

The policy of Texas Children's is to provide the best possible treatment to all patients at all times, under all circumstances, and in an equitable and humane manner. No person shall be denied access to available and medically indicated treatment or accommodations on the basis of race, ethnicity, religion, culture, language, creed, national origin, physical or mental disability, gender, sexual orientation, gender identity or expression, or source of payment for care.

All patients have rights and responsibilities concerning their health care. [26 TEX. ADMIN. CODE § 505.42](#); 42 C.F.R § 482.13. Each patient (or medical decision-maker where applicable) has the following rights:

RIGHTS TO INFORMATION

Each patient or medical decision maker has the right to receive information in a manner and/or language they can understand regarding:

- Patient Rights at time of admission.
- “*An Important Message from Medicare*” provided to Medicare beneficiaries.
- Name and specialty of all physicians participating in the care of the patient.
- Nature and extent of the medical problem, the planned course of treatment and outcomes.
- Details necessary to give informed consent before a procedure or treatment, including options for effective management of pain.
- How to follow hospital rules and regulations as they apply to patients, families and visitors.
- How to resolve complaints concerning the quality of care or service.
- Right to access information contained in their clinical medical records within a reasonable timeframe.

RIGHTS RELATED TO CARE

As a patient at Texas Children's, each patient has the below rights:

- **RIGHT TO A REASONABLE RESPONSE TO REQUESTS FOR TREATMENT:** The patient has the right to the hospital's reasonable response to their requests and needs for treatment or services, within the hospital's capacity, its stated mission, and applicable law and regulation. If the patient is transferred to another hospital, the patient has a right to know why and the risks, benefits, and alternatives to the transfer.
- **RIGHT TO KIND AND RESPECTFUL CARE:** The patient has the right to considerate and respectful care, which includes:
 - Consideration of the psychosocial, spiritual, and cultural variables that influence the perceptions of illness.
 - Comfort and dignity for dying patients while treating the primary and secondary symptoms that respond to treatment as desired by the patient or surrogate decision maker;
 - Effective management of pain;
 - Acknowledgment of the psychosocial and spiritual concerns about dying and the expression of grief by the patient and family.
 - The right to receive physical and emotional care in a safe setting, including environmental safety, infection control and access to protective/security services; to the extent the hospital can control that environment.
- **RIGHT TO NOTIFICATION:** The patient has the right to be involved in making decisions about their care, treatment, and services, including the right to have the patient's family, physician, or representative of his or her choice promptly notified of their admission to or discharge or transfer from the hospital.
- **RIGHT TO MAKE DECISIONS RELATED TO CARE:** The patient has the right, in collaboration with their physician, to make decisions about their health care, to include the following:

- The right to accept medical care or to refuse treatment to the extent permitted by law and be informed of the medical consequences of such refusal.
 - The right to formulate advance directives and to appoint a surrogate to make health care decisions on their behalf to the extent permitted by law. Advance directives are written instructions recognized under state law relating to the provision of health care when individuals are unable to communicate their wishes regarding medical treatment. The advance directive may be a written document authorizing an agent or surrogate to make decisions on an individual's behalf (a medical power of attorney for health care), a written or verbal statement (a living will), or some other form of instruction recognized under state law specifically addressing the provisions of health care.
 - The patient has the right to receive information necessary to enable them to make treatment decisions that reflect their wishes.
 - The patient has the right to participate in the development of their plan of care for inpatient, outpatient, discharge and pain management.
- **RIGHT TO INFORMATION ABOUT PATIENT RIGHTS:** The patient has the right to receive, at the time of admission, information about the hospital's patient rights policy(ies) and the mechanisms for initiation, review, and when possible, resolution for patient complaints concerning quality of care.
 - **RIGHT TO PARTICIPATE IN RESEARCH:** The patient has the right to consent to or refuse to be part of any human experimentation or other research or educational project that may affect their care or treatment or that may require their direct involvement. Patients also have the right to have the research or educational projects fully explained to them before they consent to or refuse to be in them. If they refuse, their care will not change.
 - **RIGHT TO PRIVACY AND CONFIDENTIALITY:** The patient has the right, within the limits of the law to personal privacy and confidentiality of information. The patient or the patient's legally designated representative has the right to access the information contained in the patient's medical record, within the limits of the law.
 - **RIGHT TO A LEGAL REPRESENTATIVE:** The patient's guardian, next of kin, or legally authorized responsible person has the right to exercise, to the extent permitted by law, the rights delineated on behalf of the patient if the patient:
 - has been adjudicated incompetent in accordance with the law;
 - is found by their physician to be medically incapable of understanding the proposed treatment or procedure;
 - is unable to communicate their wishes regarding treatment; or
 - is a minor.
 - **RIGHT TO BE FREE FROM ABUSE:** The patient has the right to be free of all forms of abuse, neglect, harassment, and exploitation.
 - **RIGHT TO BE FREE FROM RESTRAINT OR SECLUSION:** The patient has the right to be kept free of restraints or seclusion, unless medically necessary.
 - **RIGHT TO REQUEST TRANSFER:** The patient has the right to request a transfer to another healthcare facility.
 - **RIGHT TO RECEIVE VISITORS:** The patient has the right to receive visitors of their choice, including a spouse, a domestic partner (including same-sex domestic partners), another family member, or a friend and also of their right to withdraw or deny consent at any time. The patient has the right to not have restriction of visitation privileges on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, or disability. The patient has the right to be informed that visitation may be limited due to clinically necessary or reasonable restriction due to clinical status.
 - **RIGHT TO RECEIVE EXPLANATION OF BILL:** The patient has the right to examine and receive an explanation of the hospital bill, regardless of payment source. Financial Counseling is available to discuss payment resources and eligibility for financial assistance at 832-824-5505.

