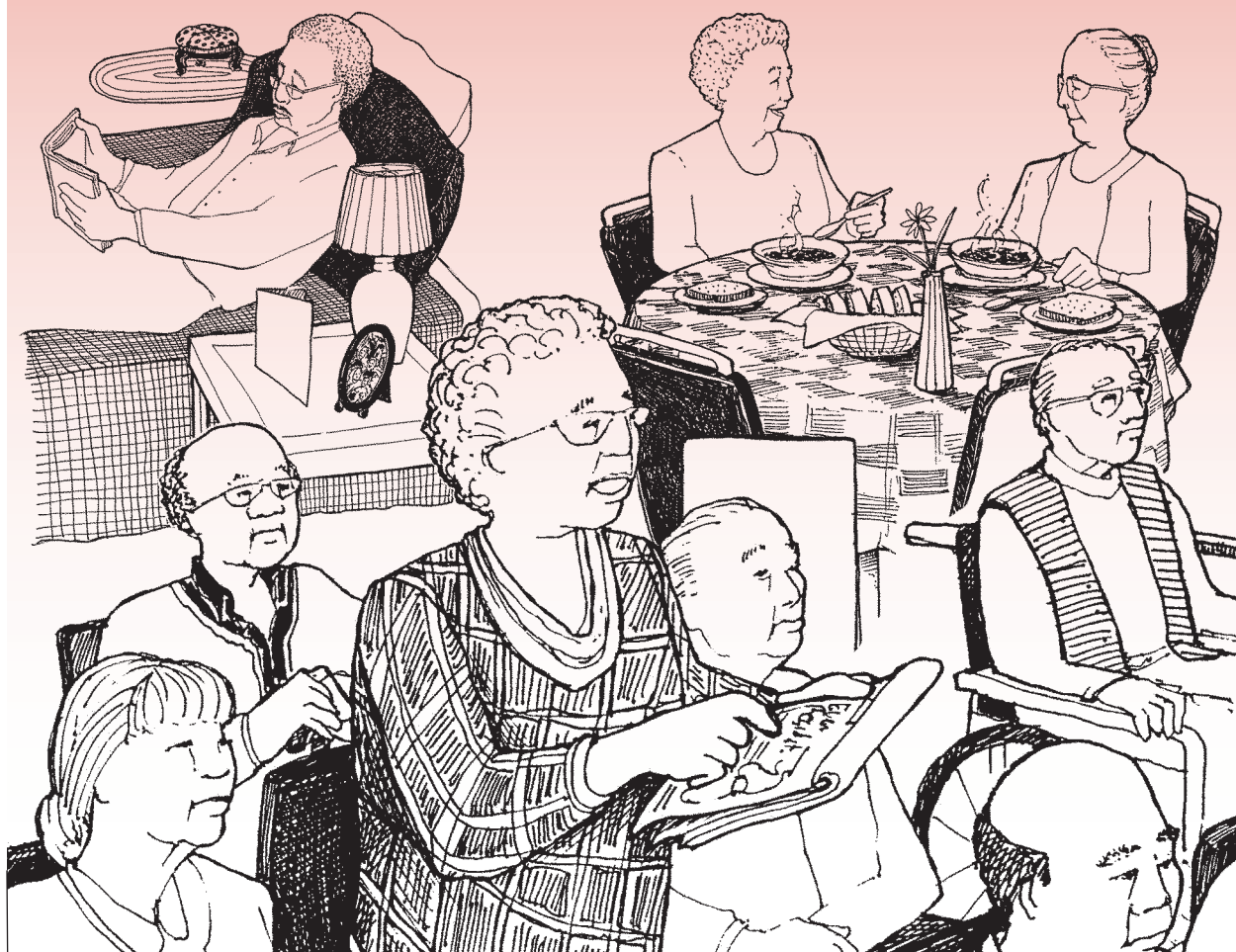


# *Every resident*

*Bill of Rights for people who live  
in Ontario long-term care homes*

*September 2008*



**Every Resident: Bill of Rights for people who live  
in Ontario long-term care homes**

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# *Every resident*

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*Bill of Rights for people who live  
in Ontario long-term care homes*



**CLEO**

Community Legal Education Ontario  
Éducation juridique communautaire Ontario



***Long-term care homes*** are places where you can live and receive care services, such as nursing and personal assistance. They are sometimes called long-term care “facilities”.

***How this booklet can help***

This booklet can help you understand your rights as a resident of a long-term care home. These rights are yours by law.

