

Arizona Specialty Surgery Center Patient Bill of Rights / Responsibilities & Grievances

PURPOSE: To establish guidelines for patient bill of rights / responsibilities and grievances
POLICY: All patients will be informed of their rights, responsibilities and grievance process during their surgical experience at the facility.

PROCEDURE:

1. The following patient bill of rights criteria will be instituted in the surgery center:
 1. The patient and patient's property have the right to be treated with consideration and respect, and be free from any act of discrimination or reprisal.
 2. Arizona Specialty Surgery Center complies with applicable Federal civil right laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.
 3. The patient has the right to expect quality of care and continuity in treatment, and the opportunity to participate in decisions involving their care, except when such participation is contraindicated for medical reasons.
 4. The patient has the right to communicate with the medical staff in regards to his/her diagnosis, evaluation, treatment, alternatives, and expected outcome before procedure is performed. Except in an emergency, the patient or patient's representative either consents or refuses the treatment, having been informed of the associated risks and possible complications. When it is medically inadvisable to give information to patient, the information is provided to person designated or legally authorized by the patient.
 5. The patient has the right to medical treatment without regard to race, creed, national origin, religion, sexual orientation, gender, age, disability, marital status social, diagnosis, source of payment or education.
 6. The patient has the right to receive treatment that supports and respects the patient's individuality, choices, strengths, and abilities
 7. The patient has the right to be informed if a health care provider does not have liability coverage.
 8. The patient has the right to know that this organization affirms that mistreatment, neglect, , exploitation, coercion, manipulation, harassment, and all forms of abuse such as physical, sexual, and verbal / psychological will not be tolerated.
 9. The patient has the right to personal privacy, confidentiality, and care for personal needs.
 10. The patient has a right to consent or refuse photographs before being photographed
 11. The patient has a right to receive care in a safe and sanitary environment.
 12. The patient has the right to choose their care provider, or to change their provider. Information regarding credentialed providers is available.
 13. The patient has the right to information in order to have informed consent prior to the start of any procedure and/or treatment. The patient has the right to be fully informed of the expected procedure and outcome before it is performed.
 14. The patient has the right to communicate with the medical staff in regards to his/her diagnosis; the patient has the right to refuse treatment to the extent of the law and to be informed of the medical consequences of such a refusal.
 15. The patient has the right to know that the facility personnel who care for the patient are qualified through education and experience to perform the services for which they are responsible.
 16. The patient has the right to privacy and security of their individually identifiable health information. as specified under the Privacy and Security Rules of HIPPA .This will include confidentiality of communications and confidentiality of his/her medical records, and to approve or refuse their release, except when required by law.
 17. The patient has the right to review or obtain information from his/her medical / financial record with written consent by the patient.
 18. The patient has the right to be informed before any transfer to another facility or organization.
 19. The patient has the right to be advised if the center proposes to engage in or perform research or experimental treatment affecting his/her care or treatments (and) has the right to refuse participation.
 20. The patient or designated representative has the right to participate in the consideration of ethical issues that may arise in the care of the patient.
 21. The patient has the right to information on fees for service, payment policies, and will receive explanation of any billing questions.
 22. The patient has the right to disclosure of a list of physician's who have financial interest or ownership in the ASC facility and this information must be in writing.
 23. The patient is informed regarding policies and procedures on health care directives, and the patient formal complaint/grievance process which ensures the patient will not be subjected to discrimination or retaliation. The patient has a right to voice grievances regarding treatment or care that is or fails to be provided
 23. The patient has the right to participate or have a patient's representative participate in the development of, or decisions concerning treatment; and in understanding, protecting or exercising their rights.
 24. The patient has the right to receive a referral to another healthcare institution if the surgical center is unable to provide physical health services for the patient.

