

## PATIENT RIGHTS

*Merritt Island Surgery Center respects the dignity and pride of each individual we serve. Every patient has the right to have his/her rights respected without regard to age, gender, disability, race, color, ancestry, citizenship, religion, pregnancy, sexual orientation, gender identity or expression, national origin, medical condition, marital status, veteran status, payment source or ability, or any other basis prohibited by federal, state, or local law. Each individual shall be informed of the patient's rights and responsibilities in advance of administering or discontinuing patient care. We adopt and affirm as policy the following rights of patients who receive services from our facilities:*

### Considerate and Respectful Care

- To receive **ethical, high-quality, safe** and **professional care** without discrimination
- To be free from all forms of **abuse and harassment**
- To be treated with **consideration, respect** and **recognition** of their individuality, including the need for privacy in treatment. This includes the right to request the facility provide a person of one's own gender to be present during certain parts of physical examinations, treatments or procedures performed by a health professional of the opposite sex, except in emergencies, and the right not to remain undressed any longer than is required for accomplishing the medical purpose for which the patient was asked to undress

### Information regarding Health Status and Care

- To be **informed of his/her health status** in terms that patient can reasonably be expected to understand, and to participate in the development and the implementation of his/her plan of care and treatment
- The right to be informed of the **names and functions** of all physicians and other health care professionals who are providing direct care to the patient
- The right to be informed about any **continuing health care requirements** after his/her discharge from the surgery center, and each patient will be provided with written discharge instructions and when necessary, overnight supplies. The patient shall also have the right to receive assistance from the physician and appropriate hospital staff in arranging for required follow-up care after discharge.
- To be informed of **risks, benefits and side effects** of all medications and treatment procedures, particularly those considered innovative or experimental
- To be informed of all appropriate **alternative treatment procedures**
- To be informed of the **outcomes** of care, treatment and services
- To appropriate assessment and **management of pain**
- To be informed if the surgery center has authorized **other health care and/or education institutions** to participate in the patient's treatment. The patient shall also have a right to know the identity and function of these institutions, and may refuse to allow their participation in his/her treatment

### Decision Making and Notification

- To choose a person to be his/her **healthcare representative and/or decision maker**. The patient may also exercise his/her right to exclude any family members from participating in his/her healthcare decisions.
- To have a family member, chosen representative and/or his or her own physician notified promptly of **admission** to the hospital
- To **request or refuse treatment**. This right must not be construed as a mechanism to demand the provision of treatment or services deemed medically unnecessary or inappropriate
- To be included in **experimental research** only when he or she gives informed, written consent to such participation. The patient may refuse to participate in experimental research, including the investigations of new drugs and medical devices
- To formulate **advance directives** and be informed prior to receiving treatment how the surgery center will or will not comply with these directives
- To **leave the surgery center** against your physician's advice to the extent permitted by law

### Access to Services

- To receive, as soon as possible, the services of a **translator and/or interpreter, telecommunications devices**, and any other necessary services or devices to facilitate communication between the patient and the surgery center's health care personnel
- To bring a service animal into the facility, except where service animals are specifically prohibited pursuant to facility policy (e.g., operating rooms, areas where invasive procedures are performed, etc.)
- To **pastoral counseling** and to take part in **religious and/or social activities** while in the surgery center, unless your doctor thinks these activities are not medically advised
- To **safe, secure and sanitary accommodation** and limited refreshments prior to discharge
- To access people outside the facility by means of verbal and written **communication**
- To have **accessibility** to facility buildings and grounds. The center recognizes the Americans with Disabilities Act, a wide-ranging piece of legislation intended to make American society more accessible to people with disabilities. The policy is available upon request
- To a prompt and reasonable **response to questions and requests** for service

### Access to Medical Records

- To have his/her **medical records**, including all computerized medical information, kept confidential and to access information within a reasonable time frame. The patient may decide who may receive copies of the records except as required by law
- Upon leaving the healthcare facility and in accordance with the surgery center's policies regarding records requests, patients have the right to obtain **copies** of their medical records

### Ethical Decisions

- To participate prior to receiving treatment in **ethical decisions** that may arise in the course of care including issues of conflict resolution, withholding resuscitative services, foregoing or withdrawal of life sustaining treatment, and participation in investigational studies or clinical trials
- If the healthcare facility or its team decides that the patient's refusal of treatment prevents him/her from receiving appropriate care according to ethical and professional standards, the **relationship with the patient** may be terminated

