

NOTICE OF PATIENT RIGHTS & RESPONSIBILITIES

Houston Orthopedic and Spine Surgery Center provides medical treatment without regard to race, creed, sex, nationality, gender or source of payment. As our patient, you are entitled to safe, considerate, respectful and dignified care at all times.

As our patient at Houston Orthopedic and Spine Surgery Center, you have the right to:

- ◆ Receive care in a safe setting, free from any form of abuse or harassment.
- ◆ Receive appropriate assessment and management of pain.
- ◆ Have a family member or representative of your choice and your personal physician promptly notified if you are admitted to the hospital.
- ◆ Receive treatment free from restraints or seclusion unless clinically necessary to provide acute medical, surgical or behavioral care.
- ◆ Change your provider if other qualified providers are available.

You are entitled to personal and informational privacy as required by law. This includes your right to:

- ◆ Know the identity, professional status, role and business relationship of all those involved in your care.
- ◆ Undergo examinations in reasonably private visual and auditory surroundings.
- ◆ Request that a person of your own gender be present during physical examinations.
- ◆ Review or obtain copies of your medical and financial records.
- ◆ Obtain a list of certain disclosures of your medical information made in accordance with state and federal laws.
- ◆ Request an amendment to your medical records if you believe information is not correct.
- ◆ Have your medical records read and discreetly discussed only by those directly involved with or related to your care, by anyone to whom you have given permission, or by those who have legal custody, or other authorized individuals.
- ◆ Experience confidentiality in all aspects of your care and payment sources Houston Orthopedic and Spine Surgery Center will involve only those acting in an official capacity for the Center and will exclude any individuals you choose to exclude.
- ◆ Protective privacy when necessary to provide for your personal safety or for

the safety of other patients, visitors, and staff.

- ◆ Preservation of the safety and security of your personal belongings from search or seizure, except for reasonable cause.

As a patient at Houston Orthopedic and Spine Surgery Center, you have the right to:

- ◆ Be involved in all aspects of your care and to participate in decisions regarding your care. This includes your right to be informed of the diagnosis and prognosis of your condition. When it is medically inadvisable to give such information to you, it will be provided to a person designated by you or to a legally authorized person.

As a patient at Houston Orthopedic and Spine Surgery Center, you have the right to:

- ◆ Be informed of appropriate treatment options, including their risks and benefits, alternative treatment options, the consequences of no treatment, and the results of medical care provided – including any unanticipated adverse outcomes.
- ◆ Request restrictions on how your medical and financial records are used and shared. However, The Surgery Center may choose not to accept these restrictions if necessary to your care.
- ◆ Have access to appropriate staff for the purpose of reporting suspected child abuse or adult abuse.
- ◆ Communicate with individuals outside the Center.
- ◆ Have access to interpreter services at no cost to you, if you are not fluent in English.
- ◆ Have access to auxiliary aids if you have an impairment which requires use of these.
- ◆ Refuse treatment (to the extent permitted by law).
- ◆ Examine and receive an explanation of all bills regardless of the source of payment.
- ◆ Request Houston Orthopedic and Spine Surgery Center to communicate with you at an alternative telephone number or address.

You will not be transferred to another facility or location without a complete explanation of the necessity for such an action.

You and your family/guardian have the right to express dissatisfaction regarding

the quality of care without jeopardizing future care.

You have the right to expect plans for reasonable continuity of care after

discharge so that continuing health care needs may be met.

Houston Orthopedic and Spine Surgery Center *does not honor advanced directives while under the care of this facility. A copy will be placed on your medical record and sent with you in the unlikely event that you are transferred to a hospital for further treatment.*

As a patient, you are encouraged to promote your own safety by becoming an active, involved and informed member of your health care team. This includes your right to:

- ◆ Ask questions if you are concerned about your health or safety.
- ◆ Verify the site/side of the body that will be operated on prior to the procedure.
- ◆ Remind staff to check your ID before medications are given, blood samples are obtained or prior to an invasive procedure.
- ◆ Remind the caregivers to wash their hands prior to giving care.
- ◆ Be informed about which medications you are taking and why you are taking them.
- ◆ Look for an identification badge to be worn by all Surgery Center employees.

As a patient at Houston Orthopedic and Spine Surgery Center, you are responsible for providing accurate and complete information about present complaints, past illnesses, hospitalizations, medications, allergies and other matters relating to your health.