B. The patient at the Surgery Center has the following responsibilities:

1. The patient is responsible for being considerate and respectful of other patients and facility personnel.
2. The patient is responsible for keeping appointments and for notifying the facility or physician if unable to do so.
3. The patient is responsible for informing the facility of any living will/ medical power of attorney or any other directive that could affect his/her care.
4. The patient must follow the facility policies and procedures, including providing a responsible adult to transport from the facility and stay with the patient for 24 hours if required by their physician.
5. The patient must provide accurate and complete information concerning his/her present complaints, past medical history and other matters about his/her health including medications, over the counter products, dietary supplements, and allergies or sensitivities.
6. The patient is responsible for making it known whether he/she clearly understands the course of his/her medical treatment.
7. The patient is responsible for following the treatment plan established by his/her physician, including following the instructions of nurses and other health professionals as they carry out the physicians orders. The patient is also responsible for participating in their care.
8. The patient is responsible for his/her actions should treatment be refused or physician orders not followed.
9. The patient accepts financial responsibility for any charges not covered by his/her insurance.
10. The patient has the responsibility to observe prescribed rules of the Facility for their stay and treatment, and if instructions are not followed, forfeits the right to care at the Facility and is responsible for the outcome.
11. The patient has the obligation to promptly fulfill the financial obligations to the Center.
12. The patient has the responsibility for being considerate of other patients and personnel and for assisting in the control of noise, smoking, and other distractions.
13. The patient and family are responsible for the respect of property of others and the Center.
14. The patient has the responsibility to report whether he/she clearly understands the course of treatment and what is expected of them.
15. The patient has the responsibility for his/her actions should he/she refuse treatment or does not follow the physicians' or Facility's instructions.
16. The patient has the responsibility for keeping appointments, and when unable to do so for any reason, of notifying the physician and Facility.
17. The patient and family have the responsibility to inform the physician and Facility personnel of changes in his/her medical condition which may affect the outcome of the procedure to be performed.

C. Patient Competence:

1. If a patient is judged to be incompetent under applicable State health and safety laws by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed under State law to act on the patient's behalf.
2. If a State court has not judged a patient incompetent, any legal representative designated by the patient in accordance with State law may exercise the patient's rights to the extent allowed by State law.

D. In the event a patient complains of an adverse experience, the following processes will be initiated:

1. All allegations must be reported immediately to the Director of Nursing or person in authority.
2. Upon receiving a complaint the Director of Nursing/ person in authority will address the problem with the patient, the patient's representative or the patient's surrogate.
3. In the event that the patient has left the center, he/she will be contacted by the Director of Nursing, or person in authority.
4. The Nursing Director or person of authority, in responding to the grievance, must investigate all grievances by a patient, the patient's representative, or the patient's surrogate, regarding treatment or care that is or fails to be furnished. A written documentation of the conversation will be instituted and appropriate action taken.
5. Upon completion of his/her investigation, the Director of Nursing will telephone the patient of his/her findings and results.
6. If a complaint was addressed in written form, such as a letter or patient questionnaire, the Director of Nursing shall respond in the same manner stating her findings and the results. The findings must contain the name of an ASC contact person, the steps taken to investigate the grievance, the results of the grievance process and the date the grievance process was completed.
7. All complaints, along with the resolutions, shall be forwarded to the Administrator and Medical Director for review.
8. Patient complaints, findings, and actions will be presented to the Governing Board at their board meetings for review and approval.

9. If the patient is unable to resolve the situation to his/her satisfaction, he/she may request a personal interview with the Director of Nursing, the Administrator, or the Medical Director.
10. At no time will the patient or family member experience an adverse reaction or treatment due to their complaint by an employee or the surgery center.
11. At any time in the process the patient/family can contact the Facility Administrator at 480-386-8400, The Maricopa County Department of Public Health at 602-506-6900, The Arizona Department of Health at 602-364-3031 at 150 N 18th Ave Ste. 450 Phoenix, AZ 85007, CMS at 1-800-Medicare or <http://www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html>, our accrediting body AAAHC at 847-853-6060 to report their concerns. These numbers will be posted in a visible place for patients and visitors.
12. Only substantiated allegations must be reported to the State authority or the local authority or both.