***Residents’ rights are set out in the laws of Ontario***

In Ontario, there are three types of long-term care homes. Each type of home is regulated by its own law. And each of these laws includes a residents’ Bill of Rights:

- Nursing homes are under the law called the *Nursing Homes Act*.
- Municipal homes for the aged are under the law called the *Homes for the Aged and Rest Homes Act*.
- Charitable homes for the aged are under the law called the *Charitable Institutions Act*.

The Bill of Rights for residents of Ontario nursing homes became law in 1987. In 1993, it became law for residents of Ontario municipal and charitable homes for the aged. The Ontario government passed this Bill of Rights to make sure that long-term care facilities are truly *homes* for the people who live in them.

***The Bill of Rights must be displayed***

Every long-term care home must post the Bill of Rights. It tells staff at the home that they must respect your rights while you live there. It tells them to remember that you are in your home.

The Bill of Rights reminds everyone—residents, staff, friends, family, and neighbours—that residents of long-term care homes are valued members of the community.

# 1 Every resident

*“has the right to be treated with courtesy and respect and in a way that fully recognizes the resident’s dignity and individuality, and to be free from mental and physical abuse.”*

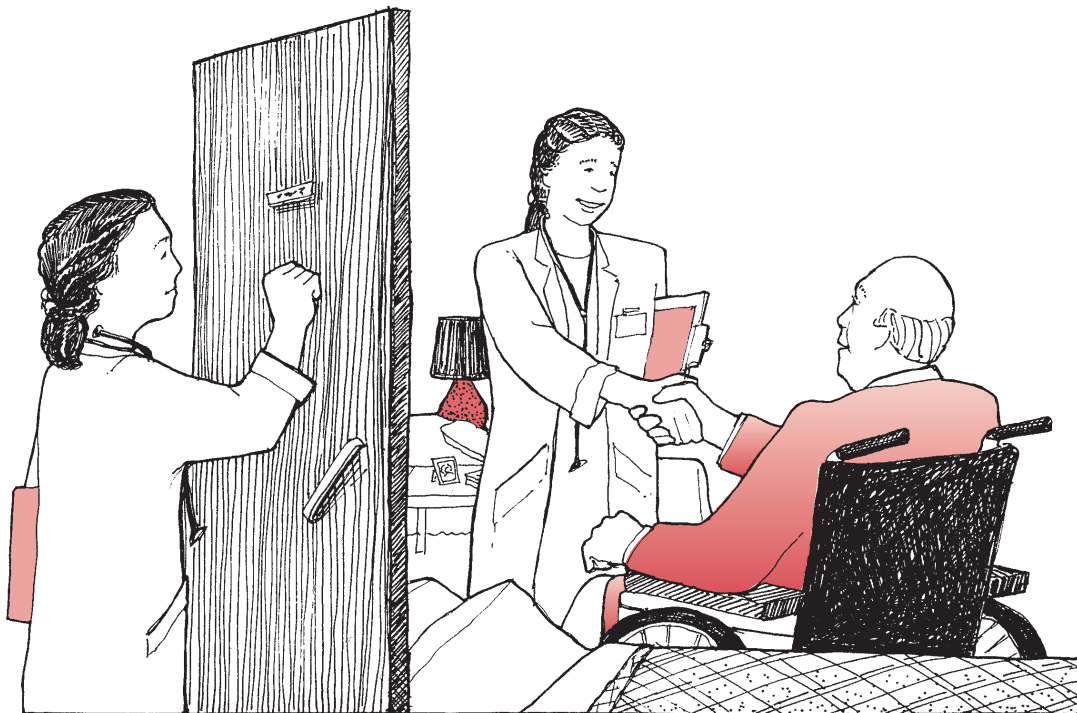
## *In other words...*

You have the right to be treated with respect. The staff at your long-term care home must be polite to you. They must recognize your dignity and your rights as a person.

No one is allowed to abuse you mentally or physically.

Mental abuse is when someone humiliates, insults, frightens, threatens, or ignores you, or treats you like a child.

Physical abuse is when someone sexually assaults you, handles you roughly, or slaps, pushes, or beats you.



# 2 Every resident

*“has the right to be properly sheltered, fed, clothed, groomed, and cared for in a manner consistent with his or her needs.”*

## *In other words...*

You have the right to receive proper care. Your special needs should be looked after by the staff at your long-term care home.

Your care should include:

- a proper place to live,
- enough good food to eat,
- clean clothes to wear,  
and
- help with looking  
clean and tidy.



