



State of Illinois
Illinois Department on Aging

Residents' Rights for People in Long-term Care Facilities

As a long-term care facility resident in Illinois,
you are guaranteed certain privileges
according to rights, protections and
State and Federal law.



Illinois Long-Term Care
OMBUDSMAN PROGRAM

You have the right to...

◆ safety and good care

- ◆ Your facility **must** provide services to keep your physical and mental health, and sense of satisfaction.
- ◆ You **must not** be abused by anyone — physically, verbally, mentally, financially or sexually.

◆ participate in your own care

- ◆ Your facility must develop a written care plan that states all the services it provides.
- ◆ Your facility **must** make reasonable arrangements to meet your needs and choices.
- ◆ You have the right to choose your own doctor.
- ◆ You have the right to all information about your medical condition and treatment in a language that you understand. You also have the right to see your medical records within **24 hours** of your request.
- ◆ You have the right to make a Durable Power of Attorney for Health Care, Living Will, Declaration for Mental Health or Do Not Resuscitate Order.

◆ privacy

- ◆ Your medical and personal care are private.
- ◆ Facility staff **must** knock before entering your room.
- ◆ Your facility **may not** give information about you or your care to any unauthorized person(s) without your permission.

- ◆ You have the right to private visits, unless your doctor has ordered limited visits for medical reasons.
- ◆ You have a right to make and receive phone calls in private.
- ◆ If you are married, you and your spouse have the right to share a room, if available.

◆ money management

- ◆ You have the right to manage your own money.
- ◆ Your facility **may not** become your money manager nor your Social Security representative payee without your permission.
- ◆ You may see your financial record at any time. The facility must give you an itemized statement at least once every **3 months**.

◆ contract information

- ◆ You **must** be given a contract that states what services are provided and how much they cost.
- ◆ Your facility **must not** require anyone else to sign an agreement stating they will pay for your bill unless they are your court appointed legal guardian.

◆ Medicaid and Medicare information

- ◆ You have the right to apply for Medicaid or Medicare to help pay for your care.
- ◆ Your facility **must** give you information on how to apply for Medicaid, Medicare and Spousal Impoverishment.
- ◆ If you receive Medicaid, the facility **cannot** make you pay for anything for which Medicaid pays.

◆ stay in your facility

- ◆ You have the right to keep living in your facility.
- ◆ The facility **can** force you to leave because:
 - ...you have not paid your bill,
 - ...you are dangerous to yourself or others,
 - ...your medical needs cannot be met, or
 - ...the facility closes.
- ◆ You **must** be given a written notice if your facility requests that you leave. This notice **must** include:
 - ...why you are being asked to move,
 - ...how to file an appeal, and
 - ...a self-addressed envelope to be mailed to the Illinois Department of Public Health.
- ◆ You have the right to appeal your discharge within **10 days**. Contact the Illinois Department on Aging for help regarding your involuntary discharge notice. Call **1-800-252-8966, 711 (TRS)**.
- ◆ In most cases, if you receive Medicaid, you **must** be allowed to return to your facility when you leave the hospital, even if the facility has given you a written discharge notice. If you are hospitalized for more than **10 days**, your facility **must** let you return if/when it has a bed available. If you are private pay, the facility **is required to advise you in writing** of any action you must take to hold your bed while hospitalized.
- ◆ You have the right to be told in advance if your room or roommate is being changed.

Remember, you do not lose your rights as a citizen of Illinois and the United States because you live in a long-term care facility.

- ◆ You have the right to vote.
- ◆ You have the right to participate in social and community activities that do not interfere with the rights of other residents.
- ◆ You have the right to participate with other residents in the Resident Council.
- ◆ You have the right to meet with the Long-term Care Ombudsman, community organizations, social service groups, legal advocates and members of the general public who come to your facility.
- ◆ You have the right to present grievances and to get a prompt response from the facility.
- ◆ Your facility **may not** threaten or punish you in any way for asserting your rights or presenting grievances.

If the rights presented in this booklet are not applied within your facility, the following actions are suggested:

1 Define the problem. Writing it down may help make clear exactly what has happened and why it is wrong. When did it happen? (Give times and dates, if possible.) Who was involved or saw the incident? Ask questions of others who may be involved or know about the problem.

2 Talk to the staff. If it seems appropriate, talk about the problem with the staff responsible for taking care of you. Find out the facility procedures for resolving problems or concerns. If this does not seem like a good idea, or if you are not satisfied after you do so, consider talking to the facility administrator, the administrator's designee, your physician, the director of nursing, the social worker or the floor nurse.

3 Participate in the Resident Council. The Resident Council may raise concerns on behalf of a resident.

4 Ask for assistance. If you or the Resident Council need help solving a problem, you may ask the Illinois Long-Term Care Ombudsman Program for assistance. The program offers confidential help to older adults who have questions, concerns or complaints regarding the care they are receiving in their long-term care facility. Call:

Illinois Department on Aging
1-800-252-8966
711 (TRS)

If the problem relates to a person with a developmental disability or mental illness, you may ask for help from Equip for Equality, a non-profit organization named by

the Governor to provide protection and advocacy for people with disabilities in all aspects of community living regardless of age. Call:

Equip for Equality

1-800-537-2632

1-800-610-2779 (TTY)

5 File a grievance with the Central Complaint Registry. Illinois has a formal Central Complaint Registry in the Illinois Department of Public Health. If you think your facility is violating your rights or those of your fellow residents, you can make a complaint against it. The Illinois Department of Public Health will investigate your grievance. If a violation has been found, the long-term care facility will be cited; and corrective action will be taken. Call:

Central Complaint Registry

1-800-252-4343

1-800-547-0466 (TTY)



To obtain copies of the following brochures:

- ◆ **Residents' Rights for Persons Residing in Supportive Living Facilities**
- ◆ **Residents' Rights for People in Intermediate Care Facilities for the Developmentally Disabled**

Call **1-800-252-8966, 711 (TRS)**, or

Visit **www.ilaging.illinois.gov** on the website and link to "News and Publications."

Illinois Department on Aging, One Natural Resources Way, #100, Springfield, Illinois 62702-1271
Senior HelpLine: 1-800-252-8966, 711 (TRS) • www.ilaging.illinois.gov

Download this brochure at www.illinois.gov/aging in the “News and Publications” section.

The Illinois Department on Aging does not discriminate against any individual because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, gender identity, pregnancy, or unfavorable discharge from military service in admission to programs or treatment of employment in programs or activities. If you feel you have been discriminated against, you have a right to file a complaint with the Illinois Department on Aging. For information call the Senior HelpLine: 1-800-252-8966; 711 (TRS).

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