

Know Your Rights

A guide about rights for
people in nursing homes
and their families



If you or a loved one lives in a nursing home,
it is important to know your rights.



About us

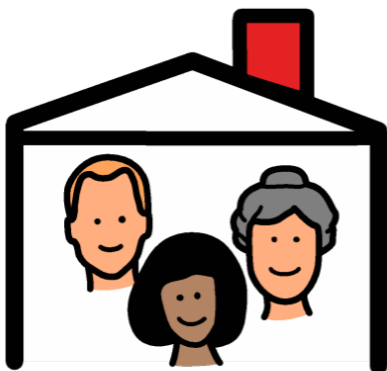
HUMAN
RIGHTS
WATCH

We are called Human Rights Watch.



We work to make sure that everyone in the world is treated fairly and gets their rights.

About this guide



This guide is about your rights:

- If you live in a nursing home now
- Or you might move to a nursing home in the future

Your family can also use this guide.



In 2016 and 2017 we looked at what was happening to people in nursing homes in the United States.

We found that many people were being treated unfairly.

We think this is still happening.

We made this guide to help you know:

- Some of your rights by law
- Where to get help if you do not get your rights



Your rights

The following things should happen if you live in a nursing home:



1

You should get care that is right for you.

The care should give you what you need and help you live the best life you can.

2

Staff should not give you medicine just to control your behavior or keep you quiet



The law says that staff should only give you medicine if you need it for medical reasons.



Staff should not force you to take medicine just to make you quiet if you are upset.

If you take medicine like this, without wanting to, staff should work to stop you taking it.



For example, staff should:

- Give you less of the medicine over time so you can stop taking it when you can
- Give you other support with your behavior instead of the medicine



3

You should be able to make your own choices about your care and medicine

This means that staff should:



- Give you all the information you need about your health, medicine and care
- Make sure you can help make plans about your own care



- Tell you the good and bad things about the care and medicine they want to give you



- Tell you what other choices you have if you do not want the care or medicine
- Make sure you can choose the care and medicine you prefer

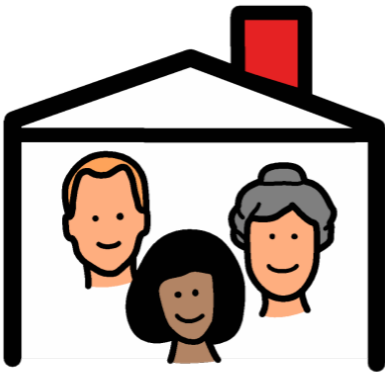
You can say no to the medicine if you want to.

4

You should always be treated fairly



There is a law called the Americans with Disabilities Act (ADA).



The law will apply to most people who live in nursing homes.

For example, people with dementia.



This is because the law says that a disability is something that:

- Affects your life in a big way
- Can make it hard to do the things you need to do



The law says you should not be treated unfairly because of your disability.

For example, no one should stop you eating in a dining room with other people because of your disability.

Help if you do not get your rights

You can do the following things if you think you are not getting your rights.

1

You can speak to the manager of your nursing home about the problem



You should be allowed to speak up about any problems without anything bad happening to you.

There are rules that nursing homes must follow about this.

2

You can get help from someone called a long-term care ombudsman



These people do not work for nursing homes.

They know the laws and rules that nursing homes must follow.

They can help people with complaints about nursing homes.



You can find your local long-term care ombudsman:

On this website:

https://theconsumervoice.org/get_help



Or by calling: 202.332.2275



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You can see if your state has a phone line for older people that gives advice about the law.

Many states have them.

4

You might be able to get help from a legal aid service.

Legal aid services give people advice about the law if they don't have much money.





You can find a legal aid service in your area:

On this website:

<https://www.lsc.gov/what-legal-aid/find-legal-aid>



Or by calling: 202-295-1500

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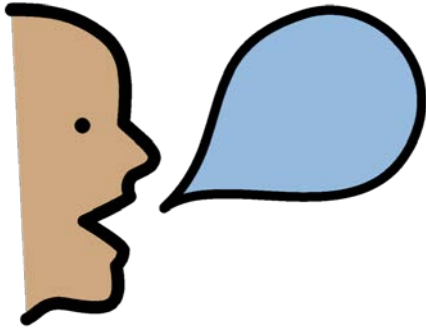
You can take action if you think you have been treated unfairly because of your dementia or disability.



There is a law called the Americans With Disabilities Act (ADA).



The law is there to stop people with disabilities being treated unfairly.



You can make a complaint if you have been treated unfairly because of your dementia or disability.



There is more information on this website:

https://www.ada.gov/filing_complaint.htm



A lawyer can help you decide if you want to bring a nursing home to court.

More information about our work on nursing homes



You can read our report about nursing homes in the United States.

The report is on our website at:
<https://www.hrw.org/report/2018/02/05/they-want-docile/how-nursing-homes-united-states-overmedicate-people-dementia>