

NEW HAMPSHIRE

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He-P 803.14 Duties and Responsibilities of All Licensees.

(a) The licensee shall comply with the patients' bill of rights as set forth in RSA 151:19-21.

...(o) In addition to the posting requirements specified in RSA 151:29, the licensee shall post the following documents in a public area:

- (1) The current license certificate issued in accordance with RSA 151:2;
- (2) All inspection reports issued in accordance with He-P 803.09(b), for the previous 12 months;
- (3) A copy of the patients' bill of rights;
- (4) A copy of the licensee's policies and procedures relative to the implementation of patient rights and responsibilities as required by RSA 151:20;
- (5) A copy of the licensee's complaint procedure, including the address and phone number of the department to which complaints may also be made, which shall also be posted on the nursing home website if available; and
- (6) The licensee's floor plan for fire safety, evacuation and emergencies identifying the location of, and access to all fire exits.

...(q) A licensee shall, upon request, provide a resident or the resident's guardian or agent, if any, with a copy of his or her resident record pursuant to the provisions of RSA 151:21, X.

...(x) If the licensee holds or manages a resident's funds or possessions, it shall first receive written authorization in accordance with RSA 151:24 and RSA 151:21, VII, and such funds shall not be used for the benefit of the licensee or other residents.

(y) At the time of admission the licensee shall give a resident and the resident's guardian, agent, or personal representative, a listing of all known applicable charges and identify what care and services are included in the charge.

(z) The licensee shall give a resident 30 days written notice for an increase in the cost or fees for any nursing home services.

(aa) Except as required to protect the health, safety, and well-being of the resident or other residents, prior to a resident room or bed location change, the facility shall:

(1) Provide written notice to the resident and/or the resident's guardian or agent, as applicable, including:

- a. The reason for the change;
- b. The effective date of the change; and
- c. The location to which the resident is being moved;

(2) Provide verbal notice to the resident and/or the resident's guardian or agent, as applicable, including performing the following:

- a. Learning the resident's preferences and taking them into account when discussing changes of rooms or roommates and the timing of such changes;
- b. Explaining to the resident the reason for the move; and
- c. Providing the opportunity to see the new location, meet the new roommate, and ask questions about the move; and

(3) For a resident who is receiving a new roommate, give that resident as much notice and information about the new person as possible, while maintaining confidentiality regarding medical information.

(ab) The licensee shall develop and follow policies and procedures regarding resident room or bed location changes.

He-P 803.15 Required Services.

... (b) Prior to or upon the time of admission, the licensee shall provide the resident a written copy of the admission agreement, except in the case of an emergency admission where the written agreement shall be given as soon as practicable.

(c) In addition to (b) above, at the time of admission, the licensee shall provide a written copy to the resident and the guardian or agent, if any, or personal representative, and receive written verification of receipt for the following:

(1) An admissions packet including the following information:

- a. The basic daily, weekly or monthly rate;
- b. A list of the core services required by He-P 803.14(b);
- c. Information regarding the timing and frequency of cost of care increases;
- d. The nursing home's house rules;
- e. The grounds for transfer or discharge and termination of the agreement, pursuant to RSA 151:21, V;
- f. The nursing home's policy for resident discharge planning;
- g. Information regarding nursing, other health care services, or supplies not provided in the core services, to include:
 - The availability of services;
 - The nursing home's responsibility for arranging services; and
 - The fee and payment for services, if known; and
- h. Information regarding:
 - Arranging for the provision of transportation;

- Arranging for the provision of third party services, such as a hairdresser or cable television;
- Acting as a billing agent for third party services;
- Monitoring third party services contracted directly by the resident and provided on the nursing home premises;
- Handling of resident funds pursuant to RSA 151:24 and He-P 803.14(y);
- Bed hold, in compliance with RSA 151:25;
- Storage and loss of the resident's personal property;
- Smoking;
- Room-mates; and
- The facility's policy regarding the use of restraints;

(2) A copy of the patients' bill of rights under RSA 151:21 and the nursing home's policy and procedure for implementing the bill of rights pursuant to RSA 151:20, II;

(3) A copy of the resident's right to appeal an involuntary transfer or discharge under RSA 151:26, II(5);

(4) The nursing home's policy and procedure for handling reports of abuse, neglect or exploitation, which shall be in accordance with RSA 161-F:46 and RSA 169-C:29;

(5) Information on accessing the long-term care ombudsman; and

(6) Information on advanced directives.

...(e) The licensee shall:

(1) Make available basic supplies necessary for residents to maintain grooming and personal hygiene, such as soap, shampoo, toothpaste, toothbrush and toilet paper;

(2) Identify in the admission packet the cost, if any, of basic supplies for which there will be a charge; and

(3) Not be required to pay for a specific brand of the supplies referenced in (1) above.

... (q) A resident may refuse all care and services.

(r) When a resident refuses care or services that could result in a threat to their health, safety or wellbeing, or that of others, the licensee or their designee shall:

(1) Inform the resident and guardian of the potential results of their refusal;

(2) Notify the licensed practitioner of the resident's refusal of care;

(3) Notify the agent, as applicable, unless the resident objects; and

(4) Document in the resident's record the refusal of care and the resident's reason for the refusal, if known.

He-P 803.26 Physical Environment.

...(j) The nursing home shall have a telephone to which the residents have access.

He-E802.10 Residents' Rights

a) Upon the resident's admission to the certified facility, the facility shall inform the resident or his/her legal representative both orally and in writing, and in a language that the resident understands, of his or her rights, and of all rules and regulations governing resident conduct and responsibilities during the stay in the facility.

b) The facility shall provide the resident with written material that describes residents' rights including the rights of residents in the event of a proposed transfer or discharge from the facility as described in these rules and RSA 151:26. The notice shall be made prior to or upon admission and at least annually during the resident's stay, and receipt of such information. And any amendments to it shall be acknowledged in writing by the resident.

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