

YOUR RIGHTS AND RESPONSIBILITIES AS A PATIENT

As a patient at Hoag Orthopedic Institute, you have certain rights and responsibilities that are inherent in your health care. To receive the best possible care, it is important that you play an active role in your medical treatment. It is the responsibility of your health care team to include you in that process.

PATIENT RIGHTS

You have the right to:

1. Considerate and respectful care, and to be made comfortable. You have the right to respect for your cultural, psychosocial, pastoral and spiritual needs, and your personal values, dignity, beliefs and preferences.
2. Have a family member (or other representative of your choosing) and your own physician be notified promptly of your admission to the hospital. Your family, as appropriate and as allowed by law, with your permission or your surrogate decision maker's permission, can be involved in your care, treatment and service decisions.
3. Know the name of the physician who has primary responsibility for coordinating your care and the names and professional relationships of other physicians and non-physicians who will see you.
4. Receive information about your health status, diagnosis, prognosis, course of treatment, prospects for recovery and outcomes of care (including unanticipated outcomes) in terms you can understand. You have the right to effective communication and assistance with or provision of interpretation and translation services, as necessary. You have the right to have your needs for vision, speech, hearing, language and cognitive impairments addressed. You have the right to participate in the development and implementation of your plan of care. You have the right to participate in ethical questions that arise in the course of your care, including issues of conflict resolution, withholding resuscitative services, and forgoing or withdrawing life sustaining treatment.
5. Make decisions regarding medical care, and receive as much information about any proposed treatment or procedure as you may need in order to give informed consent or to refuse a course of treatment. Except in emergencies, this information shall include a description of the procedure or treatment, the medically significant risks involved, alternate courses of treatment or non-treatment and the risks involved in each, and the name of the person who will carry out the procedure or treatment.
6. Request or refuse treatment, to the extent permitted by law. However, you do not have the right to demand inappropriate or medically unnecessary treatment or services. You have the right to leave the hospital even against the advice of physicians, to the extent permitted by law.
7. Be advised if the hospital/personal physician proposes to engage in or perform human experimentation affecting your care or treatment.
You have the right to refuse to participate in such research projects.
8. Reasonable responses to any reasonable requests made for service.
9. Appropriate assessment and management of your pain, information about pain, pain relief measures and to participate in pain management decisions. You may request or reject the use of any or all modalities to relieve pain. The doctor may refuse to

prescribe opiate medication but, if so, must inform you that there are physicians who specialize in the treatment of severe chronic pain with methods that include the use of opiates.

- 10.** Formulate advance directives. This includes designating a decision maker if you become incapable of understanding a proposed treatment or become unable to communicate your wishes regarding care. Hospital staff and practitioners who provide care in the hospital shall comply with these directives. All patients' rights apply to the person who has legal responsibility to make decisions regarding medical care on your behalf.
- 11.** Have personal privacy respected. Case discussion, consultation, examination and treatment are confidential and should be conducted discreetly. You have the right to be told the reason for the presence of any individual. You have the right to have visitors leave prior to an examination and when treatment issues are being discussed. Privacy curtains will be used in semi-private rooms. You have the right to have private telephone conversations.
- 12.** Confidential treatment of all communications and records pertaining to your care and stay in the hospital. You will receive a separate Notice of Privacy Practices that explains your privacy rights in detail and how we may use and disclose your protected health information.
- 13.** Have a safe and secure environment for yourself and your property and to be free from mental, physical, sexual or verbal abuse and neglect, exploitation or harassment. You have the right to access protective and advocacy services including notifying government agencies of neglect or abuse.
- 14.** Be free from restraints and seclusion of any form used as a means of coercion, discipline, convenience or retaliation by staff.
- 15.** Reasonable continuity of care and to know in advance the time and location of appointments as well as the identity of the persons providing the care.
- 16.** Be informed by the physician, or a delegate of the physician, of continuing health care requirements following discharge from the hospital. You have the right to be involved in the development and implementation of your discharge plan. Upon your request, a friend or family member may be provided with this information also.
- 17.** Know which hospital rules and policies apply to your conduct while a patient.
- 18.** Designate visitors of your choosing, if you have decision-making capacity, whether or not the visitor is related by blood or marriage, unless:
 - No visitors are allowed.
 - The facility reasonably determines that the presence of a particular visitor would endanger the health or safety of a patient, a member of the health facility staff or other visitor to the health facility, or would significantly disrupt the operations of the facility.
 - You have told the health facility staff that you no longer want a particular person to visit. However, a health facility may establish reasonable restrictions upon visitation, including restrictions upon the hours of visitation and number of visitors.
- 19.** Have your wishes considered, if you lack decision-making capacity, for the purposes of determining who may visit. The method of that consideration will be disclosed in the hospital policy on visitation. At a minimum, the hospital shall include any persons living in your household.