# 3 Every resident

*“has the right to be told who is responsible for and who is providing the resident’s direct care.”*

## *In other words...*

You have the right to know who is looking after you.

The people who are responsible for your medical and personal care are:

- doctors,
- the director of nursing,
- registered nurses,
- registered practical nurses,
- health care aides,
- extra staff for nights or weekends, and
- volunteers.





# 4 Every resident

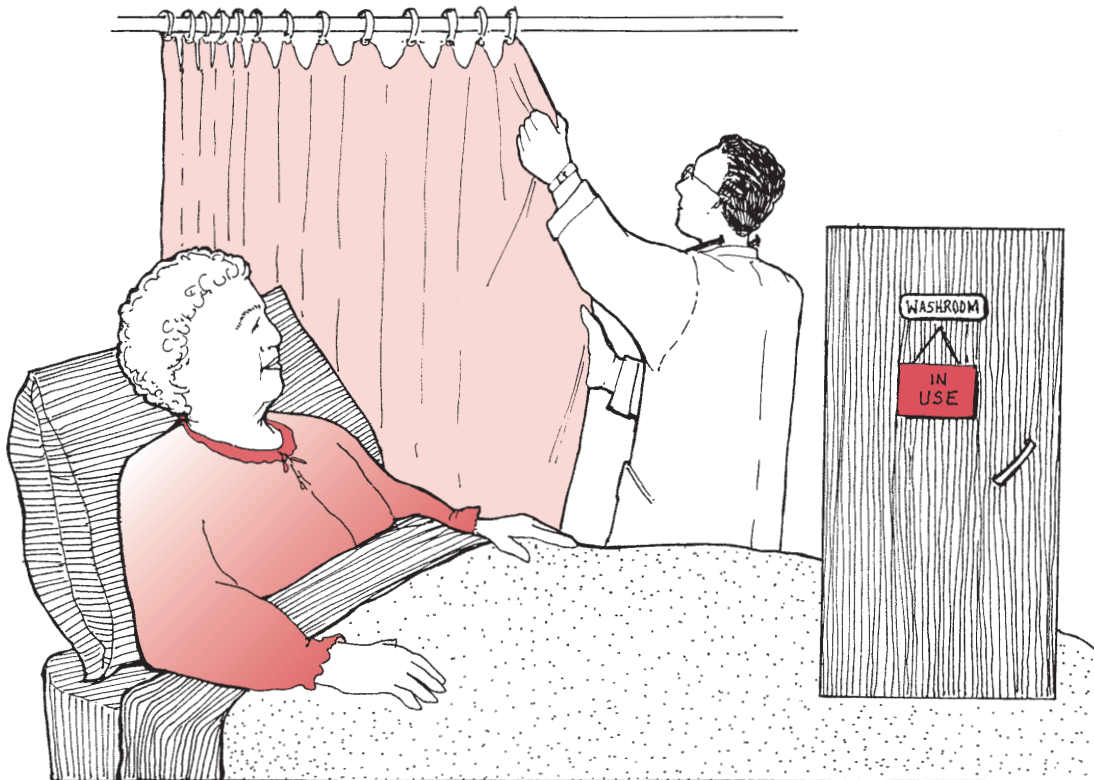
*“has the right to be afforded privacy in treatment and in caring for his or her personal needs.”*

## *In other words...*

You have the right to privacy.

You should feel that you are being treated with respect when you are given medical care. For example, when your doctor is treating you, the privacy screen or curtain around your bed should be closed.

You should also feel that your privacy is being respected when your personal needs are being looked after. For example, when you take a bath or use the washroom, there should be a door you can close if you want to.





# 5 Every resident

*“has the right to keep in his or her room and display personal possessions, pictures, and furnishings in keeping with safety requirements and other residents’ rights.”*

## *In other words...*

You have the right to keep personal things in your room. Remember, this is your home. As in any home, it is important to have personal things around you to make you feel comfortable or to remind you of special people and special times.

For example, you might have a favourite quilt, cushions, books, or clothes. You might have pictures of your children or grandchildren, or other important pictures. You might also have your own furniture, a lamp, a radio, or a television.

Talk to the staff about what you would like to have in your room. Your personal belongings should not interfere with the safety or rights of other people who live in your long-term care home.