As a patient at Houston Orthopedic and Spine Surgery Center, it is your responsibility to:

- ◆ Provide a responsible adult to transport you home from the facility and remain with you for 24 hours, if required by your physician.
- ◆ Ask questions.
- ◆ Follow the treatment plan recommended by your caregivers.
- ◆ Accept personal responsibility if you refuse treatment.
- ◆ Observe the Center's rules.
- ◆ Adhere to The Surgery Center's Tobacco Free Policy.

- ◆ Recognize and respect the rights of other patients, families and staff.
- ◆ Report perceived risks and unexpected changes in your condition to your health care provider.
- ◆ Fulfill your financial obligations.
- ◆ Be respectful of all the healthcare providers and staff, as well as other patients and visitors.

You are encouraged to ask questions about any of these rights that you do not understand. If you would like to express concerns regarding the quality of care you received at, **Houston Orthopedic and Spine Surgery Center** contact the Director of Nursing or Administrator. If you have concerns regarding your insurance or financial responsibility, contact the Business Office Manager or Administrator. You will receive a personal response. In the event you are not satisfied with the results, the following facilities may be contacted:

Civil Rights Office
Health and Human Services Commission
701 W. 51st Street, MC W206
Austin, Texas 78751

1-888-388-6332 or 1-512-438-4313

Texas Department of Public Health
1100 W 49th St
Austin, TX 78756
512-776-7111

Medicare Beneficiary Ombudsman for Texas, Texas State Health Insurance Assistance Program – telephone number (877)787-8999

Medicare Claim Fraud – 1(800)633-4227

Identity Theft Hotline, Federal Trade Commission – 1(877)438-4338

- ◆ *This information is available in verbal format by calling Houston Orthopedic and Spine Surgery Center telephone number 281-646-9832*

Copies also available in Spanish upon request.

Solicite la versión en español de esta información

Advance Directive Policy

All patients have the right to participate in their own health care decisions and to make Advance Directive or to execute Powers of Attorney that authorizes 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 **Houston Orthopedic and Spine Surgery Center** and its affiliates respect and uphold these rights.

However, because the scope of care in this facility is limited to elective outpatient surgical procedures, any life-threatening situation that arises will be immediately treated with life- sustaining measures. Concurrently, the emergency medical system (EMS) will be activated for emergency patient transport to a hospital facility. In accordance with the Patient Self Determination Act (PSDA), the patient's right and need to be an active participant in the decision making process regarding their care is recognized and respected.

TEXAS NOTICE TO PATIENTS

Required by the patient Self- Determination Act and Texas Advance Directive Act

This Handout informs you what rights Texas law gives to you to make medical care decisions. After reading this, you may still have questions. If so, you should talk about them with your doctors and other health caregivers.



1. Who will talk to me about my medical care options?

Your doctor should talk about medical care options with you using words you can understand.

2. Who decides what medical care I will get?

Your doctor should tell you what the medically reasonable care and treatment options are for your medical condition. As a competent adult, you decide which care and treatment options you will get. You have the right to accept, refuse, or stop and medical care or treatment, including life-sustaining treatment.

3. What if I am not able to make my own decisions?

If you cannot make decisions about your own medical care, someone must make them for you. An advance directive is the best way to tell people what you want done. You can also say who you want to make decisions for you, if you can no longer decide for yourself.

4. What is an advance directive?

An advance directive is a written document you sign before you are unable to make your own decisions. You can use an advance directive to tell people ahead of time what medical care you want. You can also name the person you want to make medical decisions for you if you cannot make them yourself. Texas law has four kinds of advance directives:

- Medical Power of Attorney
- Out-of- Hospital Do-Not- Resuscitate Order
- Directive to physicians and family or surrogates
- Declaration of mental health treatment

You can have one, two, or three or all four advance directives.

5. What is a Medical Power of Attorney?

This directive allows you to designate another person as your agent for making health care decisions if you become incompetent. You do not have to have a terminal or irreversible condition for a medical power of attorney to be used.

6. What is an Out- of- Hospital Do-not- Resuscitate Order?

This directive allows competent adults to refuse certain life- sustaining treatments in non- hospital settings where health care professionals are called to assist, including hospital ERs and outpatient settings. You should carry a photocopy of your written form or wear a designated ID bracelet. This directive cannot be executed for minors unless a physician states the minor has a terminal or irreversible condition.

