

# SOUTHWEST IDAHO SURGERY CENTER

## PATIENT RIGHTS AND RESPONSIBILITIES

*Revised: 7-2017, 9-2018, 12-2018, 4-2022*

### **POLICY:**

**This is to ensure that all patients receiving care in this Center shall have their rights observed, respected and enforced by the health care providers of this Center, from clinical staff to business staff and any other personnel who have contact and/or provide services to the patient. The following are the rights of the patient receiving care in this Center.**

1. The patient will be treated with respect, consideration and dignity.
2. Prior to receiving care, patients are informed of their rights and responsibilities. The patient shall be informed verbally and in writing of their rights in advance of the date of the procedure, in terms that the patient can understand. A signature acknowledging receipt of verbal and written notification of these rights on the day of the procedure will be obtained by the patient and/or legal guardian and placed in the patient's chart as part of the permanent medical record.
3. The patient will be informed of the services offered at the Center, the names of the professional staff and the professional status of who is providing and/or responsible for their care, including information on the facility's provisions for emergency and after-hours care.
4. The patient will be informed of the fees and related charges, including the payment, fee, deposit and refund policy of the Center and any charges not covered by third-party payers or by the Center's basic rate.
5. The patient will be informed of other health care and educational institutions participating in the patient's treatment.
6. The patient will be informed of the identity and the function of these institutions, and they have the right to refuse the use of such institutions.
7. The patient will be informed, in terms that the patient can understand, of their complete medical/health condition or diagnosis; the recommended treatment; treatment options, including the option of no treatment; risks 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, then the information will be provided to the patient's next of kin or guardian. This release of information to the next of kin or guardian, along with the reason for not informing the patient directly, will be documented in the patient's chart.
8. The patient will be given the opportunity to participate in the planning of their care and has the right to refuse such care or medications. Upon refusal, it will be documented in the patient's chart.
9. The patient will be included in experimental care if the patient has agreed to such and gives written and informed consent to such treatment, or when a guardian has consented to such treatment. The patient also has the right to refuse such experimental treatment, including the investigation of new drugs and medical devices.
10. The patient has the right to voice grievances or recommend changes in policies and services to the Center personnel, the governing authority and/or outside representatives of the patient's choice, free from restraint, interference, coercion, discrimination or reprisal.
11. The patient will be free from mental and physical abuse, free from exploitation and free from the 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 medications shall not be used for the discipline of patients or for the convenience of the Center's personnel.
12. The patient will be assured of confidential treatment of information about themselves. Information in the patient's medical record shall not be released to anyone outside the Center without the patient's approval, unless another healthcare center to which the patient was transferred requires that information; or unless the release of the information is required or permitted by law, a third-party payment contract or a peer review; or unless the information is needed by the State or the State Department of Health for statutorily authorized purposes.

The Center may release data about the patient for studies containing aggregated statistics when the patient's identity is masked.

13. The patient will receive courteous treatment, consideration, respect and recognition of the patient's dignity, individuality and right to privacy, including, but not limited to, auditory and visual privacy. The patient's privacy shall also be respected when Center personnel are discussing the patient.
14. The patient will not be required to work for the Center 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.
15. The patient has the right to exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, or any attendance at religious services, shall be imposed upon any patient.
16. The patient has the right to expect and receive appropriate assessment, management and treatment of pain as an integral component of that person's care.
17. The patient has the right to information regarding the credentialing of all health care professionals at the Center. Upon request, the patient has the right to request information regarding the professional credentials of any health care provider at the Center. Patients are required to submit their request for verification of professional credentials in writing to the Director of Nursing. The Director of Nursing will comply with the request and release information in accordance with state and federal guidelines.
18. The patient shall be informed verbally and by written notice of the date of the procedure and of their physician's financial interest or ownership in the Center; the signed copy of the patient acknowledgement and notification of the physician's financial interest or ownership will be placed in the patient's chart as part of the permanent medical record.
19. The patient shall be informed verbally and offered written notice on the date of the procedure, information on the Center's policy on advance directives, including a description of applicable state health and safety laws, and, if requested, official advance directive forms. The signed copy of the patient acknowledgement and notification of the Center policy on advance directives will be placed in the patient's chart as part of the permanent medical record.
20. The patient has the right to refuse any treatment and research, except as otherwise provided by law.
21. The patient will not be discriminated against because of age, race, religion, sex, nationality or ability to pay, or deprived of any constitutional, civil and/or legal rights solely because of receiving services from the Center.
22. The patient has the right to change their provider and reschedule their procedure.
23. The patient has the right to be informed about procedures for expressing suggestions, including complaints and grievances, including those regulated by state and federal regulations.
24. The patient has the right not to be misled by marketing or advertising regarding the competence and capabilities of the organization.
25. The patient has the right to be provided with appropriate information regarding the absence of malpractice insurance coverage.
26. The patient has the right to receive care in a safe setting free from all forms of abuse and harassment.
27. The patient has the right to receive, in writing and verbally, a good-faith estimate of the costs associated with the planned surgical procedure.
28. The patient has the right to file a dispute claim within 120 days of a medical bill if the final charges are \$400 or higher than the good-faith estimate.
29. The patient has the right to request an easy-to-understand notice explaining the applicable billing protections and who to contact if the patient has concerns that our facility has violated the protections.
30. The patient has the right to use a telephone.
31. The patient has the right to require consent in order to waive billing protections.
32. Prior to receiving care, patients are informed of their responsibilities.
33. A patient is responsible for behaving respectfully toward all health care professionals and staff, as well as other patients and visitors.
34. A patient is responsible for reporting unexpected changes in their condition to their health care provider.
35. A patient is responsible for reporting to their health care provider whether they comprehend a contemplated course of action and what is expected of them.
36. A patient is responsible for following the treatment plan recommended by their health care provider.
37. A patient is responsible for keeping appointments and, when they are unable to do so for any reason, for notifying their health care provider or the Center.