### Protective Services

- To access **protective and advocacy services**
- To be **free from restraints** of any form that are not medically necessary or are used as a means of coercion, discipline, convenience, or retaliation by staff
- To all **legal and civil rights** as a citizen unless otherwise prescribed by law
- To have upon request to patient's physician an impartial review of **hazardous treatments** or irreversible surgical treatments prior to implementation except in emergency procedures necessary to preserve your life
- To an impartial review of alleged **violations of patient rights**
- To expect **emergency procedures** to be carried out without unnecessary delay
- To give **consent** to a procedure or treatment and to access the information necessary to provide such consent
- To not be required to perform **work for the facility** unless the work is part of the patient's treatment and is done by choice of the patient
- To file a complaint with the Department of Health, Federal, State and/or Local Agencies, or other quality improvement, accreditation or other certifying bodies if he /she has a concern about **patient abuse**, neglect, about misappropriation of a patient's property in the facility or other unresolved complaint, patient safety or quality concern

### Payment and Administration

- To examine and receive an explanation of the patient's **healthcare facility's bill** regardless of source of payment, and may receive upon request, information relating to the availability of known financial resources
- A patient who is eligible for **Medicare** has the right to know, upon request and in advance of treatment, whether the health care provider or health care facility accepts the Medicare assignment rate
- To receive, upon request, prior to treatment, a reasonable **estimate of charges** for medical care
- To be informed in writing about the **facility policies and procedures** for initiation, review and resolution of patient complaints, including the address and telephone number of where complaints may be filed

### **Additional Patient Rights**

- Except in emergencies, the patient may be **transferred to another facility** only with a full explanation of the reason for transfer, provisions for continuing care and acceptance by the receiving institution
- To initiate their own contact with the **media**
- To get the **opinion of another physician**, including specialists, at the request and expense of the patient
- To wear appropriate personal clothing and **religious or other symbolic items**, as long as they do not interfere with diagnostic procedures or treatment
- To request a **transfer to another** area (if medically appropriate) if another patient or a visitor in the room is unreasonably disturbing him/her
- To request pet visitation except where animals are specifically prohibited pursuant to the facility's policies (e.g., operating rooms, areas where invasive procedures are performed, etc.)

### **PATIENT RESPONSIBILITIES**

The care a patient receives depends partially on the patient him/herself. Therefore, in addition to the above rights, a patient has certain responsibilities. These should be presented to the patient in the spirit of mutual trust and respect.

- To provide accurate and complete information concerning his/her health status, medical history, hospitalizations, medications and other matters related to his/her health
- To report perceived risks in his/her care and unexpected changes in his/her condition to the responsible practitioner
- To report comprehension of a contemplated course of action and what is expected of the patient, and to ask questions when there is a lack of understanding
- To follow the plan of care established by his/her physician, including the instructions of nurses and other health professionals as they carry out the physician's orders
- To keep appointments or notifying the facility or physician when he/she is unable to do so
- To be responsible for his/her actions should he/she refuse treatment or not follow his/her physician's orders
- To assure that the financial obligations of his/her healthcare care are fulfilled as promptly as possible
- To follow facility policies, procedures, rules and regulations
- To be considerate of the rights of other patients and facility personnel
- To be respectful of his/her personal property and that of other persons in the facility
- To help staff to assess pain, request relief promptly, discuss relief options and expectations with caregivers, work with caregivers to develop a pain management plan, tell staff when pain is not relieved, and communicate worries regarding pain medication
- To inform the facility of a violation of patient rights or any safety concerns, including perceived risk in his/her care and unexpected changes in their condition
- To provide a responsible adult who, in accordance to the surgery center's directives, will remain at the facility for the duration of his/her stay, transport him/her home from the facility and remain with him/her for the initial 24 hours after surgery/anesthesia, if required by his/her physician

*Merritt Island Surgery Center recognizes the importance of family, spouses, partners, friends and other visitors in the care process of patients. We adopt and affirm as policy the following visitation rights of patients/clients who receive services from our facilities:*

