

Any time State or Federal laws or regulations relating to resident rights or facility policies change during the resident's stay in the facility, he/she must promptly be informed of these changes in a manner that is clear to the resident.

A resident cannot be expected to abide by rules he/she has never been told about. Whatever rules or policies the facility has formalized, and by which it expects residents to abide, should be included in the residents' statement of rights and responsibilities.

If a resident or his/her representative's understanding of English or the predominant language of the facility is inadequate for their comprehension, a means to communicate information in a language or format familiar to the resident or his/her representative must be used. The facility must have written translations, including Braille, and make the services of an interpreter available as needed. For those residents who communicate in American Sign Language (ASL), facility staff are expected to provide an interpreter. Large print texts of the facility's statement of resident rights and responsibilities may also be made available.

PROCEDURES §483.10(g)(1)(16)

During interviews, determine:

- When and how residents or their representatives are informed of their rights, services, facility policies and procedures, and resident responsibilities;
- If this information was provided in a language and format they understood; and,
- If facility staff provide ongoing communication to residents about their rights (e.g., through resident and family groups, presentations from representatives of the Office of the State Long-Term Care Ombudsman, posting of information, etc.)?

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§483.10(g)(2) The resident has the right to access personal and medical records pertaining to him or herself.

- (i) The facility must provide the resident with access to personal and medical records pertaining to him or herself, upon an oral or written request, in the form and format requested by the individual, if it is readily producible in such form and format (including in an electronic form or format when such records are maintained electronically), or, if not, in a readable hard copy form or such other form and format as agreed to by the facility and the individual, within 24 hours (excluding weekends and holidays); and**
- (ii) The facility must allow the resident to obtain a copy of the records or any portions thereof (including in an electronic form or format when such records are maintained electronically) upon request and 2 working days advance notice to the facility. The facility may impose a reasonable, cost-based fee on the provision of copies, provided that the fee includes only the cost of:**
 - (A) Labor for copying the records requested by the individual, whether in paper or electronic form;**
 - (B) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media; and**