



Personal Care Home Resident Rights



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Rights of Personal Care Home Residents

It is very important to know that it is illegal for anyone to abuse a personal care home resident or to violate a resident's civil or property rights. There are laws and regulations that specifically forbid this and provide for enforcement of residents' rights. The following list of resident rights was developed by the State Bar of Georgia.

Personal Care Home residents have the right to:

- Exercise constitutional rights guaranteed to the citizens of this state and this country including, but not limited to, the right to vote
- Interact with members of the community both inside and outside the facility, and to participate fully in the life of the community
- Associate or communicate privately with persons or groups of his or her choice
- Share a room with a married spouse who is also a resident of the facility, unless separate rooms are requested
- Enjoy privacy in his or her room. Facility staff shall respect this right by knocking before entering a resident's room
- Be treated with dignity and respect and be given privacy in the provision of personal care
- Practice religious beliefs as one chooses, and participate in social, religious and community activities that do not interfere with the rights of other residents. No religious belief or practice shall be imposed upon a resident
- Be free from mental, verbal, sexual and physical abuse, neglect and exploitation, humiliation, withholding of money, actual or threatened, physical or chemical restraint, isolation, corporal or unusual punishment, including interference with the daily functions of living, such as eating and sleeping
- Use, keep and control one's own property and possessions in the immediate living quarters, except to the extent that a resident's use of personal property would interfere with the safety or health of other residents
- Receive unopened mail on the day it is delivered to the facility. Outgoing mail shall also remain unopened
- Have access to a telephone and the right to have a private telephone (at the resident's own expense). Telephones shall be placed in areas to insure privacy without denying accessibility
- Have immediate access by visitors who are visiting with the consent of the resident. Residents have the right to have visitors at mutually agreed upon hours. Once the hours are agreed upon, no prior notice is necessary. Each resident shall have the right to terminate any visit by any person who has access to the facility
- Manage one's own financial affairs, including the right to keep and spend money, unless the resident has been adjudicated incompetent by a court of competency jurisdiction
- Have a personal need allowance in the amount of \$5 per week. The allowance is not intended for purchase of necessities which the facility ordinarily supplies and does not relieve the facility of its obligation to insure that such necessary goods are available to the resident

Personal Care Home Resident Rights, continued

- Receive or reject medical care, dental care or other services, except as required by law or regulations
- Choose and retain the services of a personal physician or any health care professional or service. To be free from interference by the facility in the resident's diagnosis, treatment or prognosis. Each resident and/or representative or legal surrogate has the right to be fully informed about care or changes in care and to access all information in medical records
- Participate in the planning of his or her care
- Inspect his or her records on request
- Discharge or transfer upon notification to the facility in conformance with the facility's policies and procedures (unless committed to facility by a court order or by representative with legal, written authority to admit, transfer or discharge)
- Contact the State Long-Term Care Ombudsman Program. The facility shall post in a common area of the facility the names, addresses and telephone numbers of the ombudsman and the county inspector assigned to the facility
- Form a Resident Council and have meetings in the facility outside the presence of owners, management or staff members of the facility
- Receive a copy of the Resident's Bill of Rights at the time of admission to the facility. In the event a resident is unable to read, the manager shall take special steps to assure communication of the contents of the Resident's Bill of Rights to the resident
- Take steps to enforce his or her rights such as requesting a hearing before an administrative law judge in accordance with the provisions of the "Remedies for Residents of Personal Care Homes Act"

The rights of residents in personal care homes and the responsibilities of persons licensed to provide personal care are not limited to those set forth in this document.