Rights and Responsibilities of Family Members of VA Patients and Residents of Community Living Centers (CLC)

The Veterans Health Administration (VHA) is pleased to provide health care to Veterans. We will provide personalized, patient-driven, compassionate, state-of-the-art care. Our goal is to make the experience as positive and pleasant as we can. As part of our service to Veterans and to the Nation, we are committed to improving health care quality. We also train future health care professionals, conduct research, and support our country in times of national emergency. In all of these activities, our employees will respect and support the rights of patients and residents of community living centers (CLC) as well as your rights as a family member. This document outlines the basic rights and responsibilities of family members. Please talk with the VHA treatment team or a patient advocate if you have any questions or would like more information about these rights and responsibilities.

I. Nondiscrimination and Respect

- Our staff will create a treatment environment based on dignity, compassion, and respect. Consistent with Federal law, VA policy, and accreditation standards of The Joint Commission, Veterans and their family members will not be subject to discrimination for any reason, including for reasons of age, race, ethnicity, religion, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, or gender identity or expression.
- We seek to honor the cultural and personal values, beliefs, and preferences of all patients, CLC residents, and their families. When a loved one is involved in support and care of a VA patient or resident, VA considers a patient or resident's family to include anyone related to the patient or resident in any way (for example, biologically or legally) and anyone whom the patient or resident considers to be family.
- Please help us offer care in a safe and respectful manner by treating patients, CLC residents, other family members and staff with respect and following the facility's rules. Family members are not allowed to do things that threaten the care of patients or interfere with staff members' ability to do their job.

II. Keeping Health Information Private and Secure

- The Veteran's private health care information will be protected to the fullest extent authorized by law. Information about the Veteran may be disclosed to you if the Veteran authorizes the release or if you are the Veteran's personal representative.
- Please respect the privacy of patients, residents, and other family members and do not reveal private health care information that you may overhear or otherwise become aware of.

III. Partnering in Care

- Families are valued members of the VA care team. As members of the care team we encourage you to:
  - Share your insights, opinions and observations about the Veteran's care and progress.
  - Let the nursing staff know right away if you feel that the Veteran's condition has changed.
  - Tell us right away if you are worried about the Veteran's care or treatment. Please ask questions if you do not understand the purpose of any part of the Veteran's care.
  - If you are a family member of a CLC resident, you have a right to participate and share your voice and opinions in family and resident or household councils.

IV. Family Members' Role in Treatment Decisions

- Veterans have a right to make their own health care decisions as long as they are able to understand and tell their doctor and health care team what they want. Veterans have a right to include or not include others, such as family members or friends, in decisions about their care.
- Veterans have a right to express their preferences about future medical care in an advance directive. This includes the right to name a health care agent who will make health care decisions on their behalf if they can no longer communicate for themselves. We will respect these preferences.
- If you are asked to make health care decisions for a Veteran in VHA, the treatment team will offer you:
  - Treatment options based on the Veteran's unique medical circumstances and needs.
  - Information you can understand about the benefits and risks of these treatment options.
  - An interpreter or assistive device, if needed, to help you understand the Veteran's medical circumstances and treatment options.
- As the health care decision maker, you generally have the same rights and responsibilities as the Veteran would have in making treatment decisions.
  - You may agree to or refuse any treatment option offered by the treatment team. Refusing treatment will not affect the Veteran's right to future care.
  - Your decision about whether to accept or refuse treatments must be based on what you know the Veteran would want. If you do not know what the Veteran would want, the treatment team is available to help you consider what decisions are in the Veteran's best interest.
- When you are the health care decision maker, please:
  - Share accurate and complete information about the Veteran's medical history to help us develop the best treatment plan.
  - Take part in discussions and decisions about the Veteran's care.
  - Help the treatment team understand how they can provide care that takes into account the Veteran's cultural and personal values, beliefs, and preferences.
  - Talk with the treatment team when you think the Veteran's treatment plan may need to be changed.
  - Let the treatment team know if you are not willing or able to follow the treatment plan. If the treatment team understands why the plan may be a problem, they may be able to make changes that address your concerns.
  - Help us plan for the Veteran's move to the next level of care.

V. Visiting the Veteran

- Family visits can help you support the Veteran as he/she copes with illness or injuries. Schedule your visit to meet the Veteran's medical and emotional needs. For example, many patients get tired easily, so short visits may be better.
- VA Community Living Centers have unrestricted visiting hours.
- On VA acute care inpatient units, medical staff may need to restrict visiting hours or place other visiting restrictions if medical or safety concerns require it. You will be promptly informed about any visitor restriction and the reason for it.
- Please keep a close eye on your children for their own safety and the safety of others. Children should never be left unattended.
- At times, patients or CLC residents may not wish to have visitors or may wish to set other limits on visits. We will respect the Veteran's wishes for visits.

VI. Concerns or Complaints

- If you need advice on how to resolve an ethical concern about the Veteran's care, you may speak with the Medical Center's Ethics Consultation Service.
- You are encouraged and expected to seek help from the VA healthcare treatment team and/or a patient advocate if you have problems or complaints. You will be given understandable information about the complaint process in your preferred language. Any privacy complaints will be addressed by the facility Privacy Officer. You may complain verbally or in writing, without fear of retaliation.
- If you believe that you or the Veteran has been neglected, abused or exploited by VA staff, please report this promptly to the treatment team or patient advocate. You will receive help immediately.
- If you have concerns about the quality of the health care that the Veteran is receiving, you may contact the VHA Office of the Medical Inspector at **1-800-634-4782**.
- If you believe the organization has failed to address or satisfy your concerns about healthcare quality and safety, you may contact the Joint Commission's Office of Quality Monitoring at **1-800-994-6610**. If you believe that the organization has failed to address your concerns about suspected criminal activities, fraud, waste, abuse, or mismanagement, you may contact the VA Office of the Inspector General at **1-800-488-8244** or email **vaoighotline@VA.gov**.

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