

Minnesota Patients' Bill of Rights

What is the Patients' Bill of Rights?

In Minnesota, patients and residents of health care facilities have specific rights defined in state statutes. The rights apply when your child is admitted for more than 24 hours to an acute care inpatient facility (like a hospital)¹ or to certain types of residential programs. A health care facility cannot require your child to waive his or her rights as a condition for admission.

Where can you get a copy of the Patients' Bill of Rights?

A copy of the Patients' Bill of Rights must be given to your child upon admission to the facility. At your request, you must also be permitted to see current facility policies, inspection findings about the facility and further explanation of the written statement of rights.

The health care facility must make reasonable accommodations to provide information about the Patients' Bill of Rights for those with communication impairments and those who speak a language other than English.

What rights does your child have in the Patients' Bill of Rights?

The following list summarizes the rights that apply when your child is admitted to a hospital for more than 24 hours. Additional rights apply if your child is admitted to a residential facility. For the complete Patients' Bill of Rights, refer to Minnesota Statute section 144.651, available online at www.revisor.mn.gov/pubs.

Courteous treatment

Your child has the right to be treated with courtesy and respect.

Appropriate health care

Your child has the right to receive appropriate care based on his or her individual needs.

Physician's identity

The hospital must give you information about the doctor responsible for coordinating your child's care. You must be given in writing the doctor's name, business address, telephone number, and specialty.

Relationship with other health services

When you ask, the hospital must provide information in writing about outside health care providers that provide services to your child.

Information about treatment

Your child, or you as your child's guardian, must be given complete and current information about your child's diagnosis, treatment, alternatives, risks, and prognosis. The information must include the likely medical or major psychological results of the treatment and its alternatives. The information must be given in language that you can reasonably be expected to understand. If your child is admitted into a

residential treatment facility, the treatment plan must state goals for eventually transferring to a less-restrictive facility or out-patient care, if appropriate.

Participation in planning treatment and notification of family members

Your child, or you as your child's guardian, have the right to participate in the planning of your child's health care. This includes the opportunity to discuss treatment and alternatives with caregivers and the right to request and participate in formal care conferences.

Continuity of care

The same staff members should be assigned to your child's care on a regular basis.

Right to refuse care

Patients have the right to refuse treatment and be informed of the likely medical and psychological effects of refusal.

Experimental research

Providers must obtain your written consent for your child to participate in experimental research. You have the right to refuse consent.

Freedom from maltreatment

Your child shall be free from abuse, neglect, and financial exploitation. The hospital may not use nontherapeutic chemical and physical restraints, except in certain limited circumstances.

Treatment privacy

The hospital must respect your child's privacy in his or her medical and personal care.

Confidentiality of records

Your child's personal and medical records must be kept confidential. Records may not be released without permission, except under limited circumstances provided by law.

Disclosure of services available

Prior to or at admission to the facility, you must be told about what services are included in the facility's basic daily rate and what other services are available at additional charge. The facility must make every effort to help you find information about whether Medicare or Medical Assistance will pay for any services.

Responsive services

You and your child have the right to receive prompt and reasonable responses to questions and requests.

Personal privacy

The hospital must be considerate of your child's personal privacy, individuality, and cultural identity. Except in emergencies, staff must knock on the door and obtain permission before entering your child's room.

Grievances

Your child has the right to make grievances and recommend changes to policies and services. Every hospital must have an internal grievance procedure and must provide complete information about both internal and external grievance procedures.

Communication privacy

Your child has the right to associate and communicate privately with other people. The hospital must provide access to a telephone and to writing materials.

Personal property

As space permits, your child must be allowed to keep and use personal clothing and property, unless to do so would harm the rights of other patients or would not be appropriate for medical, safety, or programmatic reasons.

Services for the facility

Your child cannot be required to perform services for the hospital unless such activities have appropriate therapeutic purposes.

Protection and advocacy services

Your child has the right to reasonable access to any available advocacy agencies and services so that he or she can receive assistance in protecting his or her rights.

Transfers and discharges

Your child cannot be arbitrarily transferred to another room or discharged without notice. Facilities must make a reasonable effort to accommodate new residents without disrupting room assignments of current residents/patients.

Furthermore, if your child is receiving psychiatric treatment, see the following information:

Isolation and restraints

A child admitted has the right to be free from restraints and isolation, except in emergency situations that might result in harm to self or others. Isolation and use of restraints requires prior authorization of a physician or licensed psychologist, and can only be used when less restrictive measures fail.

Treatment

Your child has the right to have a written treatment plan. This must include clear goals, procedures that will help minimize the length of stay, goals needed to be released to a less restrictive facility, and follow-up plans.

¹ For this fact sheet, the term “hospital” will be used to mean an “acute care facility.”