



Title 10 MARYLAND DEPARTMENT OF HEALTH

Subtitle 07 HOSPITALS

Chapter 14 Assisted Living Programs

Authority: Health-General Article, Title 19, Subtitle 18, Annotated Code of Maryland

.36 Residents Rights.

A. Resident Bill of Rights.

(1) An assisted living program shall develop a Resident Bill of Rights that, at a minimum, includes the following rights:

- (a) Be treated with consideration, respect, and full recognition of the resident's human dignity and individuality;
- (b) Receive treatment, care, and services that are adequate, appropriate, and in compliance with relevant State, local, and federal laws and regulations;
- (c) Receive services and supports that optimize autonomy, independence, and personal choice;
- (d) Actively participate in planning and developing the resident's service plan and medical treatment;
- (e) Choose a pharmacy provider, if the provider can comply with the assisted living programs' reasonable policies and procedures for patient safety in medication supply and administration;
- (f) Make an informed decision to accept or refuse treatment;
- (g) Privacy, including the right to have a staff member knock on the resident's door before entering unless the staff member knows that the resident is asleep or there is an emergency situation;
- (h) Be free from mental, verbal, sexual, and physical abuse, neglect, and financial exploitation;
- (i) Be free from involuntary seclusion and physical and chemical restraint used in violation of this chapter;
- (j) Confidentiality;
- (k) Manage personal financial affairs to the extent permitted by law;
- (l) Retain and have access to legal counsel in a private setting;
- (m) Attend or not attend religious services as the resident chooses, and receive visits from members of the clergy;
- (n) Possess and use personal clothing and other personal effects to a reasonable extent, and to have reasonable security for those effects in accordance with the assisted living program's security policy;
- (o) Determine dress, hairstyle, or other personal effects according to individual preference, unless the personal hygiene of a resident is compromised



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- (p) Meet or visit privately with any individual the resident chooses, subject to reasonable restrictions on visiting hours and places:
- (i) In accordance with the resident agreement; and
 - (ii) As posted by the assisted living manager;
- (q) Make suggestions or complaints or present grievances on behalf of the resident, or others, to the assisted living manager, government agencies, or other persons without threat or fear of retaliation;
- (r) Receive a prompt response, through an established complaint or grievance procedure, to any complaints, suggestions, or grievances the resident may have;
- (s) Have access to the procedures for making complaints to:
- (i) The Long-Term Care Ombudsman Program of the Department of Aging as set forth in COMAR 32.03.02;
 - (ii) The Adult Protective Services Program of the local department of human services;
 - (iii) The OHCQ of the Department; and
 - (iv) The designated protection and advocacy agency, if applicable;
- (t) Have access to writing instruments, stationery, and postage;
- (u) Receive and send correspondence without delay, and without the correspondence being opened, censored, controlled, or restricted, except on request of the resident, or written request of the resident representative;
- (v) Receive a prompt, reasonable response from an assisted living manager or staff to a personal request of the resident;
- (w) Receive notice before the resident's roommate is changed and, to the extent possible, have input into the choice of roommate;
- (x) Have reasonable access to the private use of a common use telephone within the facility;
- (y) Retain personal clothing and possessions as space permits with the understanding that the assisted living program may limit the number of personal possessions retained at the facility for the health and safety of other residents;
- (z) To participate in decision making regarding transitions in care, including a transfer or discharge from a facility; and
- (aa) To receive notice, procedural fairness, and humane treatment when being transferred or discharged from an assisted living facility.