

PATIENT RIGHTS AND RESPONSIBILITIES

As a patient at Toms River West Ambulatory Surgery Center, LLC, we wish to inform you of your legal rights and your responsibilities prior to providing you care and services.

As a patient at Toms River West Ambulatory Surgery Center ("the Center"), you have the right to:

1. be informed of these rights, as evidenced by the patient's written acknowledgement, or by documentation by staff into the patient's medical record indicating the patient has been offered a written copy of these rights and received a written copy of these rights and provided a verbal explanation of these rights, in terms the patient could understand; the facility shall have a means to notify patients of any rules and regulations it has adopted governing patient conduct in the facility;
2. be informed of services in the facility, including the names and professional status of the personnel involved in the patient's treatment plan and to be informed of all fees, related charges, and of any fees and related charges, including the payment, fee, deposit, and refund policy of the facility and any charges for services not covered by sources of third party payment or not covered by the facility's basic rate;
3. be informed if the Center is involved in research, education and human experimentation affecting his/her treatment. If the Center has authorized other health care and educational institutions to participate in the patient's treatment. The patient shall have the right to know the identity and function of these institutions, and to refuse to allow their participation in the patient's treatment. The patient has the right to participate in the planning of his/her own care or treatment;
4. receive from the patient's physician(s) or clinical practitioner(s), in terms the patient understands, an explanation of his/her complete medical condition, or diagnosis, recommended treatment, treatment options including the option of no treatment, risk(s) of treatment, and expected results. If this information would be detrimental to the patient's health, or if the patient is not capable of understanding the information, the explanation shall be provided to the patient's next of kin or guardian, along with the reason for not informing the patient directly, shall be documented in the patient's medical record;;
5. participation in the planning of the patient's own care and treatment, and to refuse medication and/or the patient's refusal shall be documented in the patient's medical record;
6. 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 the law, rule, and regulation. The patient may refuse to participate in experimental research, including the investigation of new drugs and medical devices;
7. voice grievances or recommend changes in policies and services to facility personnel, the Executive Board, and/or outside representatives of the patient's choice either individually or as a group, free from interference, restraint, coercion, discrimination or reprisal;
8. 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 medication will not to be used for discipline of patients or for convenience of facility personnel;
9. confidential treatment of information about the patient.
 - i. Information in the patients medical record shall not be released to anyone outside the facility 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 a peer review, or unless the information is needed by the Department for statutorily-authorized purposes.
 - ii. The facility may release data about the patient for studies, containing aggregated statistics when the patient's identity is masked.
10. be treated with courtesy, consideration, respect, and recognition of the patient's dignity, individuality, and visual privacy. The patient's privacy shall also be respected when facility personnel are discussing the patient;
11. not be discriminated against because of age, race, gender identity, religion, gender sexuality, nationality, or ability to pay, or deprived of any constitutional, civil, and/or legal rights solely because of receiving services from the facility.

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12. To exercise civil and religious liberties, including the right to independent personnel decisions. No religious belief or practices; or any attendance at religious services shall be imposed on the patient;
13. To expect and receive appropriate assessment, management and treatment of pain as an integral component of that person's care in accordance with N.J.A.C.8:43E-6;
14. obtain information regarding relationships between the organization and other healthcare or educational institutions as far as care is concerned. Patients also have the right to obtain information as to the existence of any professional relationships among individuals involved in his/her care. This includes physician ownership;
15. To not be required to perform work for the facility 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.

Patient Responsibilities include:

- Providing caregivers, to the best of their knowledge, accurate and complete information about present complaints, past illnesses, hospitalization, medications, and other matters relating to their health. Patients and their families must report perceived risks in unexpected changes in their condition.
- To inform truthfully regarding the presence or absence, of an adult care person to attend for Patient post-operative instructions discussion and transportation. Providing, to the best of your knowledge, accurate and complete information about your present health status and past medical history and reporting any unexpected changes to the appropriate practitioner.
- To ask questions when they do not understand their care, treatment, and service or what they are expected to do.
- Following the treatment plan, pre-operative and post-operative instructions and for asking questions to clarify where his/her understanding of such instructions unclear, or questionable as recommended Patients must follow the care, treatment and service plan developed. The patient should express any concerns and ask questions, making sure he/she understands the treatment plan. The patient's ability to follow the proposed care plan or course of care, treatment and services is clarified.
- Be considerate of other patients and personnel and assist in the control of noise, eating, and other distractions.
- Patients and their families must follow the organization's rules and regulations during his/her stay and treatment.
- Patients and their families must be considerate of the organization's staff and property, as well as other patients and their property.
- Patients should promptly meet any financial obligations to the facility.
- Patients should identify any patient safety concerns.
- For after-hour care for non-emergencies, the patients should contact their physician's office. For emergent after-hour care the patient should call 911 and go to the nearest emergency room.
- Patients should provide a responsible adult to transport him/her home from the facility and remain with him/her.
- Patients should inform his/her provider about a living will, medical power of attorney, or other directive that could affect his/her provider.

GRIEVANCES

Division of Health Facilities Evaluation and Licensing
New Jersey State of New Jersey Department of Health
P.O.Box 367
Trenton, New Jersey 08625-0367
1-800-792-9770

State of New Jersey
Office of Ombudsman for the Institutionalized Elderly
P.O. Box 852
Trenton, New Jersey 08625-0367
1-877-582-6995

State of New Jersey, CMS Regional Office
DHHS/CMS,DMSO, CLIA Program
26 Federal Plaza
Room 37-130
New York 10278
1-212-616-2450

The Joint Commission
1 Renaissance Boulevard
Oakbrook Terrace, IL 60181
1-877-223-6866 or Fax 630-792-5636

Medicare beneficiaries may receive information regarding their options under Medicare and their rights and protections by visiting the website for the Office of the Medicare Beneficiary Ombudsman <http://www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html>

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