- To be informed of their visitation rights, including any clinical restriction or limitation of their visitation rights
- To designate visitors, including but not limited to a spouse, a domestic partner (including same sex), family members, and friends. These visitors will not be restricted or otherwise denied visitation privileges on the basis of age, race, color, national origin, religion, gender, gender identity, gender expression, sexual orientation or disability. All visitors will enjoy full and equal visitation privileges consistent with any clinically necessary or other reasonable restriction or limitation that facilities may need to place on such rights
- To receive visits from your attorney, physician or clergyman at any reasonable time
- To speak privately with anyone he/she wishes (subject to surgery center visiting regulations) unless a doctor does not think it is medically advised
- To refuse visitors
- Media representatives and photographers must contact the Administrator/surgery center spokesperson for access to the surgery center

## **ADVANCE DIRECTIVE NOTIFICATION:**

In the state of Florida, all patients have the right to participate in their own health care decisions and to make Advance Directives or to execute Power of Attorney that authorize others to make decisions on their behalf based on the patient's expressed wishes when the patient is unable to make decisions or unable to communicate decisions. The Merritt Island Surgery Center respects and upholds those rights.

However, unlike in an acute care hospital setting, the Surgery Center does not routinely perform "high risk" procedures. Most procedures performed in this facility are considered to be of minimal risk. Of course, no surgery is without risk. You will discuss the specifics of your procedure with your physician who can answer your questions as to its risks, your expected recovery, and care after surgery.

Therefore, it is our policy, regardless of the contents of any Advance Directive or instructions from a health care surrogate or attorney-in-fact, that if an adverse event occurs during your treatment at this facility, we will initiate resuscitative or other stabilizing measures and transfer you to an acute care hospital for further evaluation. At the acute care hospital, further treatments or withdrawal of treatment measures already begun will be ordered in accordance with your wishes, Advance Directive, or Healthcare Power of Attorney. Your agreement with this facility's policy will not revoke or invalidate any current health care directive or health care power of attorney.

If you wish to complete an Advance Directive, a copy is attached and copies of the official state forms are available at our facility or you may obtain a copy via the website:

[http://ahca.myflorida.com/mchq/health\\_facility\\_regulation/  
HC\\_Advance\\_Directives/index.shtml](http://ahca.myflorida.com/mchq/health_facility_regulation/HC_Advance_Directives/index.shtml)

If you do not agree with this facility's policy, we will be pleased to assist you in rescheduling your procedure.

If a patient is adjudged incompetent under the state laws, the rights of the patient are exercised by the person appointed and /or the legal representative designated by the patient under Florida law to act on the patient's behalf. The center will accept a Court Appointed Guardian, Dual Power of Attorney, or a Health Care Surrogate.

## **PATIENT COMPLAINT OR GRIEVANCE:**

If you have a problem or complaint, please speak to the receptionist or your care giver. We will address your concern(s) promptly. If necessary, your problem or complaint will be advanced to the Administrator and/or Risk Manager for resolution. You will receive a letter or phone call to inform you of the actions taken to address your complaint.

If you are not satisfied with the response of the Surgery Center, you may contact:

Complaints against an ambulatory surgical center:

Agency for Health Care Administration  
**Consumer Assistance Unit**  
**2727 Mahan Drive / BLDG. 1**  
**Tallahassee, Florida 32308**  
**888-419-3456**

If you have a complaint against a health care professional and want to receive a complaint form:

**Department Of Health**  
**Consumer Services Unit**  
**4052 Bald Cypress Way, Bin C75**  
**Tallahassee, Florida 32399-3275**

You may also contact AAAHC by mail at:

**Accreditation Association for**  
**Ambulatory Health Care, INC.**  
**5250 Old Orchard Road, Suite 200**  
**Skokie, Illinois 60077**

All Medicare beneficiaries may also file a complaint or grievance with the Medicare Beneficiary Ombudsman. Visit the Ombudsman's webpage on the web at:

[www.cms.hhs.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html](http://www.cms.hhs.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html)

## **DISCLOSURE OF OWNERSHIP**

Your Physician may or may not have a financial interest in this facility. If you have any questions regarding your physician please do not hesitate to ask your physician and/or the staff of Merritt Island Surgery Center.

## **MEDICAL MALPRACTICE COVERAGE**

Your physician may not carry malpractice coverage. If you have questions about malpractice coverage, please discuss those with your physician.