

Home Care Bill of Rights

Wisconsin

Home care clients have a right to be notified in writing of their rights and obligations before treatment begins and to exercise those rights. The client's family or guardian may exercise the client's rights when the client has been judged incompetent. Home care providers have an obligation to protect and promote the rights of their clients, including the following rights:

Clients and Providers Have A Right to Dignity and Respect

Home care clients and their formal caregivers have a right to not be discriminated against based on race, color, religion, national origin, age, sex, or handicap. Furthermore, clients and caregivers have a right to mutual respect and dignity, including respect for property. Caregivers are prohibited from accepting personal gifts and borrowing from clients.

Clients have the right:

- To have relationships with home care providers that are based on honesty and ethical standards of conduct;
- To be informed of the procedure they can follow to lodge complaints with the home care provider about the care that is, or fails to be, furnished and about a lack of respect for property. To lodge complaints with us call 1-877-347-8800;
- To know about the disposition of such complaints;
- To voice their grievances without fear of discrimination or reprisal for having done so; and
- To be advised of the telephone number and hours of operation of the state's home care "hot line," which receives questions and complaints about implementation of advance directive requirements.

The hours are 8:30 a.m. – 4:30 p.m. M-F and the number is 1-800-642-6552.

Decision Making

Clients have the right:

- To be notified in advance about the care that is to be furnished, the types (disciplines) of caregivers who will furnish the care and the frequency of the visits that are proposed to be furnished.
- To be advised of any change in the Plan of Care before the change is made;
- To participate in the planning of the care and in planning changes in the care, and to be advised that they have the right to do so;
- To be informed in writing of rights under state law to make decisions concerning medical care, including the right to accept or refuse treatment and the right to formulate advance directives;
- To be taught and have family taught, to the extent possible, the treatment required so that the client and family can understand and participate with care to the full extent of their capabilities.
- To be informed in writing of policies and procedures for implementing advance directives, including any limitations if the provider cannot implement an advance directive on the basis of conscience;
- To have health care providers comply with advance directives in accordance with state law requirements;
- To receive care without condition on, discrimination based on, the execution of advance directives, and
- To refuse services without fear of reprisal or discrimination.

The home care provider or the client's physician may be forced to refer the client to another source of care if the client's refusal to comply with the Plan of Care threatens to compromise the provider's commitment to quality care.

Privacy

Clients have the right:

- To confidentiality of the medical record as well as information about their health, social, and financial circumstances and about what takes place in the home; and
- To expect the home care provider to release information only as required by law or authorized by the client and to be informed of procedures for disclosure.

Financial Information

Clients have the right:

- To be informed of the extent to which payment may be expected from Medicare, Medicaid, or any other payor known to the home care provider;
- To be informed of the charges that will not be covered by Medicare
- To be informed of the charges for which the client may be liable;
- To receive this information, orally and in writing, before care is initiated and with 30 calendar days of the date the home care provider becomes aware of any changes; and
- To have access, upon request, to all bills for services the client has received regardless of whether the bills are paid out-of-pocket or by another party.

Quality of Care

Clients have the right;

- To receive care of the highest quality,
- In general, to be admitted by a home care provider only if it has the resources needed to provide the care safely and at the required level of intensity, as determined by a professional assessment; a provider with less than optimal resources may nevertheless admit the client if a more appropriate provider is not available, but only after fully informing the client of the provider's limitations and the lack of suitable alternative arrangements; and
- To be told what to do in the case of an emergency.

The home care provider shall assure that:

- All medically related home care is provided in accordance with physicians' orders and that a Plan of Care specifies the services and their frequency and duration; and
- All medically related personal care is provided by an appropriately trained home care aide who is supervised by a nurse or other qualified home care professional.

Client Responsibility

Clients have the responsibility:

- To notify the provider of changes in their condition (e.g., hospitalization, changes in the Plan of Care, symptoms to be reported);
- To follow the Plan of Care;
- To notify the provider if the visit schedule needs to be changed;
- To inform providers of the existence of any changes made to the advance directives;
- To advise the provider of any problems or dissatisfaction with the services provided;
- To provide a safe environment for care to be provided; and
- To carry out mutually agreed responsibilities.

Additional Agency Information

You may also make complaints about your treatment or care, including how the HHA implements any Advance Directive that you make, by calling **Wisconsin's Home Health Hotline at 1-800-642-6552**, 24 hours a day, 7 days a week.

You may also make complaints by writing to:

Division of Quality Assurance, Bureau of Health Services
PO Box 2969
Madison, WI 53701-2969

Bureau of Aging & Long Term Care Resources
P.O. Box 7851
Madison, WI 53707
608-266-2536

Child Abuse and Neglect
P.O. Box 916
Madison, WI 53708-8916
608-266-6799

State Ombudsman
1-800-242-1060

The Bill of Rights has been read and I understand where I, the Client/Family, meet these responsibilities:

Date: _____ Signature: _____ Relationship: _____

To satisfy the Medicare certification requirements, the CMS requires that agencies:

1. Give a copy of the Bill of Rights to each patient in the course of the admission process.
2. Explain the Bill of Rights to the patient and document that this has been done.

NOTICE OF PRIVACY PRACTICE

I received a notice of Privacy practice on ____/____/____

Patient Name (print): _____

Patient Signature: _____

Patient unable or refused to sign acknowledgement _____
HIPAA