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## Patient Rights and Responsibilities Patient Nondiscrimination Statement: Adult and Pediatric, 160.00

**Document Type: Policy**

**SUPERSEDES:** 2/14, 05/13, 12/10, 9/10, 06/08, 7/02, 9/01, 3/95 Policy #1009, 4/90, 5/79, 1/76

Kadlec Regional Medical Center and Kadlec Clinics (collectively referred to in this policy as Kadlec) recognize that entering a hospital or clinic can be a confusing and intimidating experience for patients and their families or support persons. This is especially true for pediatric patients (children under 18 years of age). The special needs of pediatric patients include the right to care that is individualized based on age, developmental state, and identified needs. They have the right to an environment that is safe and appropriate for treatment of their specific age group, and access to activities of daily living as much as possible. It is the responsibility of every member of the healthcare team to ensure that every patient or surrogate has the opportunity to exercise their rights in accordance with the applicable law, hospital policy, and accepted standards of patient care.

Furthermore, Kadlec recognizes the responsibility to inform and educate the staff members to ensure adherence to these standards of care. Patients also have responsibilities, and it is the responsibility of every patient to make his or her wishes known.

In keeping with our mission to provide quality medical care, as well as demonstrate our concern for patient's well-being Kadlec has adopted the following Patients' Rights.

Notice of Non-discrimination - Kadlec, through its employees, medical staff members, residents, interns, contracted service providers and volunteers (collectively referred to in this policy as Kadlec Staff) serve a diverse population and respect the rights of all patients to culturally competent care. Kadlec Staff recognize that each patient is an individual with personal dignity and unique healthcare needs, and provide care focused upon the patient's needs. Kadlec endeavors to have the patient's personal, cultural and spiritual values and beliefs supported when making a decision about treatment.

**POLICY:**

1. Kadlec Staff will treat all patients who are receiving services, as well as the patient's support person(s), with equality in a welcoming manner that is free from discrimination based on age, race, color, creed, ethnicity, religion, national origin, marital status, sex, sexual orientation, gender identity or expression, disability, veteran or military status, or any other characteristic protected by federal, state, or local law. Kadlec also does not discriminate against patients based upon economic status or the source of payment

for care, such as Medicare or Medicaid.

2. Kadlec offers interpretive services to patients and family members with Limited English Proficiency (LEP), including hearing impaired patients or family members who communicate in sign language. Kadlec also endeavors to provide communication aides to patients with vision issues, cognitive impairments, or speech difficulties. Communication will be tailored to an individual's age and needs. Kadlec will provide other reasonable accommodations to patients with disabilities so that the patient has equal opportunity to participate in and to benefit from Kadlec's services. Please contact Interpreter Services Coordinator for assistance with other needed reasonable accommodations at 800-780-6067 ext. 2817.
3. Kadlec Staff will afford visitation rights to patients free from discrimination based on age, race, color, creed, ethnicity, religion, national origin, marital status, sex, sexual orientation, gender identity or expression, disability, veteran or military status, or any other characteristic protected by federal, state, or local law and will ensure that visitors receive equal visitation privileges consistent with patient preferences.
4. Kadlec Staff will not retaliate against any person who reports concerns about discrimination, files a discrimination complaint, or cooperates in an investigation of discrimination.
5. Any person who believes that he, she, or another person has been subjected to discrimination was denied reasonable accommodation, or experienced retaliation which is not permitted by this Policy, may file a complaint using Kadlec's complaint and grievance procedure.

