

PATIENT RIGHTS AND RESPONSIBILITIES AND GRIEVANCES

PATIENT RIGHTS

Patient rights will be exercised without regard to sex, culture, economic, educational or religious background or the source or payment for his or her care.

1. Considerate and respectful care.
2. Appropriate privacy.
3. Patient disclosures and records are treated confidentially, and except when required by law, patients are given the opportunity to approve or refuse their release.
4. Patients are provided to the degree known, complete 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.
5. Patients are given the opportunity to participate in decisions involving their health care, except when such participation is contraindicated for medical reasons.
6. Information is available to patients and staff regarding:
 - a. Patient rights
 - b. Patient conduct and responsibilities
 - c. Services available at the Surgery Center
 - d. Provisions for after-hour and emergency care
 - e. Fees for services
 - f. Payment policies
 - g. Patient's right to refuse to participate in experimental research
 - h. Advance directives, as required by state or federal law and regulations
 - i. Credentials of health care professionals
7. Prior to receiving care, patients are informed of Patient Responsibilities (see Patient Responsibilities).
8. Patients are informed of their right to change their provider if other qualified providers are available.
9. Representation of accreditation to the public must accurately reflect the accredited entity.
10. Marketing or advertising regarding the competence and capabilities of the organization is not misleading.
11. Patients are provided with appropriate information regarding the absence of malpractice insurance coverage.
12. Patients are informed about procedures for expressing suggestions, complaints and grievances, including those required by state and federal regulations.
13. Patient has the right to be free from all forms of abuse or harassment.
14. Patient has the right to privacy and security of individually identifiable health information.
15. Patient has the right to be fully informed about a treatment or procedure and expected outcome before it is performed.
16. If a patient is adjudged incompetent under applicable state health and safety laws by a court, the rights of the patient are exercised by the person appointed under state law to act on the patient's behalf.
17. If a state court has not adjudged a patient as incompetent, any legal representative designated by the patient may exercise the patient's rights to the extent allowed by law.
18. The facility must inform the patient or patient's representative of the patient's rights and must protect and promote the exercise of such rights.

19. The facility must provide the patient or patient's representative with verbal and written notice of patient's rights in advance of the date of the procedure, in a language and manner that is understandable.
20. Patients have the right to exercise his or her rights without being subjected to discrimination or reprisal.
21. Patient has the right to know that this surgery center is an incorporation of a collective group (which may include his or her surgeon) formed for the benefit of the community. The Center also wishes to inform the patient that his or her surgeon may have a financial interest in this Center. Others may also have an investment interest in the Center. As a matter of choice, patients have the right to choose to have their recommended surgery at other locations.

PATIENT RESPONSIBILITIES

Patient responsibilities are to:

1. Provide accurate and complete information about their health, any medications, including over-the-counter products and dietary supplements and any allergies or sensitivities.
2. Follow the treatment plan recommended by their provider and participate in their care.
3. Provide a responsible adult to transport them home from the facility.
4. Inform their provider about any living will, medical power of attorney, or other directive that could affect their care.
5. Accept personal financial responsibility for any charges not covered by insurance.
6. Be respectful of all health care providers and staff, as well as other patients.
7. Patients are responsible for their actions if they refuse treatment or do not follow the provider's instructions.
8. Arrive as scheduled for appointments and to cancel, in advance, appointments they cannot keep.
9. To become informed of the scope of basic services offered, the costs, and the necessity for medical insurance and to actively seek clarification of any aspect of participation in the Surgery Center's services and programs that is not understood.

PATIENT COMPLAINT OR GRIEVANCE

- If you have a problem or complaint, please speak to the receptionist or your caregiver. We will address your concern(s) promptly.
- If necessary, your problem or complaint will be routed to the **Administrator , Michelle Nguyen**, who can be reached at **408-347-1875** and/or Quality Assurance Coordinator for resolution. You will receive a letter or phone call to inform you of the actions taken to address your complaint.
- If you are not satisfied with the response of the Surgery Center, you may contact:

California Department of Public Health
Licensing and Certification
100 Paseo de San Antonio, Suite 235, San Jose, CA 95113
(408) 277-1784

Or
AAAHC
5250 Old Orchard Rd. Suite 200
Skokie, IL, 60077
(847) 853-6060

Email: info@aaahc.org

All Medicare beneficiaries may file a complaint or grievance with the Medicare Beneficiary Ombudsman. You may call **1-800-MEDICARE** and they will direct your inquiry to the Medicare Ombudsman. You may write to them at:

Center for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

You may visit the Ombudsman's webpage at:

www.cms.gov/center/ombudsman.asp
www.cms.hhs.gov/center/ombudsman.asp