PATIENT RIGHTS *continued*

20. Examine and receive an explanation of the hospital's bill regardless of the source of payment.
21. Exercise these rights without regard to sex, economic status, educational background, race, color, religion, ancestry, national origin, sexual orientation or marital status, or the source of payment for care.
22. File a grievance. If you want to file a grievance with Hoag Orthopedic Institute, you may write to:

Hoag Orthopedic Institute Patient Relations
16250 Sand Canyon Avenue
Irvine, CA 92618
Or call: 949-727-5151

The grievance committee will review each grievance and provide you with a written response within seven days. The written response will contain the name of the person to contact at the hospital, the steps taken to investigate the grievance, the results of the grievance process, and the date of completion of the grievance process.

23. File a complaint with the California Department of Public Health regardless of whether you use the hospital's grievance process. Mailing Address and telephone:

California Department of Public
681 South Parker Street, Suite 200
Orange, CA 92868
714-567-2906
Toll free: 800-228-5234

For Medicare patients who have complaints or concerns regarding quality of care or premature discharge, these can be referred to the appropriate Quality Improvement Organization (QIO).

Livanta, Attn:
BFCC-QIO Program Area 5
9090 Junction Drive, Suite 10
Anapolis Junction, MD 20701
877-588-1123

You can also file a complaint with the CMS Accrediting Agency, DNV GL Healthcare at:

Attn: Complaints
400 Techne Center Drive, Suite 100
Milford, OH 45150

Website: www.dnvglhealthcare.com
"Hospital Complaint" Link
Email: hospitalcomplaint@dnvgl.com

PATIENT RESPONSIBILITIES

As a patient, you have the following responsibilities:

- To provide complete and accurate information about present complaints, past illnesses, hospitalizations, medications, advance directives and other matters relating to your health.
- To ask questions when you do not understand information or instructions.
- To follow the instructions and treatment plan recommended by your physician and health care team.
- To report changes in your condition to your physician or a member of your health care team as soon as possible.
- To be involved in your own care including plans for pain control and discharge planning.
- To tell your doctor if you believe you cannot follow through with your plan of care or treatment.
- To accept the consequences for the outcomes if you do not follow instructions for care and service plans or if you refuse treatment.

- To follow the hospital's rules and regulations affecting patient care and conduct.
- To be considerate of the rights of other patients and hospital staff, and to respect the property of other persons and the hospital.
- To notify your care providers if you have any safety concerns or questions regarding your care or environment.
- To provide accurate and timely information concerning your sources of payment and to work with the hospital to meet your financial commitments, when needed.
- To provide a copy of your written advance directive, if you have completed one.

Hoag Orthopedic Institute is a smoke-free facility. Smoking is prohibited in the hospital and on hospital grounds. There are no designated smoking areas.

YOUR RIGHT TO MAKE DECISIONS ABOUT MEDICAL TREATMENT

This section explains your right to make healthcare decisions and how you can plan now for your medical care if you are unable to speak for yourself in the future.

- A federal law requires us to give you this information. We hope this information will help increase your control over your medical treatment.

Who decides about my treatment?

Your doctors will give you information and advice about treatment. You have the right to choose. You can say "Yes" to treatments you want. You can say "No" to any treatment that you don't want – even if the treatment might keep you alive longer.

Can other people help with my decisions?

Yes. Patients often turn to their relatives and close friends for help in making medical decisions. These people can help you think about the choices you face. You can ask the doctors and nurses to talk with your relatives and friends. They can ask the doctors and nurses questions for you.

What if I become too sick to make my own healthcare decisions?

If you haven't named a surrogate, your doctor will ask your closest available relative or friend to help decide what is best for you. Most of the time that works. But sometimes everyone doesn't agree about what to do. That's why it is helpful if you can say in advance what you want to happen if you cannot speak for yourself.

How do I know what I want?

Your doctor must tell you about your medical condition and about what different treatments and pain management alternatives can do for you. Many treatments have "side effects." Your doctor must offer you information about problems that medical treatment is likely to cause you.

Often, more than one treatment might help you – and people have different ideas about which is best. Your doctor can tell you which treatments are available to you, but your doctor can't choose for you. That choice is yours to make and depends on what is important to you.