7. What is a Directive to physicians and family or surrogates?

This directive allows you to specify for the provision, withdrawal, or withholding of medical care in the event of a terminal or irreversible condition. Your condition must be certified by one physician.

8. What is a Declaration of mental health treatment?

This directive allows a court to determine when you become incapacitated, and when that declaration becomes effective. You may opt not to consent to electro- convulsive therapy or to the use of psychoactive drugs. The declaration expires in three years, unless you are incapacitated at that time.

9. Should I have an advance directive?

Whether to have an advance directive is entirely your decisions. One reason many people want an advance directive is to avoid a dispute about their care if they can't make their wishes known. Signing an advance directive, or- at very least- talking about your medical care wishes with your loved ones, your doctors and others, make sense before medical crisis.

10. If I sign an advance directive now, can I change my mind?

You can revoke an advance directive by telling your health care provider or by writing new instructions. You can sign a new advance directive any time you want. In fact, you should go over your advance directive at least once a year to be sure it still correctly states your wishes.

11. Can I be sure my instructions will be followed?

If properly signed, your Texas Advance Directive for health care is legally binding your health care providers. If they cannot follow your directions, they are required to arrange to transfer your care to others who will.

12. What if I do not have an advance directive?

Without an advance directive, a legal guardian, if appointed by the court, will make medical decisions for you. Without an advance directive or court appointed legal guardian, Texas law is not clear about who will decide for you. Usually, your family, doctors, and hospital can decide about routine medical care. However, if you have not given express instructions, your family is permitted to request withholding life- sustaining treatment and food and water only in very limited situations.

13. What if I have other questions?

If you have other questions, you should discuss them with your doctors and other caregivers. For more information about advance directives contact the Texas Department of State Health Services: 1-888-973-0022, www.dshs.state.tx.us



Resources to help create an Advance Directive:

- This webpage, hosted by the U.S. Living Will registry, provides a state-by-state list, with links to state specific websites that provide free advance directive forms. <https://uslwr.com/formlist.shtm>
- This webpage, provided by the American Bar Association provides a great tool kit, which contains a variety of self-help worksheets, suggestions, and resources. There are 10 tools in all, each clearly labeled and user- friendly. The tool kit does not create a formal advance directive for you. Instead, it helps you do the much harder job of discovering, clarifying, and communicating what is important to you in the face of serious illness.
http://americanbar.org/groups/law_aging/resources/consumers_toolkit_for_health_care_advance_planning.html

Patient Complaints & Grievance Policy

- Houston Orthopedic and Spine Surgery Center values you as a patient. We are dedicated to ensuring your relationship with us in a positive one. If we can enhance that relationship in any way, please let us know.
- Every patient has the right to express complaints about the care and services provided, to any staff member.
- If the patient is not satisfied with the resolution, the complaint is taken to the Director.
- Patients or the patient's representative may file a written or verbal complaint/ grievance with the Director at:

Houston Orthopedic and Spine Surgery Center
Wayne Horak, RN (CEO)
750 Westgreen Blvd, Suite 103
Katy, Texas 77450
(281-) 646-9832

- The director will be responsible for providing the patient with a written response within thirty (30) days from the date of receipt of the complaint or grievance.
- The patient has the right, if he or she is not satisfied with the facility's response, to complain to the following agencies:
 - Texas Department of State Health Services
1100 West 49th Street, Austin, Tx 78756
1-888-973-0022
www.dshs.state.tx.us
 - For HIPPA related complaints contact compliance officer at: 1-800-201-9353
 - Complaints about physicians, as well as licensees and registrants of the Texas Board of Medical Examiners, including Physician Assistants may be reported for investigations at the following address:

Texas State Board of Medical Examiners
Attention: Investigations
333 Guadalupe Tower 3, Suite 610
P.O. Box 2018, MC- 2018
Austin, Tx 78768- 2018
1-800-201-9353
Medicare Ombudsman
cms.gov/center/ombudsman.asp
1-800-633-4227
TTY-1-877-486-2048
Accreditation Association for Ambulatory Healthcare
<http://www.aaahc.org/>
1-847-853-6060