

Minnesota Home Care Bill of Rights

Any person receiving home care services has certain rights outlined in Minnesota law. A parent, guardian, conservator or, when there is no guardian or conservator, a designated person, may seek to enforce these rights. For the complete Minnesota Home Care Bill of Rights, refer to Minnesota Statute section 144A.44, which can be viewed online at www.revisor.mn.gov/pubs/.

The person receiving home care services has the right to:

Receive written information before receiving care. The information must explain what to do if the person's rights are violated.

Have a current care plan that is suitable. If the service agreement doesn't meet a person's needs, he or she has the right to have it changed.

Participate in creating a plan and changing the plan of care and in evaluating care services.

Know who, what and how often. The person receiving care has the right be told in advance what services will be provided, who will furnish the services, how often the services will be provided, and information about other choices for services that are available.

Know about any changes to the plan of care before the change is made.

Refuse treatment or services.

Know any limits to the available services and be told in advance. This means that the person receiving care must be told what services the home care agency will not provide, and the reason for ending any home care services.

Know about coverage and charges. The person receiving care has the right to know in advance what home care services are covered and what the charges are.

Know what other services may be available, and how to obtain information on those services.

Choose among home care agencies, even after services have started, and to change agencies within limits of the health coverage.

Have privacy and knowledge about when information is disclosed. The person receiving services has the right to have personal, financial and medical information kept private and to be told when and how the agency may disclose private information.

Access information and to see his or her records.

Be served by trained staff members who are competent and properly trained.

Be treated with courtesy and respect.

Be free from abuse—physical and verbal.

Be notified in advance of changes in services or charges.

Know the provider's reason for ending services.

Have 10 days advance notice if services are to end, except in certain circumstances.

Have a coordinated transfer when there is a change in the home care agency that provides services. This means that the home care agency must help the person receiving care to make the transition to a different agency.

Make complaints if care is not given or if there is lack of respect or courtesy to the person or the person's property.

Know who to contact at the home care agency when there is a problem. The agency must investigate and try to resolve the problem.

Know what state or county agency to call for information or assistance. The home care agency must provide the contact information of the state or county agency.

Enforce these rights. The person receiving care has the right to file a complaint personally. If that person is judged incompetent, a complaint may be filed on his or her behalf. To enforce the Home Care Bill of Rights, contact the Office of Health Facility Complaints:

Minnesota Department of Health

Office of Health Facility Complaints

P.O. Box 64970

St. Paul, MN 55164-0970

(651) 201-4201 voice

(800) 369-7994 national, toll-free

Email: health.ohfc-complaints@state.mn.us