reasonable to expect individuals seeking service to be able to read the notice;
 - d. prominently posting Patient Rights and Responsibilities on the Valley View web site and make the Rights and Responsibilities electronically available; and
6. All Valley View locations shall ensure a copy of the Patient Rights and Responsibilities is available to all patients, excluding inmates.

Related Policies and Documents:

1. [Patient Rights : Communication with Persons with Limited English Proficiency \(LEP\) / Interpreters and Translation - PRR01](#)
2. [Patient Rights : Accommodating Deaf or Hard-of-Hearing Persons - PRR02](#)
3. [Patient Rights : Accommodating Blind or Low Vision Persons - PRR03](#)
4. [Patient Rights : Accommodating Persons with Service Animals - PRR04](#)
5. [Patient Rights: Translation \(Translator\) and Accommodating Blind and Deaf Individuals Procedures, Communication Tool \(Algorithm\)](#)
6. [Patient Rights and Responsibilities Letter, English](#)
7. [Patient Rights and Responsibilities Letter, Spanish](#)

Procedure/Guidelines:

1. **Posting and distribution of the Patient Rights & Responsibilities**
 - a. Valley View will ensure a copy of the Patient Rights and Responsibilities is available to all patients that is written in plain language.
 - 1) Valley View Hospital, specialty centers and physician practices should:
 - a) offer the patient a copy of the Patient Rights & Responsibilities to review no later than the date of the first service delivery; except in an emergency situation, in which case the facility will provide the Patient Rights & Responsibilities as soon as practicable after the emergency situation.
 - b) make available the Patient Rights & Responsibilities on subsequent service deliveries; however, is only required to do so if there has been a material change since last providing a copy to the patient for review.
 - c) post the Patient Rights & Responsibilities in clear and prominent locations (i.e., each patient access/registration location) where it is reasonable to expect individuals seeking service from Valley View to read it.
 - d) make the Patient Rights & Responsibilities available for individuals to take with them if requested.

- b. Valley View's Marketing and Public Relations Department will prominently post the Patient Rights & Responsibilities on the Valley View website and make it available electronically through the website.
- c. Valley View may provide the Patient Rights & Responsibilities by e-mail.
 - a) A paper copy will be provided at the request of patient or if e-mail transmission fails.
 - b) For recurring patients the Patient Rights & Responsibilities may be provided at the initial interaction and does not need to be provided again unless a material change has been made since last providing a copy to the patient.
 - c) For patients treated in a physician practice setting the Patient Rights & Responsibilities may be provided at the initial unless a material change has been made since last providing a copy to the patient.

2. **Patient Rights**

- a. A designated surrogate or proxy decision maker may exercise the following rights on the patient's behalf if the patient lacks decision-making capacity, is legally incompetent, or is a minor.
- b. Inform patients and their care givers about their care by:
 - 1) ensuring patients receives care in a considerate, dignified manner that is respectful of personal values and beliefs.
 - 2) informing patients and/or their designated caregiver:
 - a) of the identity and professional status of individuals providing service to them;
 - b) which physician or other practitioner is primarily responsible for their care; and
 - c) when they are students, residents or other trainees.
 - 3) ensuring patient receives, caregiver and/or their surrogate decision maker, information in a way they can understand by providing:
 - a) interpreter services (at no cost to patient) when patient does not speak or understand English.
 - b) communication aides for patients and/or caregivers who are deaf and/or blind.
 - 4) providing patient, or their surrogate decision maker, with complete and current information about his or her diagnosis, treatment and prognosis in terms he or she can understand and inform them about the results of their care, including any unexpected outcomes.
 - 5) allowing patient, or their surrogate decision maker, access to information contained in his or her medical record.
 - 6) providing patient, or their surrogate decision maker, with an explanation for any proposed procedure, drug or treatment in terms that he or she can understand. Explanation should include:
 - a) a description of the nature and purpose of the procedure, drug or treatment;
 - b) possible benefits;
 - c) known serious side effects, risks or drawbacks;
 - d) potential costs;
 - e) problems related to recovery;

