

Patient Bill of Rights and Responsibilities:

Patients and families are our number one concern. It is a priority at TOPS Surgical Specialty Hospital that patients and families are as comfortable as possible during their stay at TOPS. The following statement of patient rights and responsibilities is present as the policy for TOPS, but does not presume to be a complete representation of all mutual rights and responsibilities.

The hospital respects, protects and promotes patient rights.

- The hospital has written policies on patient rights.
- The hospital informs the patient of his or her rights
- The hospital treats the patient in a dignified and respectful manner that supports his or her dignity
- The hospital respects the patient's right to and need for effective communication.
- The hospital respects the patient's cultural and personal values, beliefs and preferences.
- The hospital respects the patient's right to privacy.
- The hospital accommodates the patient's right to religious and other spiritual services
- The hospital allows the patient to access, request amendment to, and obtain information on disclosures of his or her health information, in accordance with law and regulation.
- The hospital allows a family member, friend or other individual to be present with the patient for emotional support during the course of stay.
- The hospital prohibits discrimination based on age, race, ethnicity, religion, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, and gender identity or expression.

The hospital respects the patient's right to receive information in a manner he or she understands.

- The hospital provides information in a manner tailored to the patient's age, language, and ability to understand
- The hospital provides language interpreting and translation services.
- The hospital provides information to the patient who has vision, speech, hearing or cognitive impairments in a manner that meets the patient's needs.

The hospital respects the patient's right to participate in decisions about his or her care, treatment and services

- The hospital involves the patient in making decisions about his or her care, treatment, and services, including the right to have his or her family and physician promptly notified of his or her admission to the hospital.
- When a patient is unable to make decisions about his or her care, treatment, and services, the hospital involves a surrogate decision-maker in making these decisions.
- The hospital provides the patient or surrogate decision-maker with written information about the right to refuse care, treatment, and services.
- The hospital respects the patient's or surrogate decision-makers right to refuse care, treatment, and services in accordance with law and regulation.
- The hospital involves the patient's family in care, treatment and services decision to the extent permitted by the patient or surrogate decision-maker, in accordance with law and regulation.
- The hospital provides the patient or surrogate decision-maker with the information about the following:
 - Outcomes of care, treatment and services that the patient needs in order to participate in current and future health care decisions.
 - Unanticipated outcomes of the patient's care, treatment and services that are sentinel events as defined by The Joint Commission. This information is provided by the licensed independent practitioner responsible for managing the patient's care, treatment, and services, or his or her designee.

The hospital honors the patient's right to give or withhold informed consent.

- The hospital follows a written policy on informed consent that describes the following:
 - The specific care, treatment, and services that require informed consent
 - Circumstances that would allow for exceptions to obtaining informed consent.

- The process used to obtain informed consent
- How informed consent is documented in the patient record
- When a surrogate decision-maker may give informed consent
- The informed consent process includes a discussion about the following:
 - The patient's proposed care, treatment and services
 - Potential benefits, risks and side effects of the patient's proposed care, treatment, and services: the likelihood of the patient achieving his or her goals; and any potential problems that might occur during recuperation
 - Reasonable alternative to the patient's proposed care, treatment, and services. The discussion encompasses risks, benefits, and side effects related to the alternatives and the risks related to not receiving the proposed care treatment and services
- The hospital obtains and documents informed consent in advance when it makes and uses recordings, films or other images of patients for internal use other than the identification, diagnosis, or treatment of the patient (for example, performance improvement and education).

The hospital protects the patient and respects his or her rights during research, investigation and clinical trials.

- To help the patient determine whether or not to participate in research, investigation or clinical trials, the hospital provides the patient with all of the following information:
 - An explanation of the purpose of the research
 - The expected duration of the patient's participation
 - A clear description of the procedures to be followed
 - A statement of the potential benefits, risk, discomforts and side effects
 - Alternative care, treatment and services available to the patient that might prove advantageous to the patient
- The hospital informs the patient that refusing to participate in research, investigation or clinical trials or discontinuing participation at any time will not jeopardize his or her access to care, treatment and services unrelated to the research.
- The hospital documents the following in the research consent form:
 - The patient received information to help determine whether or not to participate in the research, investigation, or clinical trials
 - That the patient was informed that refusing to participate in research, investigation or clinical trials or discontinuing participation at any time will not jeopardize his or her access to care, treatment, and services unrelated to the research.
 - The name of the person who provided the information and the date the form was signed.
 - The patient's right to privacy, confidentiality and safety.

The hospital respects the patient's right to receive information about the individual (s) responsible for, as well as those providing, his or her care, treatment, and services.

- The hospital informs the patient of the following:
 - The name of the physician, clinical psychologist, or other practitioner who has primary responsibility for his or her care, treatment or services.
 - The name of the physician(s), clinical psychologist(s), or other practitioner(s) who will provide his or her care, treatment, and services.

The hospital addresses patient decisions about care, treatment and services received at the end of life.

