

SURGERY CENTER OF KEY WEST PATIENT'S RIGHTS AND RESPONSIBILITIES

Centers for Medicare and Medicaid Services (CMS)

The patient and the patient's representative or surrogate has the right to:

- Be free from discrimination or reprisal
- Voice grievances regarding treatment or care that is (or fails to be) provided
- Be fully informed about a treatment or procedure and the expected outcome before it is performed
- Personal privacy
- Respect, dignity and comfort
- Receive care in a safe setting
- Be free from all forms of abuse or harassment
- Receive information about their privacy rights and how their information can be used
- Privacy and confidentiality of medical record information
- Make informed decisions regarding care
- Formulate an Advance Directive
- Delegate his/her right to make informed decisions to another person
- Know if your physician has a financial interest or ownership in the center
- File a grievance

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.

If a State court has not adjudged a patient incompetent, any legal representative or surrogate designated by the patient in accordance with State law may exercise the patient's rights to the extent allowed by State law.

FL State

Responsibilities of patients:

Each patient of a health care provider or health care facility shall respect the health care provider's and health care facility's right to expect behavior on the part of patients which, considering the nature of their illness, is reasonable and responsible.

Each patient shall observe the responsibilities described in the following summary:

FL State Patient's Bill of Rights and Responsibilities

Florida law requires that your health care provider or health care facility recognize your rights while you are receiving medical care and that you respect the health care provider's or health care facility's right to expect certain behavior on the part of patients. You may request a copy of the full text of this law from your health care provider or health care facility.

A summary of your rights and responsibilities follows:

- A patient has the right to be treated with courtesy and respect, with appreciation of his or her individual dignity, and with protection of his or her need for privacy.
- A patient has the right to a prompt and reasonable response to questions and requests.

- A patient has the right to know who is providing medical services and who is responsible for his or her care.
- A patient has the right to know what patient support services are available, including whether an interpreter is available if he or she does not speak English.
- A patient has the right to bring any person of his or her choosing to the patient-accessible areas of the health care facility or provider's office to accompany the patient while the patient is receiving inpatient or outpatient treatment or is consulting with his or her health care provider, unless doing so would risk the safety or health of the patient, other patients, or staff of the facility or office or cannot be reasonably accommodated by the facility or provider.
- A patient has the right to know what rules and regulations apply to his or her conduct.
- A patient has the right to be given by the health care provider information concerning diagnosis, planned course of treatment, alternatives, risks, and prognosis.
- A patient has the right to refuse any treatment, except as otherwise provided by law.
- A patient has the right to be given, upon request, full information and necessary counseling on the availability of known financial resources for his or her care.
- 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.
- A patient has the right to receive, upon request, prior to treatment, a reasonable estimate of charges for medical care.
- A patient has the right to receive a copy of a reasonably clear and understandable, itemized bill and, upon request, to have the charges explained.
- A patient has the right to impartial access to medical treatment or accommodations, regardless of race, national origin, religion, handicap, or source of payment.
- A patient has the right to treatment for any emergency medical condition that will deteriorate from failure to provide treatment.
- A patient has the right to know if medical treatment is for purposes of experimental research and to give his or her consent or refusal to participate in such experimental research.
- A patient has the right to express grievances regarding any violation of his or her rights, as stated in Florida law, through the grievance procedure of the health care provider or health care facility which served him or her and to the appropriate state licensing agency.
- A patient is responsible for providing to the health care provider, to the best of his or her knowledge, accurate and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to his or her health.
- A patient is responsible for reporting unexpected changes in his or her condition to the health care provider.

- A patient is responsible for reporting to the health care provider whether he or she comprehends a contemplated course of action and what is expected of him or her.
- A patient is responsible for following the treatment plan recommended by the health care provider.
- A patient is responsible for keeping appointments and, when he or she is unable to do so for any reason, for notifying the health care provider or health care facility.
- A patient is responsible for his or her actions if he or she refuses treatment or does not follow the health care provider's instructions.
- A patient is responsible for assuring that the financial obligations of his or her health care are fulfilled as promptly as possible.
- A patient is responsible for following health care facility rules and regulations affecting patient care and conduct.

Accreditation Association for Ambulatory Health Care (AAAHC)

The patient and the patient's representative or surrogate has the right to:

- Be treated with respect, consideration and dignity
- Be provided appropriate privacy
- When the need arises, reasonable attempts are made for health care professionals and other staff to communicate in the language or manner primarily used by patients
- Be provided to the degree known, information concerning their diagnosis, evaluation, treatment and prognosis. When it is medically inadvisable to give such information to a patient, the information is provided to a person designated by the patient or to a legally authorized person
- Be given the opportunity to participate in decisions involving their health care, except when such participation is contraindicated for medical reasons
- Know services available at the facility
- Know provisions for after-hours and emergency care
- Know fees for services
- Know payment policies
- Formulate advance directives
- Know the credentials of health care professionals
- Know if there is an absence of malpractice insurance coverage
- Know how to voice grievances regarding treatment or care
- Know methods for providing feedback, including complaints
- Be informed of their right to change providers if other qualified providers are available

Accreditation Association for Ambulatory Health Care (AAAHC)

The patient or as appropriate the patient's representative is responsible for:

- Providing complete and accurate information the best of his/her ability about his/her health, any medications taken, including over-the-counter products and dietary supplements, and any allergies or sensitivities
- Following the treatment plan prescribed by his/her provider and participating in his/her care
- Providing a responsible adult to transport him/her home from the facility and remain with him/her for 24 hours, if required by the provider
- Accepting personal financial responsibility for any charges not covered by insurance

- Behaving respectfully toward all the health care professionals and staff, as well as other patients

Complaint/grievance process:

If you, your representative or surrogate have a problem or complaint, please speak to the receptionist, nurse, physician or your caregiver; we will address your concern(s). You may also contact the Facility Administrator. If your concern cannot be immediately resolved the facility will investigate the complaint/grievance and notify you, in writing, the outcome of the investigation.

If you are not satisfied with the response of the Surgery Center you may contact the State of Florida via:

Mail: Agency for Health Care Administration
Consumer Assistance Unit
2727 Mahan Drive/BLDG. 1
Tallahassee, FL 32399

Phone: Consumer Assistance Unit at 1-888-419-3456

Email: www.FloridasHealth.com

If you have a complaint against a health care professional contact:

Mail: Department of Health
Consumer Services Unit
4052 Bald Cypress Way, Bin C7S
Tallahassee, FL 32399

Phone: Consumer Services Unit at 1-888-419-3456 (press 1)

Email: MQA.consumerservice@flhealth.gov

You may also contact AAAHC via:

Mail: Accreditation Association for Ambulatory Health Care, Inc.
5250 Old Orchard Road, Suite 200
Skokie, IL 60077

Phone: 1-847-853-6060

NOTE: Role of Medicare Ombudsman is to ensure that Medicare Beneficiaries receive the information and help them need to understand their Medicare options and to apply their Medicare rights and protections.

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

<https://www.cms.gov/center/special-topic/ombudsman/medicare-beneficiary-ombudsman-home>