# 6a Every resident

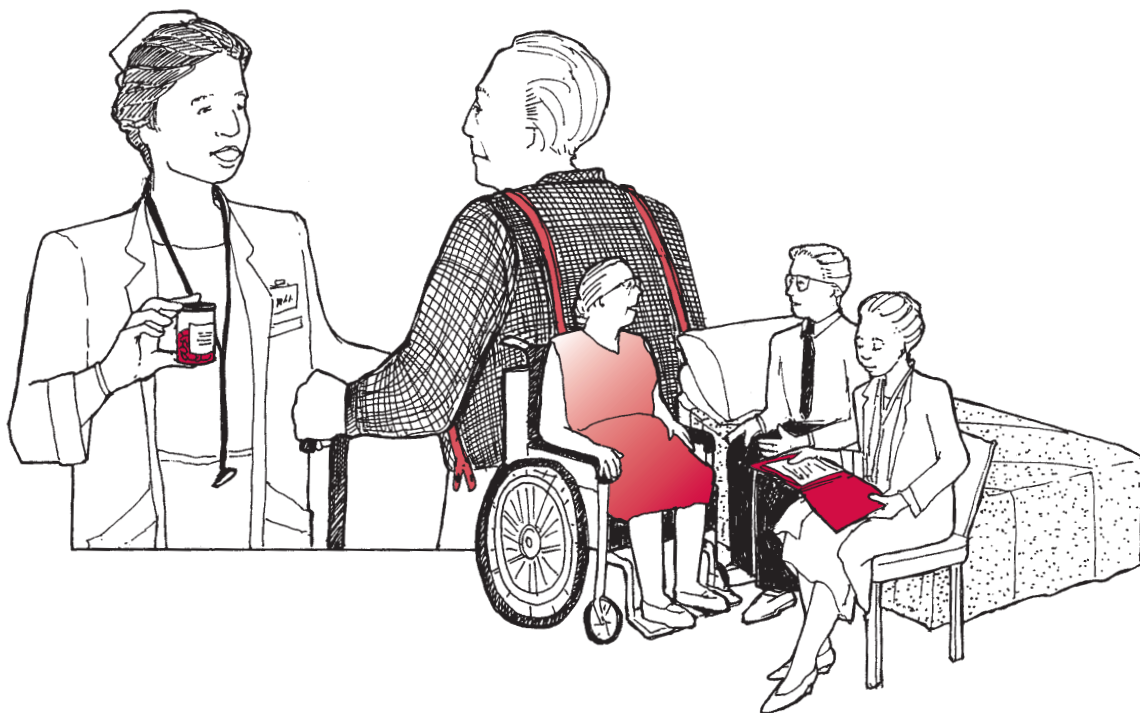
*“has the right to be informed of his or her medical condition, treatment, and proposed course of treatment.”*

## *In other words...*

You have the right to understand your treatment.

Your doctor or someone else in charge of your care should tell you:

- what kind of health care you need,
- what treatment you are getting, and
- what treatment is being planned for you.



# 6b

## Every resident

*“has the right to give or refuse consent to treatment, including medication, in accordance with the law, and to be informed of the consequences of giving or refusing consent.”*

### *In other words...*

If your doctor suggests a way to help you, you can decide to:

- do what the doctor says,
- not take the doctor's advice, or
- talk to another doctor or qualified person.

You must be told what will happen to you if you agree to have a treatment or take prescribed drugs and what will happen if you do not.

You can make your own decisions if you are competent. You are competent if you understand what you are doing and you understand the consequences of your actions.

You have the right to be involved in decisions about your treatment. You can have someone help you make decisions if you wish.

# 6c Every resident

*“has the right to have the opportunity to participate fully in making any decision and obtaining an independent medical opinion concerning any aspect of his or her care, including any decision concerning his or her admission, discharge, or transfer to or from a long-term care facility.”*

## *In other words...*

You have the right to talk to someone outside your long-term care home to get a second opinion about the kind of care you need.

You have the right to have family, a friend, or an advocate with you when you meet with doctors and nurses. This person can help you decide what to do.

You have the right to be involved in any decision that could change where you live, such as a discharge or transfer from your long-term care home. If you do not agree with the decision, you can get a second opinion.

