State of Alaska
Department of Health & Social Services
Division of Health Care Services
Residential Licensing

NOTICE OF RESIDENT'S RIGHTS
And
PROHIBITED ACTIONS BY THE ASSISTED LIVING HOME

AS 47.33.300, AS 47.33.310, AS 47 47.33.320, AS 47.33.330, AS 47.33.340, AS 47.33.350

1. **RIGHTS-**Residents of Assisted Living Homes have the right to:

   a. live in a safe and sanitary environment;

   b. be treated with consideration and respect for personal dignity, individuality, and the need for privacy, including privacy in

      1. medical examination or health-related consultation;
      2. the resident's room or portion of a room;
      3. bathing and toileting, except for any assistance in those activities that are specified in the resident's assisted living plan; and
      4. the maintenance of personal possessions and the right to keep at least one cabinet or drawer locked;

   c. possess and use personal clothing and other personal property, unless the home can demonstrate that the possession or use of certain personal property would be unsafe or an infringement of the rights of other residents;

   d. engage in private communications, including

      1. receiving and sending unopened correspondence;
      2. having access to a telephone, or having a private telephone at the resident's own expense; and
      3. visiting with persons of the resident's choice, subject to the visiting hours established by the home;

   e. close the door of the resident's room at any time, including during visits in the room guests or other residents;

   f. at the resident's own expense unless otherwise provided in the residential services, participate in and benefit from community services and activities to achieve the highest possible level of independence, autonomy, and interaction with the community;

   g. manage the resident's own money;

   h. participate in the development of the resident's assisted living plan;

   i. share a room with a spouse if both are residents of the home;
   j. have a reasonable opportunity to exercise and to go outdoors at regular and frequent intervals when weather permits;

k. exercise civil and religious beliefs;

l. have access to adequate and appropriate health care and health care providers of the residents own choosing, consistent with established and recognized standards within the community;

m. self-administer the resident's own medications, unless specifically provided otherwise in the resident's assisted living plan;

n. receive meals that are consistent with religious or health-related restrictions;

o. receive the prior notice of the home or the home's intent to terminate the services contract of the resident required by AS 47.33.090 and AS 47.33.360;

p. present to the home grievances and recommendations for change in the policies, procedures, or services of the home;

q. at the resident's own expense unless otherwise provided in the residential services contract, have access to and participate in advocacy or special interest groups;

r. at the resident's own expense unless otherwise provided in the residential services contract, intervene or participate in, or refrain from participating in, adjudicatory proceedings held under this chapter, unless provided otherwise by other law;

s. reasonable access to home files relating to the resident, subject to the constitutional right of privacy of other residents of the home;

t. visits from advocates and representatives of community legal services programs, subject to the resident's consent for the purpose of

    1. making personal, social, and legal services available;
    2. distributing educational and informational materials to advise a resident or resident's representative of applicable rights; and
    3. assisting a resident or resident's representative in asserting legal rights or claims;

u. immunity from civil liability for the filing a complaint concerning a violation under AS 47.33 or 7 AAC 75 or testifying in an administrative or judicial proceeding arising from a complaint concerning a suspected violation, unless the person acted in bad faith or with malicious purpose.

2. PROHIBITIONS—An Assisted Living Home

a. may not establish or apply a policy, procedure, or rule that is inconsistent with or contrary to these rights or other legal rights;

b. may not deprive a resident of the home of the rights, benefit, or privileges guaranteed to the resident by law;

c. may not enter a resident's room without first obtaining permission, except

(1) during regular, previously announce, fire, sanitation, or other licensing inspections;

(2) when a condition or situation presents an imminent danger;
(3) as required by the resident's assisted living plan to provide services specified in the residential services contract; or
(4) for other vital health or safety reasons;

d. may not impose religious beliefs or practices upon a resident or require a resident to attend religious services;

e. may not place a resident under physical restraint unless the resident's own actions present an imminent danger to the resident or other; and the home has a written physical restraint procedure that has been approved by the licensing agency. The home shall terminate physical restraint as soon as the resident no longer presents an imminent danger;

f. may not place a resident under chemical restraint; this does not prevent a resident from voluntarily taking tranquilizers, or other medication, prescribed by a licensed physician;

g. may not compel a resident to perform services for the home, except as contracted for by the resident and the home or as provided for in the resident's assisted living plan; or

h. may not restrain, interfere with, coerce, discriminate against, or retaliate against a resident for asserting a right specified by this chapter or by other law;

i. may not have an owner, administrator, employee, or agent of the assisted living home act as a representative of a resident.

I have read these rights and prohibitions or had them read to me in a language that I can understand. I understand these rights and prohibitions and have had my questions answered regarding them. I have also received a copy of this form complete with my signature.

Resident or
Resident's Representative

_____

Date_____

Assisted Living Home
Representative

By:_____

Title:_____

Date:_____