- f) likelihood of success;
 - g) discussion of alternative procedures or treatments.
- 7) providing patients, or their surrogate decision maker, an opportunity to accept or refuse any procedure, drug or treatment and inform the patient of the consequences of any such refusal.
 - 8) allowing patients, or their surrogate decision maker, to choose who may visit them while they are at Valley View, to change their mind about who may visit, and explain the circumstances under which Valley View may restrict visiting.
 - 9) asking patients to designate a support person to make decisions about visitors for them if they are unable to make or communicate those decisions.
 - a) Explain to patients that they may designate a support person different from their legal representative or surrogate decision maker for health care decisions.
 - 10) informing patients, or their surrogate decision maker, when applicable to their condition, about the options of organ, tissue or eye donation.
 - 11) informing patients when their care involves research or experimental treatment. Provide the patient the right to consent to or refuse to participate.
 - 12) informing patients of Valley View's process to file a complaint about an unresolved or safety issue concerning their care, without fear of retribution or changes in your care.
 - a) Explain that they can expect the Valley View to respond as well as provide a reasonable resolution when possible.
 - b) Inform patient that they may also contact outside agencies regarding concerns about their care including The Joint Commission, the Colorado Department of Public Health and Environment, the Centers for Medicare & Medicaid Services and the Colorado Department of Regulatory Agencies.
 - 13) providing each patient with reasonable continuity of care and inform the patient of realistic patient care options when hospital care is no longer appropriate.
 - a) Encourage the patient to participate in the discharge planning process.
 - 14) providing patients an opportunity to examine their bill and receive an explanation of the charges, regardless of the source of payment for their care.
 - 15) disclosing ownership interests by Valley View in any organization to which patient is referred.
 - 16) informing each patient of any hospital policies, procedures, rules or regulations that apply to their care.
- c. Participation in patient care
- 1) Encourage patient to participate in the development and implementation of their plan of care.
 - 2) Ask patients if they have advance directives such as a living will, medical durable power of attorney, or CPR directive.

- a) If a patient has advance directives, place a copy in the patient record.
- b) If a patient does not have any advance directives, provide patient with information on the subject.
- 3) Inquire about and support a surrogate decision maker to make health care decisions for patient in the event that the he or she loses the capacity to make healthcare decisions.
- 4) Provide patients with assistance, when requested, in obtaining a consultation with another doctor regarding their care.
 - a) Inform patient that this consultation may result in additional charges to them.
- 5) Assist patient in requesting a consultation with a member of the Valley View's Ethics Resource Committee if they voice concerns about ethical issues involved in their care.
- 6) Assist with any transferred to another facility, at patient request or when medically appropriate and legally permissible.
 - a) Provide a complete explanation about the need for any transfer and alternatives to such a transfer.
 - b) Ensure the facility the patient is being transferred to accepts transfer.
 - c) Privacy Regarding Patient Care
- 7) Ensure patient's right to personal privacy.
 - a) Discussions about patient's care, consultations, exams and treatments should be conducted as discreetly as possible.
- 8) Treat all communications and records related to patient's care as confidential.
- d. Safety, Protection and Comfort During Patient's Care
 - 1) Provide care in a considerate, dignified manner that is respectful of the patient's personal values and beliefs.
 - 2) Ask patients if there is a family member or representative of the patient's choice they would like notified of their admission to Valley View and if they would like their personal doctor notified of their admission.
 - 3) Provide safe, quality care to all patients.
 - 4) Provide care in a safe setting that is free of abuse (mental, physical, verbal or sexual), neglect, exploitation or harassment.
 - 5) Ensure care is free from seclusion and restraints unless they are clinically necessary.
 - 6) Ensure patients have access to protective services, when indicated.
 - 7) Provide supportive care even if even for those patients that are dying or have a terminal illness. This includes:
 - a) appropriate management of pain;
 - b) treatment of uncomfortable symptoms;
 - c) support of patient's psychological and spiritual needs.
 - 8) Inform patients of estimated hospital charges and available payment methods.
 - 9) If patient is unable to exercise his or her rights, their legal guardian, next of kin or legally authorized surrogate is provided the right to exercise them

on the patient's behalf within the limits of Federal and State law and regulation.