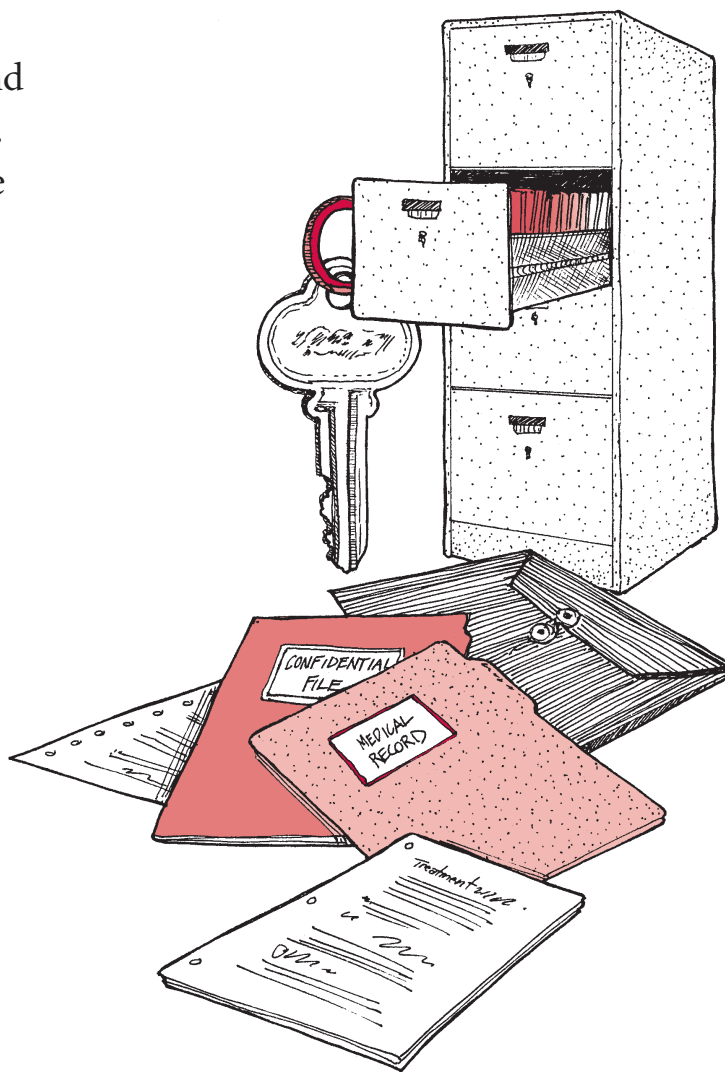
# 6<sup>d</sup> Every resident

*“has the right to have his or her records of personal health information...kept confidential in accordance with the law.”*

## *In other words...*

The law says your health and medical records are private. Only the people responsible for your care can see these records, unless you give your permission to someone else.

Your records must be kept in a place where others cannot see them.



# 7

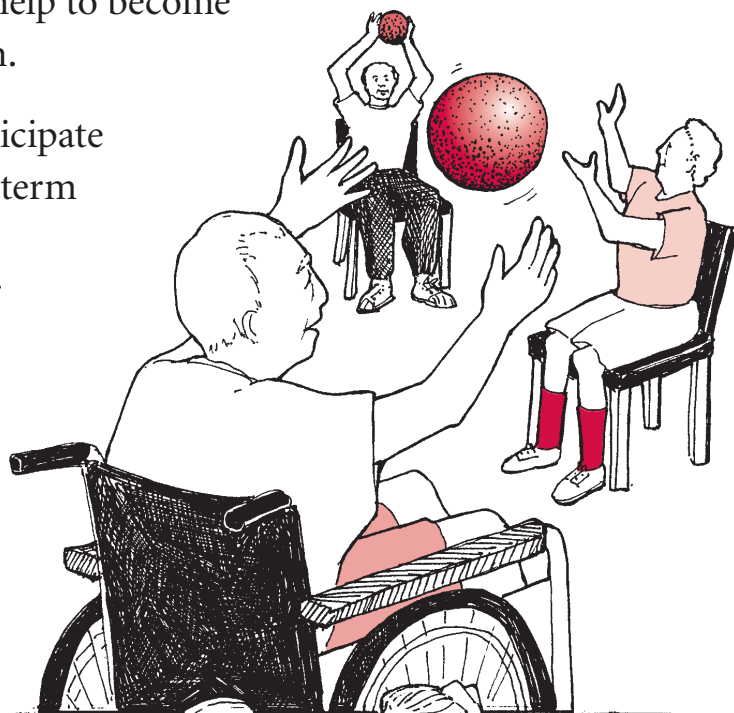
## Every resident

*“has the right to receive reactivation and assistance towards independence consistent with his or her requirements.”*

### *In other words...*

You have the right to get help to become as independent as you can.

You have the right to participate in programs at your long-term care home that can help you keep or improve your independence. You could do exercises, play games, make crafts, and take part in other activities that are available.