Can I choose a relative or friend to make healthcare decisions for me?

Yes. You may tell your doctor that you want someone else to make healthcare decisions for you. Ask the doctor to list that person as your healthcare "surrogate" in your medical record.

YOUR RIGHT TO MAKE DECISIONS ABOUT MEDICAL TREATMENT *continued*

The surrogate's control over your medical decisions is effective only during treatment for your current illness or injury or, if you are in a medical facility, until you leave the facility.

Do I have to wait until I am sick to express my wishes about health care?

No. In fact, it is better to choose before you get very sick or have to go into a hospital, nursing home, or other healthcare facility. You can use an Advance Health Care Directive to say who you want to speak for you and what kind of treatments you want. These documents are called "advance" because you prepare one before healthcare decisions need to be made. They are called "directives" because they state who will speak on your behalf and what should be done. In California, the part of an advance directive you can use to appoint an agent to make healthcare decisions is called a Power of Attorney For Health Care. The part where you can express what you want done is called an Individual Health Care Instruction.

Who can make an advance directive?

You can if you are 18 years or older and are capable of making your own medical decisions. You do not need a lawyer.

When does my agent begin making my medical decisions?

Usually, a healthcare agent will make decisions only after you lose the ability to make them yourself. But, if you wish, you can state in the Power of Attorney for Health Care that you want the agent to begin making decisions immediately.

What if I don't want to name an agent?

You can still write out your wishes in your advance directive, without naming an agent. You can say that you want to have your life continued as long as possible. Or you can say that you would not want treatment to continue your life. Also, you can express your wishes about the use of pain relief or any other type of medical treatment.

Even if you have not filled out a written Individual Health Care Instruction, you can discuss your wishes with your doctor, and ask your doctor to list those wishes in your medical record. Or you can discuss your wishes with your family members or friends. But it will probably be easier to follow your wishes if you write them down.

What happens when someone else makes decisions about my treatment?

The same rules apply to anyone who makes healthcare decisions on your behalf – a healthcare agent, a surrogate whose name you gave to your doctor, or a person appointed by a court to make decisions for you. All are required to follow your Health Care Instructions or, if none, your general wishes about treatment, including stopping treatment. If your treatment wishes are not known, the surrogate must try to determine what is in your best interest. The people providing your health care must follow the decisions of your agent or surrogate unless a requested treatment would be bad medical practice or ineffective in helping you. If this causes disagreement that cannot be worked out, the provider must make a reasonable effort to find another healthcare provider to take over your treatment.

Who can I name as my agent?

You can choose an adult relative or any other person you trust to speak for you when medical decisions must be made.

How does my agent know what I would want?

After you choose your agent, talk to that person about what you want. Sometimes treatment decisions are hard to make, and it truly helps if your agent knows what you want. You can also write your wishes down in your advance directive.

What if I change my mind?

You can change or cancel your advance directive at any time as long as you can communicate your wishes. To change the person you want to make your healthcare decisions, you must sign a statement or tell the doctor in charge of your care.

Will I still be treated if I don't make an advance directive?

Absolutely. You will still get medical treatment. We just want you to know that if you become too sick to make decisions, someone else will have to make them for you. Remember that:

- A Power of Attorney For Health Care lets you name an agent to make decisions for you. Your agent can make most medical decisions – not just those about life-sustaining treatment – when you can't speak for yourself. You can also let your agent make decisions earlier, if you wish.
- You can create an Individual Healthcare Instruction by writing down your wishes about health care or by talking with your doctor and

asking the doctor to record your wishes in your medical file. If you know when you would or would not want certain types of treatment, an Instruction provides a good way to make your wishes clear to your doctor and to anyone else who may be involved in deciding about treatment on your behalf. These two types of Advance Health Care Directives may be used together or separately.

How can I get more information about making an advance directive?

Ask your doctor, nurse, social worker, or healthcare provider to get more information for you. You can have a lawyer write an advance directive for you, or you can complete an advance directive by filling in the blanks on a form.

Hoag Orthopedic Institute has the Advance Healthcare Directive Form available for download on its website. Forms can be downloaded at www.hoagorthopedicinstitute.com.

Information from Hoag Orthopedic Institute

Be a responsible patient by being pro-active in your health care. Hoag Orthopedic Institute is your partner in health care, working to provide care efficiently and fairly to all patients and the community.

Resources from nursing, social services, patient relations, pastoral care and other disciplines are available to help address your concerns. For assistance, please contact:

HOI Patient Relations at 949-727-5151, #5
or Care Management at 949-727-5439