

# Assisted Living Facility Residents

in  
New  
Jersey



**WE HAVE RIGHTS!**



Chris Christie  
Governor  
Kim Guadagno  
Lt. Governor



James W. McCracken  
Ombudsman



NJ Office of the Ombudsman  
for the Institutionalized Elderly

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## Introduction

As a resident in an assisted living facility, you have special rights that are guaranteed by law.

- You have the right to be treated with dignity and respect.
- You should be cared for in a manner that enhances your quality of life, free from humiliation, harassment, or threats.
- You have the right to be free from physical, sexual, mental, verbal abuse, and financial exploitation.

These are just a few of your rights. A more complete list appears on the back of this brochure. The NJ Office of the Ombudsman for the Institutionalized Elderly (OOIE) has prepared this information to help you and your family understand your rights. OOIE investigates allegations of abuse and exploitation of people age 60 or over, living in assisted living facilities and other long-term healthcare facilities.

You can call us confidentially and toll-free at 1-877-582-6995 to make a complaint. We want to make sure that your rights are respected and enforced, because your safety, well-being, and happiness are very important to us.

## Complaints and Questions

You have the right to voice complaints without being threatened or punished. Your assisted living facility is required to provide you and your next of kin or guardian with the names, addresses, and telephone numbers of the government agencies to which you can complain or ask questions.

### This brochure will answer the following questions:

1. May I wear my own clothes?
2. May I refuse to take certain medication?
3. Do I have the right to have a phone in my room?
4. Do I have the right to meet with any visitor I want?
5. Whom can I call if I think my rights are being violated?
6. Does the nursing home have the right to open my mail without my permission?



**NJ Department of Health  
Licensing and Certification  
1-800-792-9770 (complaints)  
1-800-367-6543 (questions)**

The State's Division of Health Facilities Evaluation and Licensing regulates New Jersey's long-term care facilities on the basis of complaint investigations and annual inspections.

Their 24-hour Complaint Hot Line, handles consumer complaints and facility emergencies seven days a week.

**NJ EASE  
1-877-222-3737**

NJ EASE is a way for seniors and their families to get information and access to senior services including health-care, insurance, home care services, long term care options, transportation, social activities, and nutrition.

**NJ Office of the Ombudsman for  
the Institutionalized Elderly  
(OOIE)  
1-877-582-6995**

OOIE investigates allegations of abuse and exploitation of people, age 60 and older, living in nursing homes and other long-term healthcare facilities.

If you or someone you know is being abused or neglected, please contact the Elder Ombudsman. By law, callers may remain anonymous and our case files are closed to the public. In an emergency, call 911.

**Adult Protective Services (APS)  
1-800-792-8820**

If you are aware of, or suspect abuse, neglect and/or exploitation of a vulnerable adult living in the community (outside a long-term care setting), please contact APS.

# List of Residents' Rights

As a resident of an assisted living facility in New Jersey, you have the following rights:



## Medical Care

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- To participate, to the fullest extent that you are able, in planning your own medical treatment and care.
- To receive a level of care and services that address your changing physical and psychosocial status.
- To choose a physician, advanced practice nurse, or physician assistant.
- To obtain medications from a pharmacy of your choosing.
- To receive pain management as needed.
- To refuse to participate in experimental research.
- To refuse medication and treatment after you have been informed of the possible consequences of this decision.

## Freedom from abuse

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- To be free from chemical and physical restraints.
- To be free from physical and mental abuse and neglect.
- To live in safe and clean conditions in an environment that is not overcrowded.
- To be treated with respect, courtesy, consideration and dignity.
- To retain and exercise all constitutional, civil and legal rights to which you are entitled.

## Discharges and Transfers

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- To receive written notice at least 30 days in advance when the facility requests your transfer or discharge. Notice shall include the name and contact information for the New Jersey Office of the Ombudsman for the Institutionalized Elderly.
- To be transferred or discharged only in accordance with the terms of the admission agreement and the law.
- To appeal an involuntary discharge.
- To not be arbitrarily and capriciously moved to a different bed or room.

## Privacy and Confidential Treatment

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- To privacy and to have your personal information kept confidential.
- To reasonable opportunities for private and intimate physical and social interaction with other people.
- To have a private telephone in your living quarters at your own expense.
- To receive and send mail in unopened envelopes and the right to request and receive assistance in reading and writing correspondence.

## Self-Determination

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- To keep and use your personal property.
- To wear your own clothes.
- To hire a private caregiver or companion at your expense and responsibility.

## Visits and Activities

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- To meet with any visitors of your choice, at any time, in accordance with facility policies and procedures.
- To request visits at any time by representatives of the religion of your choice and to attend outside religious services at your own expense.
- To take part in activities and to meet with and participate in the activities of any social, religious, and community group.
- To participate in meals, recreation, and social activities without being subjected to discrimination
- To refuse to perform services for the facility.
- To organize and participate in a resident council that presents residents' concerns to the administrator of the facility.

## Finances

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- To receive prior to, or at the time of admission, and afterwards, an admission agreement that complies with all applicable laws and describes the services provided and the related charges.
- To receive upon request a written explanation of fee increases that are not related to increased services.
- To receive written documentation that fee increases based on a higher level of care are based on reassessment of your condition.

## Protection of Rights

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- To voice complaints without fear of interference, discharge, reprisal, and obtain contact information about government agencies to which residents can complain and ask questions.
- To expect the facility to promptly investigate and try to resolve your concerns.
- To receive a written statement of resident rights and any regulations established by the facility.