

CAPE SURGERY CENTER

Patient Rights and Responsibilities are established with the expectation that observance of these rights will contribute to more effective patient care and greater satisfaction for the patient, his family, his physician, and the facility caring for the patient. Patients shall have the following rights without regard to age, race, sex, national origin, religion, cultural, or physical handicap, personal value and/or belief systems.

PATIENT RIGHTS

Each patient treated at the Center has a right to:

- be informed of the Center's patient rights and responsibilities, as evidenced by the patient's written acknowledgement, or by documentation by Center 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.
- be treated with courtesy, consideration, respect, and recognition of his/her dignity, individuality, and the right to appropriate privacy, including, but not limited to, auditory and visual privacy.
- be informed of services available in the Center, 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 Center and any charges for services not covered by sources of third-party payment or not covered by the Center's basic rate.
- voice grievances or complaints or recommend changes in policies and services to Center personnel, the Center's Governing Body, and/or outside representatives of the patient's choice either individually or as a group, and free from restraint, interference, coercion, discrimination, or reprisal and to expect an investigation of said grievance or complaint. When such complaints are addressed in writing to the Center, the Center will, if requested by the patient, respond in writing to the patient within thirty (30) days and provide its findings of the investigation.

Complaints may be addressed to the Center, and/or if the patient desires, may be able to be filed with the:

**Division of Health Care Facilities
Centralized Complaint Intake Unit
227 French Landing, Suite 501
Heritage Place Metrocenter
Nashville, TN 37243**

1-877-287-0010

Or you may visit online:

Office of the Medicare Beneficiary Ombudsman
<http://www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html>

- receive from his/her physician(s) or clinical practitioner(s), and in terms the patient can understand, 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). If this information would be detrimental to the patient's health, or if the patient is not capable of understanding this 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.
- change physicians, either primary or specialty, if he or she desires to do so.
- refuse medication and treatment. This refusal shall be documented in the patient's medical record.
- participate in the decisions involving his/her health care except when participation is contraindicated for medical reasons.
- be informed if the Center 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.
- 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 laws, rules and regulations. The patient may refuse to participate in experimental research, including the investigation of new drugs and medical devices.

- 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 Center personnel.

- expect confidential treatment of his/her patient information. Information in the patient's medical record shall not be released to anyone outside the Center 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 peer review, or unless the information is needed by the Tennessee State Department of Health or Medicare for authorized purposes.

- not be required to perform work for the Center 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.

- not be discriminated against because of age, race, religion, sex, nationality, disability, handicap or ability to pay, or deprived of any constitutional, civil, and/or legal rights solely because of receiving services from the Center.

- expect that emergency resuscitative procedures and treatment shall be employed without delay while a patient at the Center.

- be assured that quality of care and high professional standards that are continually maintained and reviewed.

- expect effective management to be implemented within the Center. These techniques shall make

effective use of the time of the patient and avoid the personal discomfort of the patient.

- know, if eligible for Medicare, upon request and in advance of treatment, whether the provider or the Center accepts the Medicare assignment rate.

PATIENT RIGHTS UNDER FEDERAL HIPAA REGULATIONS

Each patient treated at the Center has a right to:

- request restrictions on certain uses and disclosures. The Center is not required to agree to the restriction.
- receive confidential communications of patient information.
- Inspect and copy his or her own patient records.
- request an amendment of patient information.
- receive an accounting by the Center of certain specific disclosures of patient information by the Center to the outside parties.
- receive a paper copy of Center's Privacy Notice.

PATIENT RESPONSIBILITIES

Each patient treated at the Center has a responsibility for:

- providing to the provider, to the best of his/her knowledge, accurate and complete health information including present complaints, past illnesses and hospitalizations, Advance Directives, Medical Power of Attorney or Living Wills, medications including over-the-counter products, herbal medications and dietary supplements, any allergies and sensitivities, and other matters affecting his/her health.
- reporting unexpected changes in his or her condition to the healthcare provider.
- informing the Center if he/she does not fully understand the proposed care or what will be expected of them.

- following the treatment plan recommended by the healthcare provider, including any pre-operative or pre-procedure instructions.

- keeping appointments and, when he or she is unable to do so for any reason, for notifying the healthcare provider or the Center.

- acknowledging when they do not understand a planned treatment decision. A patient may refuse or limit care even if their decision adversely affects the outcome, as long as the patient is made aware of the consequences.

- providing a responsible adult to transport him/her home from the Center and to remain with him/her for 24 hours, if required by his/her physician.

- his or her actions if he or she refuses treatment or does not follow the healthcare provider's instructions.
- assuring that the financial obligations of his or her healthcare are fulfilled as promptly as possible.

- following the Center rules and regulations affecting patient care and conduct.

- demonstrating consideration and respect for Center staff, other patients and visitors and responsibility for helping to control noise, distractions and to avoid smoking.

- accepting personal financial responsibility for any charges not covered by his/her insurance.

PATIENT RIGHTS AND RESPONSIBILITIES REGARDING PAIN

Because the Center recognizes that pain control is an integral part of the plan of care for its patients, the Center has implemented the following rights and responsibilities related to the treatment of pain.

PATIENT RIGHTS

Each patient treated at the Center has a right to:

- have his/her pain prevented and/or controlled adequately.

- have his/her pain questions answered freely.

- know what medication, treatment, or anesthesia will be given.
- know the risks, benefits and side effects of treatment.

- know what alternative pain treatments may be available.

- have his/her pain assessed on an individual basis.

- have his/her pain assessed, using a pain scale of 0 = no pain and 10 = worst pain.
- ask for changes in treatment if the pain persists.
- receive pain medication on a timely basis.

- receive a second opinion regarding his/her pain if desired.

PATIENT RESPONSIBILITIES

Each patient treated at the Center has a responsibility to:

- ask questions in order to understand what to expect regarding pain management treatments.

- work with his/her caregivers to develop a pain relief plan.

- ask for pain relief as soon as the pain begins.

- assist his/her caregivers with measurement of the pain.

- notify his/her caregivers if the pain is not relieved.

- discuss any cultural, spiritual, personal, and/or ethnic beliefs that might affect or change the pain management plan.