# 8

## Every resident

*“who is being considered for restraints has the right to be fully informed about the procedures and the consequences of receiving or refusing them.”*

### *In other words...*

You have the right to get information about restraints. A restraint is anything that limits your movement. Some examples of restraints are:

- medication or drugs,
- wheelchairs with lap belts,
- mittens — so you do not scratch yourself, and
- bed rails — so you do not fall out of bed.

Restraints should not hurt you or make you uncomfortable.

Sometimes you may need a restraint for your safety.

Your doctor has to tell you if he or she is planning to use a restraint on you. Your doctor must explain the steps. You must be told what will happen to you if you agree to the restraint and what will happen if you do not.

If you are competent, no one can make you use a restraint if you do not agree. You may want a friend, family member, or advocate to help you decide.





# 9

## Every resident

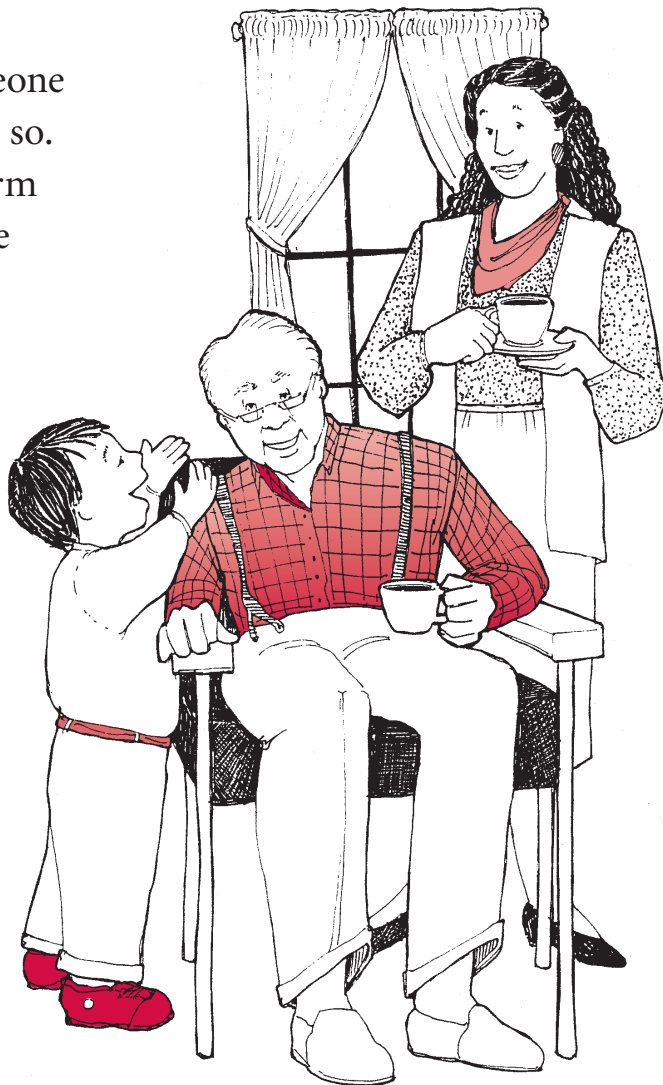
*“has the right to communicate in confidence, to receive visitors of his or her choice, and to consult in private with any person without interference.”*

### *In other words...*

You have the right to meet and talk with people.

Because this is your home, you can invite your family, friends, or anyone else to visit you.

If you want to speak to someone alone, you have a right to do so. Tell the staff at your long-term care home if you do not have enough privacy in your room. They should make special arrangements if you give them enough notice.



# 10

## Every resident

*“whose death is likely to be imminent has the right to have members of the resident’s family present twenty-four hours per day.”*

### *In other words...*

You have the right to have your family with you when your health is critical. Regular visiting hours will not apply to your family at this important time. They can be with you all day and night, if you want them there.



# 11 Every resident

*“has the right to designate a person to receive information concerning any transfer or emergency hospitalization of the resident, and where a person is so designated to have that person so informed forthwith.”*

## *In other words...*

You can choose the person your long-term care home must call right away if you are transferred to another home or sent to a hospital.



