

Some people believe that moving into long-term care means they have to do things when and how someone else decides, that they have to “go along with it” because that’s “how it is.” In reality, people living in nursing homes or assisted living are free to continue many of their routines and activities they enjoyed before moving to the facility.

## **WHAT DO WE MEAN BY AUTONOMY, CHOICE, AND RIGHTS?**

Autonomy means you are in control of your decisions - in other words, you get to make choices for yourself. In addition to the rights you already had, as a resident you are now also protected by Resident Rights as established by the Nursing Home Reform Law.

- The right to a dignified existence
- The right to self-determination
- The right to be fully informed
- The right to raise grievances
- The right to access chosen services
- The right to privacy
- Rights regarding financial affairs
- Rights during discharge and transfer

## CHALLENGING YOUR AUTONOMY: AN EXAMPLE

Imagine that you are naturally a “night owl,” preferring a later bedtime and wake time. However, staff insist you need to be out of bed at a certain early hour. You suspect that this is not a requirement and actually is something convenient for staff.

## HOW CAN YOU ADVOCATE FOR YOURSELF?

If you feel that someone in your community is stopping you from making the choices that are right for you, there are ways you can speak up to try and change the situation.

1. **Know your rights.** The facility administrator is required to give you a copy of your rights and post them in the facility. If you do not have a copy, ask for one.
2. **Identify who to contact on staff.** Find out who is responsible for responding to complaints. The facility is required to tell you who receives complaints. You can make your complaint in writing or verbally.
3. **Prepare to explain the problem and what you want to change.** Use “I” statements. Using “I” statements encourages positive communication and reduces conflict. Describe the situation (what is happening, who is involved, etc.) AND why it’s a problem.
  - i. Example: “The aides make me get out of bed at 8am. They say that everyone has to get up at the same time. This is a problem because I like to sleep late.”
  - b. Express how this related to your autonomy, choice, and rights.
    - i. Example: “I know it is my right to choose to sleep later. No one can force me to get out of bed.”
  - c. Make your request clear.
    - i. Example: “I would like them to stop waking me early.”



# KNOW YOUR RIGHTS: AUTONOMY, CHOICE, & RIGHTS

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## HOW CAN A LONG-TERM CARE OMBUDSMAN HELP?

If you feel you need more support to make your case, contact your local **Boulder County Long-Term Care Ombudsman at 303-441-1173**. They will help everyone involved find a solution that respects the resident's wishes. No matter what, the ombudsman is there to advocate for you.

Federal regulations governing long-term care resident rights in the US Code of Federal Regulations at 42 CFR § 483.

State of Colorado regulations governing assisted living resident rights can be found in the Colorado Code of Regulations at 6 CCR 1011-1 Chapter 7.



Long-Term Care Ombudsman Program

**303-441-1173**

[www.BoulderCountyAging.org](http://www.BoulderCountyAging.org)