## **PROCEDURE:**

1. Kadlec's [Corporate Compliance Officer] is responsible for coordinating compliance with this Policy, including giving notice to and training all Kadlec Staff on this Policy.
2. Kadlec Staff will determine eligibility for and provide services, financial aid, and other benefits to all patients in a similar manner, without subjecting any individual to separate or different treatment on the basis of age, race, color, creed, ethnicity, religion, national origin, marital status, sex, sexual orientation, gender identity or expression, disability, veteran or military status, or any other characteristic protected by federal, state, or local law.
3. Kadlec will post this Nondiscrimination Policy on its website, and provide other notices to patients regarding this Nondiscrimination Policy, as well as Kadlec's commitment to providing access to and the provision of services in a welcoming, nondiscriminatory manner.
4. At the time patients are notified of their patient rights, Kadlec Staff will also inform each patient, or the patient's support person when appropriate, of the patient's visitation rights, including any clinical restriction on those rights, and the patient's right, subject to the patient's consent, to receive visitors whom the patient designates, free of discrimination based upon age, race, color, creed, ethnicity, religion, national origin, marital status, sex, sexual orientation, gender identity or expression, disability, veteran or military status, or any other characteristic protected by federal, state, or local law. Such visitors include a spouse, state registered domestic partner (including same-sex state registered domestic partner), another family member, or friend. Kadlec Staff will also notify patients of their right to withdraw or deny such consent at any time. Kadlec Staff will afford such visitors equal visitation privileges consistent with the patient's preferences.
5. Kadlec Staff receiving a patient or visitor discrimination complaint should advise the complaining individual that he or she may report the problem to Compliance Officer [insert job title and contact information] at ext. 2884 and file a complaint without fear of retaliation. Staffs who receive such complaints should also promptly notify Kadlec's [Corporate Compliance Officer] of the complaint.

## **PATIENT RIGHTS**

**Access to Care and Treatment** - The patient has the right to have a family member or representative of their choice and their own physician notified promptly of their admission to the hospital. If are unable to pay for hospital care, the medical center will provide the patient a notice of non-coverage and provide care for them in accordance with our charity care policy and other financial resources. The organization invites patients and/or families to request additional assistance when they have a concern about the patient's condition. The Rapid Assessment Team can be access for both adult and pediatric patients by notifying your nurse or calling the Patient Care Coordinator by dialing 0.

### **Patient Rights and Organizational Ethics**

1. In accordance with WAC 246-320-141, patient's have the right to:
  - a. Be treated and cared for with dignity and respect;
  - b. Confidentiality, privacy, security, complaint resolution, spiritual care, and communication. If communication restrictions are necessary for patient care and safety, the hospital must document and explain the restrictions to the patient and family;
  - c. Be protected from abuse and neglect;
  - d. Access protective services;
  - e. Complain about their care and treatment without fear of retribution or denial of care;
  - f. Timely complaint resolution;
  - g. Be involved in all aspects of their care including:
    - i. Refusing care and treatment; and
    - ii. Resolving problems with care decisions
  - h. Be informed of unanticipated outcomes according to RCW 70.41/380;
  - i. Be informed and agree to their care;
  - j. Family input in care decisions;
  - k. Have advance directives and for the hospital to respond and follow those directives;
    - l. Request no resuscitation or life-sustaining treatment;
  - m. End of life care;
  - n. Donate organs and other tissues according to RCW 68.50.500 AND 68.50.560 including:
    - i. Medical Staff input; and
    - ii. Direction by family or surrogate decision makers
2. Be provided with a written statement of patient rights from subsection (1) of this section
  - a. The Patient Rights and Responsibilities Brochure is available in English and Spanish.
  - b. Kadlec provides free language services to people whose primary language is not English by utilizing Qualified Interpreters.
3. Kadlec has adopted and implemented policies and procedures to identify patients who are potential organ and tissue donors;
4. Kadlec has adopted and implemented policies and procedures to address research, investigation, and

clinical trials including:

- a. How to authorize research;
  - b. Require staff to follow informed consent laws; and
  - c. Not hindering a patient's access to care if a patient refuses to participate
5. Kadlec will comply with submitting policy and procedures related to access to care to the Washington State Department of Health. Changes to policies and procedures will be submitted no later than thirty days after the hospital approves the changes or additions.
- a. Admission;
  - b. Nondiscrimination;
  - c. End of life care; and
  - d. Reproductive health care
6. Policies under subsection (5) are readily available on the Hospital web site. The policies can be found on the Kadlec Regional Medical Center website, within the Patient & Visitor Information.

