

# Bergen New Bridge Medical Center • Paramus, New Jersey

## PATIENT'S BILL OF RIGHTS • BEHAVIORAL HEALTH DIVISION

As a patient/resident in Bergen New Bridge Medical Center, certain rights are granted to you under Federal and State Law and Regulation. These rights shall be provided to all patients/residents, except in the case of inmates receiving treatment on the inpatient forensic unit for which a separate list of rights applies, a list of which shall be prominently posted in conspicuous locations throughout the facility and on all patient/resident units.

Each patient shall be fully informed, as evidenced by written acknowledgment, of these rights and of all rules and regulations governing patient/resident as well as visitor conduct and responsibilities within five (5) days of admission. In the case of an adjudicated incompetent patient/resident, such procedure shall be followed for the patient/resident's guardian.

### As a patient/resident, you have the following rights:

#### MEDICAL CARE

To receive the care and health services that the hospital is required to provide under N.J.S.A. 26:2H-1 et seq, and rules adopted by the Department of Health to implement this law as described below;

To receive prompt and adequate medical treatment for any physical ailment, including the appropriate assessment, management and treatment of pain;

To give informed, written consent prior to the start of specified non-emergency procedures or treatments only after a physician has explained—in terms that the patient understands—specific details about the recommended procedure or treatment, the risks involved, the possible duration of incapacitation, and any reasonable medical alternatives for care and treatment. If the patient is incapable of giving informed, written consent, consent shall be sought from the patient's next of kin or guardian or through an advance directive, to the extent authorized by law;

To receive care in the least restrictive conditions necessary to achieve the goals of treatment;

To be free from unnecessary or excessive medication;

To refuse medication and treatment to the extent permitted by law and to be informed of the medical consequences of this act;

To not be subjected to non-standard treatment or procedures, experimental procedures or research, psychosurgery, sterilization, electro-convulsive therapy or provider demonstration programs, without written, informed consent after consultation with counsel or interested party of the patient's choice. If a patient has been adjudicated incompetent, authorization for such procedures may be obtained only pursuant to the requirements of N.J.S.A. 30:4-24.2d(2).

#### COMMUNICATION AND INFORMATION

To be informed of the names and functions of all physicians and other health care professionals who are providing direct care to the patient including other health care educational institutions the hospital has authorized to participate in the patient's treatment. The patient shall have the right to refuse these other health care and educational institutions from participating in his/her treatment.

To receive, as soon as possible, the services of a translator or interpreter to facilitate communication between the patient and the hospital's health care personnel;

To receive from the patient's physician(s)—in terms that the patient understands—an explanation of his or her complete medical condition, recommended treatment, risk(s) of treatment, expected results and reasonable medical alternatives. If this information would be detrimental to the patient's health, or if the patient is not capable of understanding the information, the explanation shall be provided to his or her next of kin or guardian;

To be informed of the hospital's policies and procedures regarding life-saving methods and the use or withdrawal of life-support mechanisms.

#### MEDICAL RECORDS

To have prompt access to the information contained in the patient's medical record, unless a physician prohibits such access as detrimental to the patient's health. In that instance, the patient's next of kin or guardian shall have a right to see the record. This right continues after the patient is discharged from the hospital for as long as the hospital has a copy of the record;

To obtain a copy of the patient's medical record, at a reasonable fee, within 30 days of a written request to the hospital. If access by the patient is medically contraindicated, the medical record shall be made available to a legally authorized representative of the patient or the patient's physician.

#### COST OF HOSPITAL CARE

To receive a copy of the hospital payment rates, regardless of source of payment. Upon request, the patient or responsible party shall be provided with an itemized bill and an explanation of the charges if there are further questions. The patient or responsible party has a right to appeal the charges and shall be provided with an explanation of procedures to follow in making such an appeal by the hospital;

To be assisted in obtaining public assistance and the private health care benefits to which the patient may be entitled. This includes being advised that he/she is indigent or lacks the ability to pay and that he/she may be eligible for coverage, and receiving the information and other assistance needed to qualify and file for benefits or reimbursement.

#### DISCHARGE PLANNING

To be informed by the attending physician and other providers of health care services about any continuing health care requirements after the patient's discharge from the hospital. 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 with sufficient time before discharge to make such arrangements;

To be informed by the hospital about any discharge appeal process to which the patient is entitled by law.