3. **Patient Responsibilities**

- a. Educate patient on their responsibilities as a patient at Valley View to:
 - 1) provide correct information about their:
 - a) current illness;
 - b) past illness(es);
 - c) past hospitalization(s); and
 - d) any risks to his or her condition, such as those caused by allergies or medications her or she currently takes.
 - 2) tell staff about any matters pertinent to his or her health or any unexpected changes in his or her conditions.
 - a) Explain that their healthcare providers need a complete description of any symptoms they may have.
- b. Ask patient if they are part of a research study, explaining the importance of contacting the researcher when they are admitted.
- c. explain the importance and expectation that the patient follows the treatment plan both while in the hospital and after discharge.
 - 1) Encourage patients to communicate any concerns about their ability to follow their plan of care.
 - 2) Explain that the patient is responsible for asking questions so they understand what might happen if they do not follow their plan of care.
 - 3) Explain that patient should follow all hospital rules, such as the tobacco-free policy and visitor guidelines for adults and children.
 - a) Ask visitors to check with the nurse's station for specific visiting hours and guidelines for that care area.
 - 4) To respect other patients, doctors, and hospital staff.
 - a) All patients need and should expect a quiet healing environment.
 - b) Ask patient to requests visitors to speak softly and avoid making loud noises.
 - c) Ask patient to treat doctors and hospital staff with consideration and avoid any instances of verbal or physical abuse.
- d. be fully involved in their discharge plan.
 - 1) Inform patient and his or her family members that they are responsible for participating to the fullest extent possible in planning for patient's care after patient leaves the hospital.
 - 2) Explain that patient is responsible for their actions and the outcomes of those actions if they refuses treatment or do not follow the agreed upon treatment plan.
- e. Emphasize that it is patient's and/or their designated caregiver's responsibility to provide any information needed to process their bill and promptly meet any financial obligations and that the patient:
 - 1) is responsible for providing accurate and current information about their insurance and for paying their bill.
 - 2) and his or her family members should ask questions if they do not understand their Valley View bill.

- f. Inform patient that it is their responsible to follow Valley View’s rules and regulations affecting patient care and conduct.
- g. Share that it is patient’s and/or their designated caregiver’s responsibility to be respectful of the property and privacy of others, of Valley View and its employees.
- h. Ensure that patients secure small valuables in the Valley View Drop Safe and arrange for large valuable items to be taken home by a friend or family member.

References:

1. The Joint Commission Standards; Rights and Responsibilities of the Individual; Sections RI.01.01.01 to RI.02.01.01; January 2021.
2. American Hospital Association, A Patient’s Bill of Rights, Revised 10.21.1992.
3. 42 C.F.R § 482.13; Condition of Participation: Patient’s Rights; 71 FR 71426, December 8, 2006, as amended at 75 FR 70844, November 19, 2010; 77 FR 29074, May 16, 2012.
4. 42 CFR part 482, and 485; Medicare and Medicaid Programs: Changes to the Hospital and Critical Access Hospital Conditions of Participation to Ensure Visitation Rights for All Patients; Federal Register; Vol. 75, No. 223; Friday, November 19, 2010. Final Rule
5. 42 CFR part 416, 418, 482, 483, and 485; Medicare and Medicaid Program Revision to Certain Patient’s Rights Conditions of Participation and Conditions of Coverage Federal Register; Vol. 79, No. 239; December 12, 2014; Proposed Rule.

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A designated surrogate or proxy decision-maker may exercise these rights on the patient's behalf if the patient lacks decision-making capacity, is legally incompetent, or is a minor.

Your Patient Rights

As a patient at our Valley View, you have the right to:

Information about Your Care

- Receive care in a considerate, dignified manner that is respectful of personal values and beliefs.
- Know the identity and professional status of individuals providing service to you and to know which physician or other practitioner is primarily responsible for your care, and the right to know when they are students, residents or other trainees.
- Receive information in a way you can understand, including interpreter services, at no cost to you, when you do not speak or understand the language, as well as have communication aides for deafness, blindness, etc.
- Receive complete and current information about your diagnosis, treatment and prognosis in terms you can understand and to be informed about the results of your care, including any unexpected outcomes.
- Have access to all information contained in your medical record.
- Have an explanation of any proposed procedure, drug or treatment in terms that you can understand.
- Accept or refuse any procedure, drug or treatment and to be informed of the consequences of any such refusal.
- Choose who may visit you while you are at the hospital, to change your mind about who may visit, and to an explanation of the circumstances under which we may restrict visiting.
- Designate a support person to make decisions about visitors for you if you are unable to make or communicate those decisions.
- Know about the options of organ, tissue or eye donation, if applicable to your situation.
- Know if your care involves research or experimental treatment. You have the right to consent to this or refuse to participate.
- Expect reasonable continuity of care and to be informed by caregivers of realistic patient care options when hospital care is no longer appropriate. You have the right to participate in the discharge planning process.
- Examine your bill and receive an explanation of the charges, regardless of the source of payment for your care.
- Ask about the hospital's ownership interests in organizations to which you are referred.
- Be informed of any hospital policies, procedures, rules or regulations that apply to your care.