PATIENT AND FAMILY RESPONSIBILITIES

Proper patient care depends on the acceptance of certain responsibilities. The patient or the medical decision maker has the responsibility to:

- Provide accurate and complete information about their health and to inform their health care provider of changes in their condition.
- Ask questions when they do not understand what they have been told about care or what they are expected to do.
- Follow the agreed-upon treatment plan and report to the physician any side effects. Refusing medical treatment or failing to follow directions of providers or hospital personnel may affect treatment outcomes.
- It is your responsibility to remain reasonably available and engaged with your child's care team in order to agree upon a treatment plan, provide consent, and prevent treatment delays.
- Assure that the financial obligations of their health care are fulfilled.
- Follow the hospital rules and regulations and be considerate of the rights of others at the hospital, such as assisting in the control of noise and number of visitors.
- Refrain from the use of tobacco products, e-cigarettes, alcohol, unauthorized use of prescription medication, drugs, possessing or carrying weapons on any Texas Children's property.
- To help ensure the privacy of our patients and staff members, please follow the hospital guidelines when taking photographs or making recordings in patient areas. Please do not take any photos or make any recordings that disrupt patient care or puts the privacy of other patients and families at risk. Physicians, nurses, other health care providers and staff members must give consent before being photographed or recorded by anyone.

RIGHTS OF RECOURSE

Each patient or medical decision maker has the right to:

- Participate in discussion of ethical issues relating to care. A patient or their representative may request an ethics consult at any time at 832-822-0500. Concerns may be reported to the Clinical Ethics Committee by notifying Medical Staff Services at 832-824-2296.
- Voice a complaint about quality of care or service through the following process:
 - Speak with your nurse or your child's nurse, who will attempt to immediately resolve the issue to your satisfaction.
 - You may contact Family Advocacy at 832-824-1919 or email at famadvocacy@texaschildrens.org.
 - A Family Advocacy representative will make contact to explore further if satisfaction can be achieved. Know that complaints and grievances are taken seriously and will not compromise current care or future access to care.
 - If your concern is not resolved, you may file a grievance by submitting it verbally or in writing. The hospital will explain the grievance process and the timeframe for processing. The hospital will send a written response of its decision, which will include:
 - Name of the Hospital contact person,
 - Steps taken on behalf of the patient to investigate the grievance
 - Results of the grievance process
 - Date of completion

OPTIONS FOR DIRECTING CONCERNS OUTSIDE OF TEXAS CHILDREN'S:

If a complaint cannot be resolved to your satisfaction, you have the right to file a formal, written grievance with the Texas Department of State Health Services (DSHS).

Texas Department of State Health Services
 1100 W. 49th Street
 Austin, Texas 78756-3199
 888-973-0022
 800-735-2989 (TDD)

You also may contact the Joint Commission's Office of Quality Monitoring to report any concerns or register complaints about a Joint Commission-accredited health care organization by either calling 1-800-994-6610 or E-mailing complaint@jointcommission.org.

Medicare patients have a right to contact the Quality Improvement Organization (QIO) at:

KEPRO BFCC QIO
5700 Lombardo Center, Suite 100
Seven Hills, OH, 44131

Toll Free Number (844) 430-9504
TTY Number (855) 843-4776

You also have a right to file a complaint with the Texas Medical Board about physicians and other licensees and registrants of the Texas Medical Board. Complaints about physicians, as well as other licensees and registrants of the Texas Medical Board, including physician assistants, acupuncturists, and surgical assistants may be reported for investigation at the following address: Texas Medical Board, Attention: Investigations, 333 Guadalupe, Tower 3, Suite 610, P.O. Box 2018, MC-263, Austin, Texas 787682018, Assistance in filing a complaint is available by calling the following telephone number: 1-800-201-9353, For more information, please visit www.tmb.state.tx.us.