



Residents' Rights for Persons Residing in Supportive Living Facilities

As a supportive living facility resident in Illinois, you are guaranteed certain rights, protections and privileges according to State and Federal law.

Illinois Long-Term Care Ombudsman Program



Ombudsman... Resident Advocate
Call 1-800-252-8966 to learn more

**Protecting, Advocating and Promoting the Rights
of Residents in Long-term Care Facilities**

Illinois Department on Aging, 421 East Capitol Avenue, #100, Springfield, Illinois 62701-1789
Senior HelpLine: 1-800-252-8966, 1-888-206-1327 (TTY) • www.state.il.us/aging

Download this brochure at www.state.il.us/aging in the "News and Publications" section.

The Illinois Department on Aging does not discriminate in admission to programs or treatment of employment in programs and activities in compliance with appropriate State and Federal statutes. If you feel you have been discriminated against, call the Senior HelpLine at 1-800-252-8966, 1-888-206-1327 (TTY).

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You have the right to...

▶ safety and good care

- ▶ Your facility **must** make available services to promote health and wellness. You have the right to refuse any service being offered.
- ▶ You **must not** be abused by anyone — physically, mentally, financially or sexually.

▶ participate in your own care

- ▶ Your facility **must** develop a written service plan that states all the services it provides.
- ▶ Family, friends or ombudsmen should be allowed to participate in the development of your service plan.
- ▶ You have the right to be in charge of taking your own medications.
- ▶ You **cannot** be charged for services that are not in the resident contract.
- ▶ You can arrange and receive non-Medicaid covered services at your own expense.
- ▶ You have the right to make a Durable Power of Attorney for Health Care, Living Will, Declaration for Mental Health Treatment and Do Not Resuscitate Order.
- ▶ Facilities **must** allow you to see your records within **48 hours** of your request.
- ▶ You have the right to move out after you give **30 days** written notice.

▶ privacy

- ▶ Your medical and personal care are private.
- ▶ Your facility **may not** give information about you or your care to unauthorized persons without your permission.
- ▶ You have the right to make and receive phone calls in private.
- ▶ If you are married, you and your spouse have the right to share a room, if available.

▶ money management

- ▶ You have the right to manage your own money.
- ▶ The facility **cannot** require you to let them manage your money or be your Social Security Representative payee.
- ▶ You have the right to see your financial records.

▶ safety of your personal belongings and property

- ▶ You **must** be given a contract that states what services are provided by the facility and how much they cost.
- ▶ You may keep and use your own property.
- ▶ You may store and prepare food in your apartment to the extent the health, safety and well-being of others is not endangered.

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▶ pay for your care

- ▶ You **must** be given a contract stating what services are provided and how much they cost.
- ▶ Your facility **must not** require anyone else to sign an agreement stating they will pay for your bill, unless they are your court appointed guardian.
- ▶ You have a right to apply for Medicaid or Medicare.
- ▶ If you receive Medicaid, the facility **cannot** make you pay for anything for which Medicaid pays.

▶ stay in your facility

- ▶ You have the right to continue living in your facility.
- ▶ The facility **can** force you to leave because:
 - ...you fail to comply with the resident contract,
 - ...you are a danger to yourself or others,
 - ...the facility can no longer meet your needs with available support services,
 - ...you have not paid,
 - ...you exceed the facility's policy for keeping your apartment during a temporary absence from the facility, or
 - ...the facility closes.
- ▶ You **must** be given written notice if your facility wants you to move. The written notice **must**:
 - ...explain why you are being asked to move,
 - ...include how to appeal to the Illinois Department of Healthcare and Family Services, and
 - ...be received **30 days** prior to the day the facility wants you to move unless it is an emergency discharge.
- ▶ You have the right to appeal your discharge notice. Unless it has been determined that an emergency discharge is mandated, your facility **cannot** make you leave until the appeal is decided.

- ▶ You **cannot** be forced to leave if you apply for Medicaid or Medicare.
- ▶ Contact the Illinois Department on Aging for help to appeal the discharge notice. Call **1-800-252-8966**, **1-888-206-1327 (TTY)**.
- ▶ You **must** be allowed to return to your facility after a temporary absence, unless you receive written notice.
- ▶ You have the right to have roommates, only by your choice. You **must** be told in advance if your room is being changed.

Remember, you do not lose your rights as a citizen of Illinois and the United States because you live in a supportive living facility.

- ▶ You have a right to see reports of all facility reviews from the most recent to the last three years.
- ▶ You have freedom of religion.
- ▶ You have the right to vote.
- ▶ You have the right to participate in social and community activities.
- ▶ You have the right to meet with the Resident Council, staff from the Illinois Department of Healthcare and Family Services, the Illinois Long-term Care Ombudsman Program, community organizations, social service groups and members of the general public who come to your facility.
- ▶ You have the right to present grievances and get a prompt response from facility staff.
- ▶ Your facility **may not** threaten or punish you in any way for asserting your rights or presenting grievances.

If the rights presented in this booklet are not applied within your facility, the following actions are suggested:

1 Define the problem. Writing it down may help make clear exactly what has happened and why it is wrong. When did it happen? (Give times and dates, if possible.) Who was involved or saw the incident? Ask questions of others who may be involved or know about the problem.

2 Talk to the staff. If it seems appropriate, talk about the problem with the staff responsible for taking care of you. Find out the facility procedures for resolving problems or concerns. If this does not seem like a good idea, or if you are not satisfied after you do so, consider talking to the facility manager, the manager's designee, your physician, the director of nursing, the social worker or the floor nurse.

3 Participate in the Resident Council. The Resident Council may raise concerns on behalf of a resident.

4 Ask for assistance. If you or the Resident Council need help solving a problem, you may ask the Illinois Long-Term Care Ombudsman Program for assistance. The program offers confidential help to older adults who have questions, concerns or complaints regarding the care they are receiving in their long-term care facility. Call:

Illinois Department on Aging
1-800-252-8966
1-888-206-1327 (TTY)

If the problem relates to a person with a developmental disability or mental illness, you may ask for help from Equip for Equality, a non-profit organization named by the Governor to provide protection and advocacy for

people with disabilities in all aspects of community living regardless of age. Call:

Equip for Equality
1-800-537-2632
1-800-610-2779 (TTY)

5 File a complaint with the Illinois Department of Healthcare and Family Services (IDHFS). If you think your facility is violating your rights or those of your fellow residents, you can make a complaint against it. IDHFS will investigate your complaint. If a violation has been found, the supportive living facility will be cited; and corrective action will be taken. Call:

Supportive Living Program Complaint Hotline
1-800-226-0768



To obtain copies of the following brochures:

- ▶ **Residents' Rights for People in Long-term Care Facilities**
- ▶ **Residents' Rights for People in Intermediate Care Facilities for the Developmentally Disabled**

Call **1-800-252-8966, 1-888-206-1327 (TTY)**, or

Visit **www.state.il.us/aging** on the Web and link to "News and Publications."