

NEWS RELEASE



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Privacy in the Long Term Care Setting

As Americans, we seem to remain vigilant about issues of privacy. From the time our forefathers adopted the United States Constitution, namely the Fourth Amendment protection against unreasonable search and seizure, privacy has been an important facet of democracy and the American way. In regards to our health information, we affirmed our faith in the principals of privacy when the Health Insurance Portability and Accounting Act (HIPAA) was passed in 1996.

So, how are rules, laws and rights of privacy applied to the long term care setting? Residents of nursing homes and adult care facilities have the same privacy protections as all Americans, enjoying the same civil and legal rights as those living in their own homes. Residents also enjoy a variety of rights, protected by law, that ensure these fundamental principles and address them in this specialized setting. These rights include:

- **Privacy during personal care and medical treatment.** This may include the use of a privacy curtain or a closed door during care.
- **Privacy in written communications.** This includes the right to receive unopened mail promptly.
- **Privacy in telephone communications.** This includes regular access to a telephone where calls may not be overheard, and which is accessible to the needs of residents with disabilities.

- **Privacy and confidentiality of personal and clinical records.** Health and personal information may not be shared without consent from the resident, by health insurance contract or when record release is required by law.
- **Access to a lockable drawer or storage area in your room, or in the immediate area.**
- **Private meeting space for you and your family.**
- **Privacy for visits by your spouse, relative or partner, if they do not reside in the facility.**

Staff members serving at long term care facilities are trained to ensure that all resident privacy issues are strictly enforced. Discussions about a resident's condition or problems take place in appropriate, private areas, and may not be shared with other residents.

Privacy protects our right to be secure in our own homes. Fortunately, we have laws to protect our right to privacy, no matter where we live. In a nursing home or in our own house, privacy and dignity go hand-in-hand. We insure these basic rights when we respect one another as individuals, with individual needs, and treat one another the way we would want to be treated ourselves.

Volunteer long-term care ombudsmen serve at every nursing home and adult care facility in Genesee County. They are trained professionals who assist with and investigate resident concerns, and advocate for the rights of residents in long term care facilities. If you believe that the rights of your loved one have been violated, or if you would like advice or assistance, call Lifespan at 585.244.8400 x114. The Ombudsman assigned to the facility can assist you with your concern.

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