#### TRANSFERS

To be transferred to another facility only for one of the following reasons:

1. The transferring hospital is unable to provide the type or level of medical care appropriate for the patient's needs; or
2. The transfer is requested by the patient, or by the patient's next of kin or guardian when the patient is mentally incapacitated or incompetent.

To receive from a physician an explanation of the reasons for transferring the patient to another facility, information about alternatives to the transfer, verification of acceptance from the receiving facility, and assurance that the movement associated with the transfer will not subject the patient to substantial, unnecessary risk of deterioration of his/her medical condition. This explanation of the transfer shall be given in advance to the patient, and/or to the patient's next of kin or guardian except in a life-threatening situation where immediate transfer is necessary.

#### PERSONAL NEEDS

To be treated with courtesy, consideration, & respect for the patient's dignity and individuality; In inpatient or other residential care, patients are accorded the following:

1. The right to suitable opportunities for interaction with members of the opposite sex with adequate supervision;
2. The right to wear his/her clothes; to keep and use his/her personal possessions including toilet articles; and to keep and be allowed to spend his/her own money for expenses and purchases;
3. The right to have access to individual storage space for his/her private use;
4. The right to receive or refuse visitors of his/her choice daily;
5. The right to have reasonable access to and use of a telephone, both to make and receive private calls;
6. The right to have ready access to letter writing materials, including stamps, and the right to mail and receive unopened correspondence;
7. The right to regular physical exercise several times a week;
8. The right to be outdoors at regular and frequent intervals, medical considerations permitting.
9. The right to practice the religion of his/her choice or abstain from religious practices. Provisions for such worship shall be made available to each person on a nondiscriminatory basis.

The rights in (1-9) listed above may be denied to patients in inpatient care for good cause provided, however, that under no circumstances shall a patient's right to communicate with his/her attorney, physician or the courts be restricted. Any such denial of a patient's rights shall take effect only after a written notice of the denial, which includes an explanation of the reason for the denial has been filed in the patient's record. Any such denial of a patient's rights shall be effective for a period not to exceed thirty (30) days and may be renewed for additional thirty (30) day periods only by a written statement by the Director of the Program Element in the patient's treatment record which indicates the detailed reason for such denial or renewal.

#### FREEDOM FROM ABUSE AND RESTRAINTS

To be free from corporal punishment, and physical and mental abuse;

To be free from restraints, unless they are authorized by a physician for a limited period of time to protect the patient or others from injury.

#### PRIVACY AND CONFIDENTIALITY

To confidential treatment of information about the patient. Information in the patient's records shall not be released to anyone outside the hospital without the patient's approval, unless another health care facility to which the patient was transferred requires the information, or unless the release of the information is required and permitted by law, a third-party payment contract, a medical peer review, or the New Jersey State Department of Health. The hospital may release data about the patient for studies containing aggregated statistics when the patient's identity is masked;

To have physical privacy during medical treatment and personal hygiene functions, such as bathing and using the toilet, unless the patient needs assistance for his or her own safety.

#### LEGAL RIGHTS

To exercise all legal and civil rights to which the patient is entitled. No legal or civil right of any patient/resident shall be deprived, modified, or varied solely by reason of his/her race, age, religion, national origin, sex, sexual preference, handicap, diagnosis, ability to pay, source of payment, or receipt of mental health services.

No patient/resident shall be presumed to be incompetent because he/she has been examined or treated for mental illness, regardless of whether such evaluation or treatment was voluntarily or involuntarily received.

To a writ of habeas corpus upon proper petition by himself/herself, by a relative, or a friend to any court of competent jurisdiction in the county in which she/he is detained and shall further be entitled to enforce any of the rights stated by civil action or other remedies otherwise available by common law or statute; and

#### QUESTIONS AND COMPLAINTS

To present his or her grievances to the hospital staff member(s) designated by the hospital to respond to questions or grievances about patient rights (referred to as the Patient Advocate) and to receive an answer to those grievances within a reasonable period of time. The Public Advocate and/or the Office of the Ombudsman for the Institutionalized Elderly may also be contacted, as well as the New Jersey Department of Health Complaint Hotline at 1-800-792-9770. Any patient, applicant, or person who has been a patient within the last three months or his/her designee, parent or guardian, shall have the right to seek review. This information shall be posted conspicuously in public areas of the hospital and on all patient units.

This list of Patient's Rights is an abbreviated summary of the current New Jersey law and regulations governing the rights of hospital patients. For more complete information, consult the N.J. Department of Health regulations N.J.A.C. 8:43G-4 or Public Law 1989-Chapter 170, both available through this facility.