38. A patient is responsible for their actions if they refuse treatment or do not follow their health care provider's instructions.
39. A patient is responsible to provide complete and accurate information about their health, any medications, including herbals and over-the-counter supplements, and any allergies or sensitivities.
40. A patient is responsible for following the treatment plan prescribed by their provider.
41. A patient is responsible for providing a responsible adult to transport them home from the Center and remain with them for 24 hours as required.
42. A patient is responsible for informing their provider about any living will, medical power of attorney or other directive that could affect their care.
43. A patient is responsible for being respectful of all the health care providers and staff, as well as other patients.
44. A patient is responsible for accepting personal financial responsibility for any charges not covered by insurance.
45. If a patient is adjudged incompetent under applicable state 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.
46. If a state court has not adjudged 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.

## Questions and Complaints

Patients can communicate concerns about patient safety issues that occur before, during and after care by contacting the Director of Nursing. The Director of Nursing shall also provide all patients and/or their families, upon request, the names, addresses and telephone numbers of offices where information concerning Medicare and Medicaid coverage may be obtained.

### **Southwest Idaho Surgery Center**

Laura Hession, Director of Nursing

900 N. Liberty, Ste. 450

Boise, ID 83704

Telephone: (208) 367-7431

Email: laurah@swisc.com

### **Idaho Department of Health and Welfare Bureau of Facility Standards**

Non-Long Term Care Co-Supervisor

c/o Dennis Kelly, RN

P.O. Box 83720

Boise, ID 83702-0036

Phone: (208) 334-6626, Option 4

The Medicare Ombudsman is available to the public and the Center patients to get information about the Medicare and Medicaid programs and prescription drug coverage and how to coordinate Medicare benefits with other health insurance programs.

Information about filing a grievance or complaint can be obtained from their website, by mail or via phone:

### **Centers for Medicare & Medicaid Services (CMS) Contact Information:**

Telephone: 1-800-MEDICARE

Available 24 hours a day, seven days a week, including some federal holidays

TTY/TDD users can call 1-877-486-2048. This system is available 24 hours a day, seven days a week.

Mailing address:

Centers for Medicare & Medicaid Services

7500 Security Blvd.

Baltimore, MD 21244-1850

The website for the Medicare Beneficiary Ombudsman is <https://www.cms.gov/center/special-topic/ombudsman/medicare-beneficiary-ombudsman-home>.

Southwest Idaho Surgery Center is an ambulatory care surgery center accredited by AAAHC and the Centers for Medicare & Medicaid Services, providing outpatient ear, nose and throat surgical services to children and adults in Boise, Idaho. Information about the credentials of the Center's health care professionals, malpractice coverage and other information is available at [www.swient.com](http://www.swient.com). After-hour services are provided by calling our direct line, (208) 336-4368, going to any of the local emergency rooms or calling 911 for immediate emergency services. All patients will be provided a cost estimate described in detail over the phone or a paper copy in the mail. Payment policies will be provided to patients who request to establish a payment plan.