

## NURSING HOME RESIDENTS HAVE THE RIGHT TO SEE AND COPY THEIR RECORDS

All nursing home residents have the right to have their nursing home records kept confidential. A nursing home cannot release a resident's health, financial, or other records without permission from the resident, the resident's guardian, health-care power-of-attorney or health-care surrogate, or a judge.

Residents (and people acting for them) have the right to see all the records a nursing home has about them, including medical, financial, and trust fund records, and records about their contract with the home. Residents can make a written request, or just ask to see their records.

Federal law says that a nursing home must let residents see their records no more than one working day after they ask. The home must also give each resident, or the resident's representative, a quarterly financial statement showing how the home has used her/his funds.

Residents can also get copies of their records. Federal law says that a nursing home must give a resident a copy of her/his records no more than two working days after (s)he asks. The home cannot charge more than a copy shop would charge to copy the records. The home cannot charge for the time it takes the staff to find or copy the records.

A resident's guardian, health-care power-of-attorney or health-care surrogate has the same right to get medical information and to see and copy a resident's records that the resident has. They don't need permission from the resident or from anybody else. **Other people can see and copy a resident's records only with permission from the resident, her/his health-care power-of-attorney, health-care surrogate, or guardian.** This permission must be written. If the resident cannot write, the home must get the resident's permission another way. (There are different rules about when the ombudsman may see a resident's records.)

For more information about a nursing home resident's right to see and copy records, for help in seeing or copying records, or for a form a resident can sign to permit someone to see nursing home records, call the Chicago Department of Family and Support Services nursing home resident ombudsman at **312-744-4016**.