# 12 Every resident

*“has the right to exercise the rights of a citizen and to raise concerns or recommend changes in policies and services on behalf of himself or herself or others to the residents’ council, long-term care facility staff, government officials, or any other person inside or outside the long-term care facility, without fear of restraint, interference, coercion, discrimination, or reprisal.”*

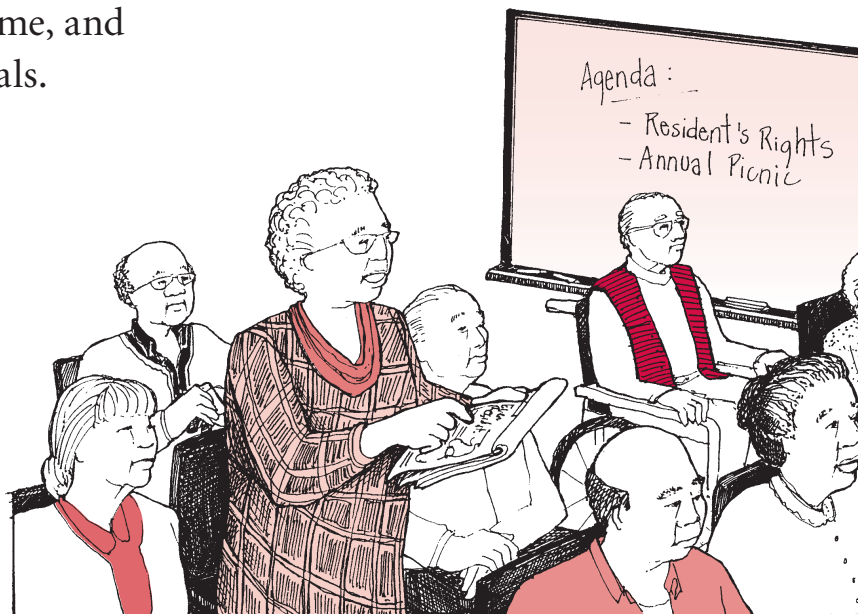
## *In other words...*

You have the right to speak freely. No one can punish you for speaking out. You keep all your rights as a citizen.

You can talk about things that concern you and suggest changes to your home’s rules and services. You can do this for yourself or for others.

There are many people who make decisions that affect or help you. You may want to give them suggestions or tell them your concerns. Some of these people are members of the residents’ council, staff at your long-term care home, and government officials.

At the back of this booklet you will find a list of addresses and telephone numbers you may want to use.



# 13 Every resident

*“has the right to form friendships, to enjoy relationships, and to participate in the residents’ council.”*

## *In other words...*

You have the right to make friends and to be with them. This can be an important part of your life at the long-term care home.

You have the right to participate in a residents’ council. The residents’ council is a good place to meet people and to get involved in things that affect you.





# 14 Every resident

*“has the right to meet privately with his or her spouse in a room that assures privacy; and where both spouses are residents in the same long-term care facility, they have a right to share a room according to their wishes, if an appropriate room is available.”*

## *In other words...*

You have the right to be alone with your spouse. It does not matter whether you are married or not, and it does not matter whether your spouse is of the same or opposite sex. If your spouse comes to visit, you may want some time alone. The long-term care home should have a place for you to meet in private.

If you and your spouse live in the same home, the two of you should be allowed to share a room if an appropriate one is available. You may have to wait for the right kind of room and it could cost more.



# 15 Every resident

*“has the right to pursue social, cultural, religious, and other interests to develop his or her potential and to be given reasonable provisions by the long-term care facility to accommodate these pursuits.”*

## *In other words...*

You have the right to do things that interest you.

You do not stop being the person you were before you moved into the long-term care home. You may want to continue your hobbies, to follow your religion, and to do other activities.

The home should make it possible for you to do these things, within reason.





# 16 Every resident

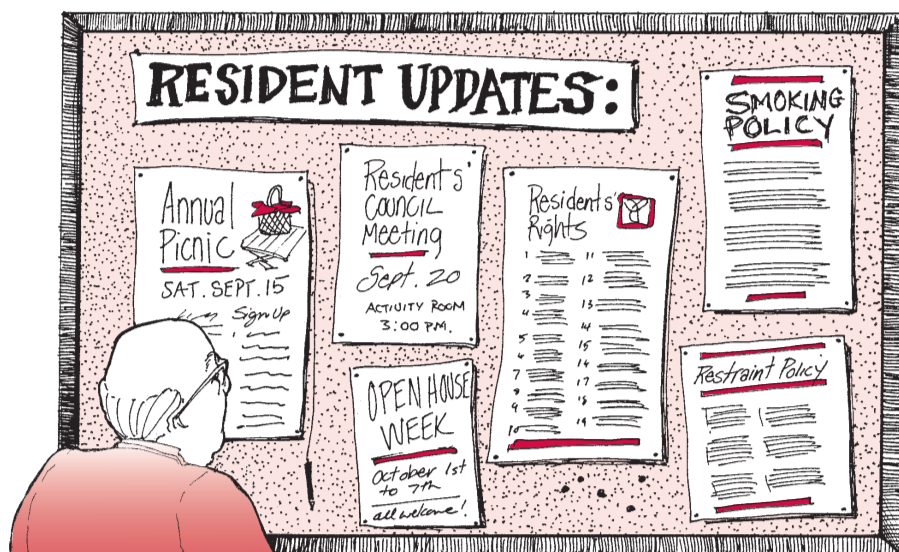
*“has the right to be informed in writing of any law, rule, or policy affecting the operation of the long-term care facility and of the procedures for initiating complaints.”*