**Pain Management** – Patients have the right to receive appropriate pain management.

**Healthcare Information and Consent** – Patients and/or legal representative have the right to receive complete information about their health status, diagnosis, treatment, and any known prognosis in terms they can easily understand. They also have the right to see their medical records within the limits of the law.

Patients have the right, to the greatest extent possible, to participate in decisions concerning their medical care, including any ethical issues that may arise. This included the right to refuse to consent to the treatment. Patients have the right to be informed of the significant risks and benefits associated with the planned treatment, to be informed of the risks and benefits of any other possible methods of treatment, and to be informed of any consequences if they refuse treatment.

**Advance Directives** - Patients have the right to prepare advance directives, and a durable power of attorney for healthcare, and to expect that those directives will be followed to extent permitted by law.

**Communication** Patients have the right to interpreter services

**Continuity of Care and Caregiver Identity** - Patients have the right to reasonable continuity of care and to know in advance the time and locations of appointments. Patients have the right to know the identities and responsibilities of all individuals caring for them and what services they are providing.

**Safety, Respect, and Dignity** –Patients have the right to a safe environment, including:

- The right to consideration and respect for personal dignity, for spiritual and cultural beliefs and practices.
- The right to be free from all forms of mental, physical, sexual, or verbal abuse, neglect, harassment or exploitation. The right to be free from physical and chemical (drug) restraints.

The right to protective and advocacy services (including but not limited to guardianship, conservatorship, adult protective or child protective services)

**Privacy and Confidentiality** -Patients have the right, within the law, to know that their personal privacy, including any written information about them, is protected. Those rights include:

- The right to be interviewed and examined in surroundings designed to ensure privacy from other patients, visitors, or hospital employees.

- The right to expect that any examinations, case discussions, and consultations involving their care will be conducted only with those who need to be involved.
- The right to have their medical record read only by individuals directly involved in their treatment, or in the monitoring of its quality, or by your insurance company.
- The right to expect that all communications and records pertaining to their care, including the source of payment for treatment, are treated as confidential.
- The right to request an amendment to their medical record.
- The right to request an accounting of disclosures of their health information.
- The right to request a transfer to another room if another patient or a visitor is unreasonably disturbing (transfer to another room may depend on room availability).
- The right to individualized care and adequate treatment.
- The right to discuss treatment plans and decisions with professional persons.
- The right to access treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to medical treatment.

**Pastoral Care** – Patients have the right to receive pastoral care services that will respect and encourage personal, spiritual, and religious needs, values, and resources.

**Complaints/Grievance** – The Patient has the right to file a complaint/grievance. The patient has a right to a timely complaint resolution

The patient or patient representative may contact the Patient Advocate or Patient Relations via: Phone at 509-942-2171 or 509-942-2830, Formal letter to Patient Advocate 888 Swift Blvd, Richland WA 99352, Confidential fax @ 1-509-942-2187, Email via Kweb Care Concern or WAKadlecCareConcerns@kadlecmed.org, In person by presenting to registration or an information desk and requesting to speak to Patient Advocate.

To file a grievance with the Washington State Department of Health by calling 1-800-633-6828, or by writing to them at: PO Box 47857, Olympia, WA 98504 website: [www.doh.wa.gov](http://www.doh.wa.gov)

The patient or their representative may file a grievance about suspected discrimination by contacting: Providence's Civil Right Coordinator at 1-844-469-1775, interpreter line 1-888-311-9127, or emailing [Nondiscrimination.WA@providence.org](mailto:Nondiscrimination.WA@providence.org), or mailing Civil Rights Coordinator, 101 W. 8th Avenue, Spokane, WA 99204. Locally, any member of the Compliance department may be contacted, including Tracy Howes or Lori Giesen at 425-525-5612.

