



Understanding and Protecting Residents' Rights

When first responders interact with residents of long-term care facilities, their families, and facility staff, it is helpful to be aware of the additional rights individuals have while living in these settings. Residents have rights that are guaranteed by the federal Nursing Home Reform Law. The law requires nursing homes to “promote and protect the rights of each resident” and stresses individual dignity and self-determination. Many states also include residents’ rights in state law or regulation.

Residents Have:

- The right to a dignified existence
- The right to self determination
- The right to be fully informed
- The right to raise grievances
- Right of access
- Rights regarding financial affairs
- The right to privacy
- Rights regarding discharge or transfer from the facility



A complete list of the rights that are a part of the 1987 Nursing Home Reform law may be found on the Consumer Voice website (theconsumervoice.org/residents-rights).

In federal fiscal year 2024, the Long-Term Care Ombudsman Program’s (LTCOP) top three complaint categories affecting residents of nursing facilities and a clear violation of resident rights were (1) discharge or eviction from a facility, (2) response (or lack of) to request for assistance, and (3) physical abuse. The top three complaint categories for residential care communities were (1) discharge or eviction from a facility, (2) medication issues, and (3) food services.

Frequent scenarios that a member of Law Enforcement or EMS might encounter where a resident’s rights are generally at risk of being violated include:

- Threats to discharge or evict a resident from the facility for an unlawful reason, without proper notice, or in an unsafe or disorderly manner to an unsafe placement or location.
- Efforts by someone in control, e.g. the facility staff, a family member, a guardian, to prevent the resident from visiting with someone important to the resident.
- Actions or “behaviors” by the resident that the facility finds bothersome, troubling, or inconvenient.
- Altercations between two or more residents, or a resident and a staff person.

In each scenario it might be helpful to be familiar with residents’ rights, or even to call the LTCOP for assistance.

Guidance and Tips

- For any complaint that you receive, there is more than likely a residents' right in federal law which addresses the concern. Check the resources listed for more details on each right.
- If you are unsure about any of the rights, contact your local or state LTCO program. Ombudsman representatives are a great resource to help answer your questions.
- If you feel that a resident, you have worked with or met on a call need an advocate, call the local or state LTCO.
- If EMS needs law enforcement to respond to a situation, they can contact their own dispatch by radio or onboard systems, and dispatch will coordinate directly with the police. Some EMS agencies also use direct phone numbers or priority lines to request law enforcement without calling 911.



RESOURCES

Complete list of Residents Rights:

theconsumervoice.org/residents-rights

How to contact your Long-Term Care Ombudsman Program:

theconsumervoice.org/get-help

Long-Term Care Ombudsman program, National Ombudsman Reporting System (NORS), FFY2024 data:

ltcombudsman.org/omb_support/nors

Scan the QR code to watch the accompanying video.



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This resource was produced by the National Consumer Voice for Quality Long-Term Care with support from the Elder Justice Initiative, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this resource are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.