

## **RIGHTS AND RESPONSIBILITIES OF PARTICIPANTS IN ADULT DAY CARE CENTERS**

**A. All participants shall be guaranteed the following:**

- 1. The right to be treated as an adult, with consideration, respect, and dignity, including privacy in treatment and care of personal needs.**
- 2. The right to participate in a program of services and activities designed to interest and engage the participant and encourage independence, learning, growth, awareness, and joy in life.**
- 3. The right to self-determination within the center setting, including the opportunity to:**
  - a. Participate in developing or changing one's plan of care;**
  - b. Decide whether or not to participate in any given activity;**
  - c. Be involved to the extent possible in program planning and operation;**
  - d. Refuse treatment and be informed of the consequences of such refusal;  
and**
  - e. End participation at the center at any time.**
- 4. The right to a thorough initial assessment, development of an individualized participant plan of care, and a determination of the required care needs and necessary services.**
- 5. The right to be cared for in an atmosphere of sincere interest and concern in which needed support and services are provided.**
- 6. The right to a safe, secure, and clean environment.**

- 7. The right to receive nourishment and assistance with meals as necessary to maximize functional abilities and quality and enjoyment of life.**
  - 8. The right to confidentiality and the guarantee that no personal or medical information or photographs will be released to persons not authorized under law to receive it without the participant's written consent.**
  - 9. The right to voice or file grievances about care or treatment and to make recommendations for changes in the policies and services of the center, without coercion, discrimination, threats, or reprisal for having voiced or filed such grievances or recommendations.**
  - 10. The right to be fully informed, as documented by the participant's written acknowledgment, of all participant rights and responsibilities and of all rules and regulations regarding participant conduct and responsibilities.**
  - 11. The right to be free from harm or fear of harm, including physical or chemical restraint, isolation, excessive medication, and abuse or neglect.**
  - 12. The right to be fully informed, at the time of acceptance into the program, of services and activities available and related charges.**
  - 13. The right to communicate with others and be understood by them to the extent of the participant's capability.**
- B. The rights of participants shall be printed in at least 14-point type and posted conspicuously in a public place in the center.**
- C. The center shall make its policies and procedures available and accessible to participants, relatives, agencies, and the general public.**
- D. Each center shall post the name and telephone number of the appropriate regional licensing administrator of the department; the Adult Protective Services toll-free telephone number; the toll-free telephone number of the Virginia Long-Term Care Ombudsman Program and any local ombudsman**

program servicing the area; and the toll-free telephone number of the disAbility Law Center of Virginia.

- E. The rights and responsibilities of participants shall be reviewed annually with each participant, or, if a participant is unable to fully understand and exercise his rights and responsibilities, the annual review shall include his family member or his legal representative. Evidence of this review shall include the date of the review and the signature of the participant, family member, or legal representative and shall be included in the participant's file.
- F. A participant shall be assumed capable of understanding and exercising these rights and responsibilities unless a physician determines otherwise and documentation is contained in the participant's record.

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**In Case of Questions or Concerns, You May Call:**

**Regional Licensing Administrator**                      **Name:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Toll-Free Number for the Virginia Long-Term Care Ombudsman: 1-800-552-3402**

**Local Ombudsman serving ADCC locality:** \_\_\_\_\_

**Adult Protective Services: 1-888-832-3858**

**disAbility Law Center of Virginia: 1-800-552-3962**