To file a Civil Rights Complaint with the U.S. Department of Health and Human Services: 200 Independence Avenue, S.W. Room 509F HHH Bldg. Washington, D.C. 20201 Email to [OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov) Customer Response Center: (800) 368-1019 TDD: (800) 537-7697

To contact The Joint Commission's Office of Quality Monitoring to report any concerns or register complaints by either calling 1-800-994-6610 or by writing to them at: One Renaissance Boulevard Oakbrook Terrace, IL 60181 Email: [patientsafetyreport@jointcommission.org](mailto:patientsafetyreport@jointcommission.org) Website: [www.jointcommission.org](http://www.jointcommission.org), using the "Report a Patient Safety Event" link in the "Action Center" on the home page of the website.

For Medicare patients to request that the Medical Center refer their grievance to an outside review organization.

**Transfer** – Patients will not be transferred to another facility or organization for care until:

- They or their legal representative have received a complete explanation of the need for the transfer and

any possible alternatives,

- They or their legal representative have agreed to the transfer, and
- The physician and the facility or organization to which they will be transferred have agreed to accept them

**Discharge Planning** – Patients have the right to discharge planning and assistance to help get the services needed at time of discharge.

**Research** – Patients have the right to refuse to participate in any research project without compromising their care.

**Outcome Disclosures** – Patients have the right to be informed of any outcomes of care when they differ significantly from the anticipated outcomes.

**Charges** – Patients or their legal representative have the right to examine all charges associated with their treatment and receive an explanation of them, regardless of the method of payment.

## **PATIENT RESPONSIBILITIES**

**Provision of Information** - Patients are responsible for working with doctors and Kadlec staff by providing, any personal and medical history information that might be needed. They are also responsible for reporting any changes in their condition to their doctor or nurse.

**Instructions and Treatment Plan** - Patients are responsible for participating with their doctor in planning their treatment and recovery. They are responsible for understanding how to continue their care after discharge.

**Refusal of Treatment** – Patients are responsible for the results if they refuse the treatment the doctor has prescribed or if they choose not to follow the doctor's instructions, including leaving Kadlec against medical advice. Parents are responsible for the results if they refuse treatment the doctor has ordered for their child. This includes leaving Kadlec against the advice of your attending physician. However, if a child, any person under the age of eighteen (18) (RCW 26.44.020[6]), is admitted to this medical center for treatment and the parents and the medical staff reach a difference of opinion regarding the treatment plan, all efforts will be made to reach an agreement regarding the child's treatment. The parents or legal guardian do not have the option of removing the child from this facility against medical advice (AMA). If this is the posture of the parents, as mandated, the medical center will inform Child Protective Services (CPS). The child will remain at this facility under "Administrative Hold" (RCW 18.130; RCW 74.34.020[8]) until CPS makes a determination for safety with the medical direction of the attending physician.

**Respect and Consideration** - Patients are responsible for assisting the staff in providing a quiet, courteous atmosphere.

## **ADVOCACY PROGRAMS AVAILABLE TO PATIENTS AND THEIR FAMILIES**

**Patient Advocacy Program** - The Patient Advocacy Program is designed to give patients an avenue to discuss any concerns they might have regarding care.

## **REFERENCED DOCUMENTS**

[Nondiscrimination Policy, PROV-ICP-729](#)

[Patient Advocacy/Complaint and Grievance Resolution Process, 1905](#)

Patient Rights and Responsibilities Procedure

## Attachments

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No Attachments

## Approval Signatures

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Approver	Date
Aslam Kaleel: Chief Exec Kadlec Svc Area [LD]	08/2020
Heather Shipman: Executive Assistant	08/2020

## Applicability

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WA - Kadlec Regional Medical Center