

## ALASKA

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### 7 AAC 12.258. Use of restraints or psychoactive drugs

(a) In addition to the rights of patients specified in 7 AAC 12.890, residents of nursing facilities have the right to be free from physical restraints imposed or psychoactive drugs administered for purposes of discipline or convenience and that are not required to treat the resident's medical symptoms.

### 7 AAC 12.890 PATIENTS' OR RESIDENTS' RIGHTS.

(a) Except as otherwise provided in AS 47.30.825 , a patient or a nursing facility resident has rights that include the following:

- (1) to associate and communicate privately with persons of the patient's or resident's choice;
- (2) to have reasonable access to a telephone to make and receive confidential calls;
- (3) to mail and receive unopened correspondence;
- (4) to be informed of the facility's grievance procedure for handling complaints relating to patient or resident care;
- (5) to be free from physical or chemical restraints except as specified in AS 47.30.825 or 7 AAC 12.258 ;
- (6) to be treated with consideration and recognition of the patient's or resident's dignity and individuality;
- (7) to confidentiality of the patient's or resident's medical records and treatment;
- (8) to be free from unnecessary or excessive medications;
- (9) to private visits by the patient's or resident's spouse, except in a general acute care hospital, and, in a nursing facility, to share a room if both spouses are residents in the home, unless medical reasons or space problems require separation;
- (10) to be informed in a language that the patient or resident understands, before or at the time of admission and during the patient's or resident's stay, of services that are available in the facility and their cost, including any costs for services or personal care items not covered by the facility's basic per diem rate or not covered under Titles XVIII or XIX of the Social Security Act;
- (11) to be informed by a physician of the patient's or resident's medical condition, in a language that the patient or resident understands;
- (12) to refuse to participate in experimental research, psychosurgery, lobotomy, electroconvulsive therapy, or aversive conditioning;
- (13) to participate in the development of a plan of care, or discharge plan, and to receive instructions for self-care and treatment that include explanation of adverse symptoms and necessary precautions, as appropriate; and
- (14) to be informed of the rights listed in (a) of this section and of all the rules and regulations governing patient or resident conduct and responsibility in a language the patient or resident understands.

(b) A written notice that sets out the rights listed in (a) of this section must be posted in a conspicuous location, and a copy must be given to a patient, a resident, family member, or the legal representative of the patient or resident and, at cost, to a member of the public.

(c) A written notice that sets out the facility procedures for receipt and safe keeping of patients' or residents' money and valuables. A receipt for safeguarded money and State valuables must be provided by the facility to the patient or resident at the time of admission and following changes in the facility's procedures.

(d) A facility must establish written procedures to assure delivery of complaints by patients or residents to the facility's administration, that shall acknowledge receipt of a patient's or resident's complaint, and take appropriate action.

History -Eff. 11/19/83, Register 88; am 5/28/92, Register 122

Authority AS 18.05.040 AS 18.20.010 AS 18.20.060