



Dear Friend,

As a patient in a hospital in New York State, you have rights and protections guaranteed by state and federal laws and regulations. These

laws and regulations help ensure the quality and safety of your hospital care.

This brochure lists the New York State Patients' Bill of Rights and provides important resources to use if you have questions or concerns about the quality of care received by yourself or a loved one.

As your Assembly representative, I am dedicated to ensuring New Yorkers can access quality health care at all health facilities in the state. Review these rights carefully and share this brochure with your family and friends who may be involved with hospital care.

If you would like more information on this or any other topic, feel free to contact my office. I hope this brochure helps.

Sincerely,

Rebecca A. Seawright
Member of Assembly

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HOSPITAL COMPLAINTS

800-804-5447

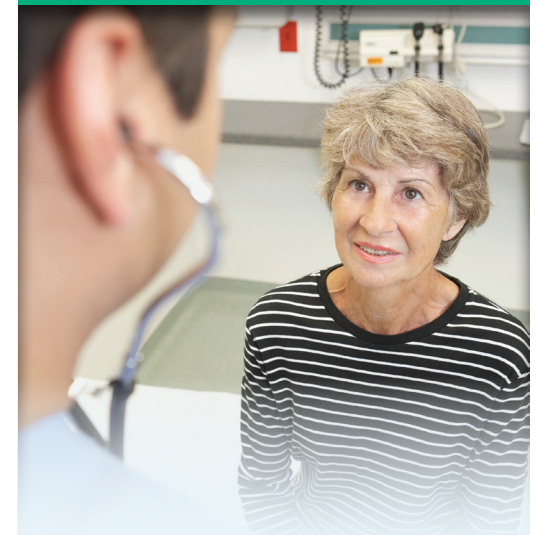
www.health.ny.gov/facilities/hospital



Remember, every patient is unique and every hospital stay is different. It is important to know what specific rights apply to you and what to do if you feel you need help. If you have a concern, problem or complaint related to any aspect of care during your hospital stay, speak to your doctor, nurse or hospital staff member.

Many hospitals have a patient representative or office to help you resolve your concerns. If hospital staff cannot resolve the problem, call 800-804-5447 for the New York State Department of Health Hospital Complaint Hotline. This number can take a complaint against a hospital, diagnostic or treatment center, ambulatory care surgical centers, dialysis centers and ambulatory care clinics. Visit www.health.ny.gov/facilities/hospital/complaint/complaint_form.htm to download the Health Facility Complaint Form.

New York State Assembly Guide to Patients' Bill of Rights



Know your rights as a patient in any hospital in New York State

Courtesy of

Assembly Member

Rebecca A. Seawright

www.nyassembly.gov

Patients' Bill of Rights in New York State

As a patient in a hospital in New York State, you have the right to:

1. Understand and use these rights. If – for any reason – you do not understand or you need help, the hospital MUST provide assistance, including an interpreter.
2. Receive treatment without discrimination as to race, color, religion, sex, national origin, disability, sexual orientation, source of payment or age.
3. Receive considerate and respectful care in a clean and safe environment free of unnecessary restraints.
4. Receive emergency care if you need it.
5. Be informed of the name and position of the doctor who will be in charge of your care in the hospital.
6. Know the names, positions and functions of any hospital staff involved in your care and refuse their treatment, examination or observation.
7. A nonsmoking environment.
8. Receive complete information about your diagnosis, treatment and prognosis.
9. Receive all the information that you need to give informed consent for any proposed procedure or treatment. This information shall include the possible risks and benefits of the procedure or treatment.
10. Receive all the information you need to give informed consent for an order not to resuscitate. You also have the right to designate an individual to give this consent for you if you are too ill to do so.
11. Refuse treatment and be told what effect this may have on your health.
12. Refuse to take part in research. In deciding whether or not to participate, you have the right to a full explanation.
13. Privacy while in the hospital and confidentiality of all information and records regarding your care.
14. Participate in all decisions about your treatment and discharge from the hospital. The hospital must provide you with a written discharge plan and written description of how you can appeal your discharge.
15. Identify a caregiver who will be included in your discharge planning and sharing of post-discharge care information or instruction.
16. Review your medical record without charge or obtain a copy of your medical record, for which the hospital can charge a reasonable fee. You cannot be denied a copy solely because you cannot afford to pay.
17. Receive an itemized bill and explanation of all charges.
18. Complain without fear of reprisals about the care and services you are receiving, to have the hospital respond to you, and if you request it, a written response. If you are not satisfied with the hospital's response, you can complain to the New York State Health Department. The hospital must provide you with the state Health Department telephone number.
19. View a list of the hospital's standard charges for items and services and the health plans the hospital participates with.
20. Challenge an unexpected bill through the Independent Dispute Resolution process.
21. Authorize those family members and other adults who will be given priority to visit consistent with your ability to receive visitors.
22. Make known your wishes in regard to anatomical gifts. You may document your wishes in your health care proxy form or on a donor card, available from the hospital.

Filing a complaint about a professional caregiver

If you feel that you have received incompetent, negligent or fraudulent care from a doctor, physician assistant or specialist assistant, you may file a report with the state Department of Health Office of Professional Medical Conduct. This office investigates all reports of possible professional misconduct. Reports must include the full name and address of the doctor, physician assistant or specialist assistant, all relevant information and must be made in writing to:

New York State Department of Health Office of Professional Medical Conduct (OPMC)

Intake Unit, Riverview Center
150 Broadway Suite 355
Albany, NY 12204-2719

For more information or to obtain a complaint form, call 800-663-6114.

If you feel you have received incompetent, negligent or fraudulent care from any other licensed health care professionals, such as nurses, dentists, pharmacists, social workers, optometrists, psychologists, physical or occupational therapists and podiatrists, you may file a complaint by contacting:

New York State Education Department Office of Professional Discipline

www.op.nysed.gov/opd
800-442-8106

This information is provided courtesy of the
New York State Department of Health,
www.health.ny.gov