- Providing patients with written information about advance directives, forgoing or withdrawing life-sustaining treatment, and withholding resuscitative services.
- Providing the patient upon admission with information of the extent to which the hospital is able, unable, or unwilling to honor advance directives.
- For outpatient hospital settings – communicating its policy on advance directives upon request or when warranted by the care, treatment, and services provided.

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- Whether the hospital will honor the advance directives in its outpatient settings
- That the hospital will honor the patient's right to formulate or review and revise his or her advance directives
- Informing staff and licensed independent practitioners who are involved in the patient's care, treatment, and services whether or not the patient has an advance directive.
- The hospital documents whether or not the patient has an advance directive
- Upon request, the hospital refers the patient to resources for assistance in formulating advance directives.
- When required by policy or upon patient request, the hospital documents the patient's wishes concerning organ donation and how the wishes with the limits of its capability, policy and law and regulation.
- The existence or lack of an advance directive does not determine the patient's right to access care, treatment, and services.
- For hospital that use Joint Commission accreditation for deemed status purposes – The hospital defines how it obtains and documents permission to perform an autopsy.

The patient has the right to be free from neglect; exploitation; and verbal mental, physical and sexual abuse.

- The hospital determines how it will protect the patient from neglect, exploitation, and abuse that could occur while the patient is receiving care, treatment and services.
- The hospital reports allegations, observations, and suspected cases of neglect, exploitation, and abuse to appropriate authorities based on its evaluation of the suspected events, or as required by law.
- The alleged violations are reported in the following time frames:
 - No later than 2 hours after the allegation is made if the allegation involves abuse or serious bodily injury.
 - No later than 24 hours after the allegation is made if the allegation does not involve abuse or serious bodily injury.

The patient and his or her family have the right to have complaints reviewed by the hospital.

- The hospital establishes a complaint resolution process and informs the patient and his or her family about it.
- The hospital reviews and, when possible, resolves complaints from the patient and his or her family.
- The hospital acknowledges receipt of a complaint that the hospital cannot resolve immediately and notifies the patient of follow-up to the complaint.
- The hospital provides the patient with the phone number and address needed to file a complaint with the relevant state authority.
- In its resolution of complaints, the hospital provides the individual with a written notice of its decision, which contains the following:
 - The name of the hospital contact person
 - The steps taken on behalf of the individual to investigate the complaint
 - The results of the process
 - The date of completion of the complaint process
- The hospital determines time frames from complaint review and response.
- The process for resolving complaints includes a mechanism for timely referral of patient concerns regarding quality of care or premature discharge to the quality improvement organization.

The patient has the right to access protective and advocacy services

- When the hospital serves a population of patient that need protective services, it provides resources to help the family and courts determine the patient's needs for such services.

The hospital informs the patient about his or her responsibilities related to his or her care, treatment and services.

- The hospital has a written policy that defines patient responsibilities, including but not limited to the following:
 - Providing information that facilitates their care, treatment and services
 - Asking questions or acknowledging when he or she does not understand the treatment course or care decision
 - Following instruction, policies, rules and regulations in place to

support quality care for patients and a safe environment for all individuals in the hospital.

- Supporting mutual consideration and respect by maintaining civil language and conduct in interaction with staff and licensed independent practitioners
- Meeting financial commitments
- The hospital informs the patient about his or her responsibilities in accordance with its policy.

PATIENT COMPLAINT OR GRIEVANCE

To report a complaint or grievance you can contact the Chief Executive Officer by phone at (281) 943-7400 or by mail at:

TOPS Specialty Hospital
Samuel Rossmann, CEO
17080 Red Oak Drive
Houston, TX 77090

Complaints and grievances may also be filed through:
Health Facility Compliance Group (MC1979)
Texas Department of State Health Services

P.O. Box 149347
Austin, TX 78714-9347
Complaint Hotline: (888) 973-0022
Fax: (512) 834-6653

OR

The Joint Commission
Office of Quality and Patient Safety
One Renaissance Boulevard
Oakbrook Terrace, Illinois 60181
Phone: (630) 792-5800
Fax: (630) 792-5636

OR

State of Texas, CMS Regional Office
DHHS/CMS/DMSO, CLIA Program
1301 Young Street, Suite 714
Dallas, TX 75202
(214) 676 6301

Medicare beneficiaries may receive information regarding their options under Medicare and their rights and protections by visiting the website for the Office of the Medicare Beneficiary Ombudsman at: www.cms.hhs.gov/center/ombudsman.asp.

ADVANCE DIRECTIVE NOTIFICATION

In the State of Texas, all patients have the right to participate in their own health care decisions and to make Advance Directives or to execute Powers of Attorney that authorize others to make decisions on their behalf based on the patient's expressed wishes when the patient is unable to make decisions or unable to communicate decisions. TOPS Specialty Hospital respects and upholds those rights.

If you wish to complete an Advance Directive, copies of the official State forms are available at our facility.

DISCLOSURE OF OWNERSHIP

TOPS Specialty Hospital is proud to have a number of quality physicians invested in our facility. Their investment enables them to have a voice in the administration of policies of our facility. This involvement helps to ensure the highest quality of surgical care for our patients. Your physician does/ does not (circle as appropriate) have a financial interest in this facility.