

RESIDENTS' BILL OF RIGHTS

3.1 (1) In interpreting a provision of this Act or the regulations that applies to an approved charitable home for the aged and in interpreting a provision of a service agreement between the Crown in right of Ontario and an approved corporation maintaining and operating an approved charitable home for the aged, the fundamental principle to be applied is that an approved charitable home for the aged is primarily the home of its residents and, as such, it is to be operated in such a way that the physical, psychological, social, cultural and spiritual needs of each of its residents are adequately met and that its residents are given the opportunity to contribute, in accordance with their ability, to the physical, psychological, social, cultural and spiritual needs of others.

3.1 (2) An approved corporation maintaining and operating an approved charitable home for the aged shall ensure that the following rights of residents of the home are fully respected and promoted:

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.

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.

3. Every Resident has the right

To be told who is responsible for and who is providing the resident's direct care.

4. Every Resident has the right

To be afforded privacy in treatment and in caring for his or her personal needs.

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 rights of other residents of the home.

6. Every Resident has the right

- i. To be informed of his or her medical condition, treatment and proposed course of treatment.
- ii. 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,
- iii. 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 an approved charitable home for the aged, and
- iv. To have his or her medical records kept confidential in accordance with the law.

7. Every Resident has the right

To receive reactivation and assistance towards independence consistent with his or her requirements.

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.

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.

10. Every resident

Whose death is likely to be imminent has the right to have members of the resident's family present twenty four-hour per day.

11. Every resident has the right

To designate a person to receive information concerning any transfer or emergency hospitalization of the resident and, if a person is so designated, to have that person so informed forthwith.

12. Every resident has the right

To exercise the right 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, staff of the approved charitable home for the aged, government officials or any other person inside or outside the approved charitable home for the aged, without fear of restraint, interference, coercion, discrimination or reprisal.

13. Every resident has the right

To form friendships, to enjoy relationships and to participate in the residents' council.

14. Every resident has the right

To meet privately with his or her spouse in a room that assures privacy and, if both spouses are residents in the same approved charitable home for the aged, they have a right to share a room according to their wishes, if an appropriate room is available.

15 Every resident has a right

To pursue social, cultural, religious and other interests, to develop his or her potential and to be given reasonable provisions by the approved charitable home for the aged to accommodate these pursuits.

16. Every resident has the right

To be informed in writing of any law, rule or policy affecting the operation of the approved charitable home for the aged and of the procedures for initiating complaints.

17. Every resident has the right

To manage his or her own financial affairs if the resident is able to do so and, if the resident's financial affairs are managed by the approved charitable home for the aged, 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.

18. Every resident has the right

To live in a safe and clean environment.

19. Every resident has the right

To be given access to protected areas outside the approved charitable home for the aged in order to enjoy outdoor activity, unless the physical setting makes this impossible.

3.1 (3) Without restricting the generality of subsection (1), a provision of this Act or the regulations that applies to an approved charitable home for the aged and a provision of a service agreement relating to an approved charitable home for the aged shall be interpreted so as to advance the objective that the resident's rights set out in subsection (2) be respected.

3.1 (4) An approved corporation maintaining and operating an approved charitable home for the aged shall be deemed to have entered into a contract with each resident of the home, agreeing to respect and promote the rights of the resident set out in subsection. (2)