## *In other words...*

You must be told about increases in the basic fee of your long-term care home. You must also be told about cost increases for extra services such as ironing, mending, and hairdressing. If these services become more expensive, you must be told in writing, and you must give your response in writing.

All policies about vacations, visiting hours, discharge, and the use of restraints should be explained to you. Most policies are set out in the laws called the *Nursing Homes Act*, the *Homes for the Aged and Rest Homes Act*, and the *Charitable Institutions Act*. The home's policies must follow these laws.

There are ways to make complaints about problems. The staff should tell you how to make a complaint within your long-term care home. You can also make complaints to people outside it.



At the back of this booklet you will find a list of addresses and phone numbers you may want to use.

# 17

## Every resident

*“has the right to manage his or her own financial affairs where the resident is able to do so, and where the resident’s financial affairs are managed by the long-term care facility, to receive a quarterly accounting of any transactions undertaken on his or her behalf and to be assured that the resident’s property is managed solely on the resident’s behalf.”*

### *In other words...*

You have the right to manage your own money while you are in the long-term care home.

There are three ways you can do this:

- You can do it yourself if you are able.
- You can choose someone else to take care of your business. This can be a friend or relative, or anyone else you trust.
- The home can keep your money for you in a special account called a trust account. You must get regular statements that show what has been done with your money.

Remember, it is your money.



# 18 Every resident

*“has the right to live in a safe and clean environment.”*

## *In other words...*

You have the right to have a clean and safe place to live in.

The long-term care home must be safe and everything should work properly. Smoke alarms must work, fire exits must be clearly marked, and stairways must be clear.

The building must be clean. Garbage should be taken out regularly. There should be no bad smells, and the building must have a good air supply.



# Every resident

*“has the right to be given access to protected areas outside the long-term care facility in order to enjoy outdoor activity, unless the physical setting makes this impossible.”*

## *In other words...*

You have the right to go outside as long as it is safe for you. You should be able to enjoy nature, fresh air, and outside activities whenever possible.



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# *Where to get help*

## *Advocacy Centre for the Elderly*

2 Carlton Street, Suite 701

Toronto, Ontario M5B 1J3

Telephone. . . . . 416-598-2656

Fax . . . . . 416-598-7924

Web site . . . . . <[www.acelaw.ca](http://www.acelaw.ca)>

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## *The Ministry of Health and Long-Term Care*

### *Long-Term Care ACTION Line . . . . . 1-866-434-0144*

Call this toll-free number any day from 8:30 AM to 7:00 PM to:

- make a complaint about a long-term care home,
- express a concern, or
- get information about long-term care.

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You can also contact a Service Area Office (SAO) of the Ministry of Health and Long-Term Care. There are five SAOs across Ontario. Contact the SAO closest to you.

### *Hamilton SAO*

119 King Street West, 11th Floor

Hamilton, Ontario L8P 4Y7

Toll-free . . . . . 1-800-461-7137

Telephone. . . . . 905-546-8294

Fax . . . . . 905-546-8255

## ***London SAO***

231 Dundas Street, Suite 201

London, Ontario N6A 1H1

Toll-free ..... 1-800-663-3775

Telephone..... 519-675-7680

Fax ..... 519-675-7685

## ***Ottawa SAO***

347 Preston Street, 4th Floor

Ottawa, Ontario K1S 3J4

Toll-free ..... 1-877-779-5559

Telephone..... 613-569-5602

Fax ..... 613-569-9670

## ***Sudbury SAO***

159 Cedar Street, Suite 603

Sudbury, Ontario P3E 6A5

Toll-free ..... 1-800-663-6965

Telephone..... 705-564-3130

Fax ..... 705-564-3133

## ***Toronto SAO***

55 St. Clair Avenue West, Suite 800

Toronto, Ontario M4V 2Y7

Toll-free ..... 1-866-311-8002

Telephone..... 416-325-9660

Fax ..... 416-327-4486





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