Participation in Your Care

- Participate in the development and implementation of your plan of care.
- Formulate advance directives for treatment and expect that these will be honored.
- Support a surrogate decision-maker to make health care decisions for you in the event that you lose the capacity to make these decisions.
- Have assistance in obtaining a consultation with another doctor regarding your care. This consultation may result in additional charges to you.
- Request a consultation with a member of the hospital's Ethics Resource Committee concerning ethical issues involved in your care.
- Be transferred to another facility at your request or when medically appropriate and legally permissible. You have the right to complete explanation about the need for a transfer and alternatives to such a transfer. The facility you will be transferred to must first accept you as a patient.

Privacy Regarding Your Care

- Personal privacy. Discussions about your care, consultations, exams and treatments will be conducted as discreetly as possible.
- Expect that all communications and records related to your care will be treated confidentially.



PATIENT RIGHTS AND RESPONSIBILITIES

VALLEY VIEW

Safety, Protection and Comfort During Your Care

- Have a family member or representative of your choice and your own doctor notified promptly of your admission to the hospital.
- Receive safe, quality care.
- Receive care in a safe setting that is free of abuse (mental, physical, verbal or sexual), neglect, exploitation or harassment.
- Be free from seclusion and restraints unless they are clinically necessary.
- Have access to protective services.
- Expect supportive care even if you are dying or have a terminal illness, including appropriate management of pain; treatment of uncomfortable symptoms; and support of your psychological and spiritual needs.

Voice a Complaint about Your Care

- Voice a complaint about an unresolved or safety issue concerning your care, without fear of retribution or changes in your care. You can expect the hospital to respond as well as provide a reasonable resolution when possible.
- For assistance resolving concerns about care you received at Valley View, contact
 - a Valley View House Supervisor by calling 970-618-6735;
 - the Valley View Patient Grievance Hotline 970-384-8156;
 - You may also choose to directly contact the following outside organizations:

For concerns over care for safety that are not resolved by the hospital to the patient's satisfaction:

The Joint Commission

Office of Quality Monitoring

One Renaissance Blvd.

Oakbrook Terrace, IL 60181 800-994-6610

www.jointcommission.org

Colorado Department of Public Health and Environment

HFEMSD-A2

Attention: Hospital Complaint Intake

4300 Cherry Creek Drive South

Denver, Colorado 80246-1530

303-692-2827

www.cdph.state.co.us

For quality of care issues about the care provided by license/certified professionals

Colorado Department of Regulatory Agencies (DORA)

1560 Broadway, Suite 1550

Denver, CO 80202

303-894-7855 or 800-886-7675

www.dora.state.co.us

For Medicare patients with concerns about being discharged from the hospital too soon or quality of care:

KEPRO the Medicare Quality Improvement Organization

844-430-9504

For concerns regarding behavioral health or substance abuse care:

Colorado Office of Behavioral Health

303-866-7400

Patient Advocacy for Individuals with Mental Illness

303-722-0300

Your Responsibilities as a Patient

To foster mutual trust, respect and cooperation in meeting your health care needs, we want you to understand your responsibilities as a patient.

As a patient at our Valley View, it is your responsibility to:

- Provide correct information. You have the responsibility to give your doctor and other hospital staff any information they need to provide you with the best care.
- Follow your treatment plan.
- Follow all hospital rules, such as the tobacco-free policy and visitor guidelines for adults and children.
- Respect other patients, doctors, and hospital staff.
- Be fully involved in your discharge plan.
- Consent to a blood test if any health care worker comes in contact with your blood.
- Provide any information needed to process your bill and promptly meet any financial obligations.