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10 Nursing Home and Assisted Living Facility Residents' Bill  
11 of Rights.-

12 (a) In addition to any other rights provided by law, the  
13 residents of nursing home facilities and assisted living  
14 facilities are entitled to be treated courteously, fairly, and  
15 with the fullest measure of dignity by the facilities' owners,  
16 operators, employees, professionals, and others who care for  
17 residents at such facilities.

18 (b) The right to be treated courteously, fairly, and with  
19 the fullest measure of dignity includes, but is not limited to:

20 (1) The right to adequate and appropriate health care and  
21 treatment.

22 (2) The right to a safe, clean, comfortable, and homelike  
23 environment that protects residents from harm and takes into  
24 account this state's challenges with respect to climate and  
25 natural disasters by having disaster plans and alternative power  
26 sources in place.

27 (3) The right to access courts and a jury system that  
28 allows for a speedy trial and relief and remedies for loss,  
29 injury, and damages caused to residents and their families by  
30 the abuse, negligence, neglect, exploitation, or violation of  
31 residents' rights by the owners, operators, employees,  
32 professionals, and others who care for residents at such  
33 facilities.

34 (4) The right that the facilities will have the financial  
35 resources or liability insurance sufficient to ensure that  
36 residents and their families are justly compensated for loss,  
37 injury, and damage they suffer because of abuse, negligence,  
38 neglect, exploitation, or violations of residents' rights by



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39 owners, operators, employees, professionals, and others who care  
40 for the residents at such facilities.

41 (c) Nursing home facilities and assisted living facilities,  
42 including the owners, operators, employees, professionals, and  
43 others who care for residents at such facilities, shall present  
44 to residents, their families, their legal representatives, or  
45 their duly appointed guardians, as applicable, an even-handed  
46 and non-pressured choice between resolving any potential  
47 disputes with the facility either in a judicial or non-judicial  
48 forum.

49 (d) Any rights granted under this section do not dissolve  
50 upon the death or incapacity of a resident. Upon the death or  
51 incapacity of a resident, such resident's heirs, estate, family  
52 members, legal representatives, or other appropriate persons are  
53 entitled to any of the rights granted under this section and as  
54 may be provided by general law.

55 (e) A nursing home or assisted living facility resident may  
56 not be deprived of any right on the basis of their admission to  
57 or their residence in a nursing home or assisted living  
58 facility.

59 (f) This section is self-executing and does not require any  
60 implementing legislation or administrative rules.

61  
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete everything before the enacting clause  
65 and insert:

66 A proposal to create  
67 a new section in Article I of the State Constitution



68  
69  
70

to establish certain rights for residents of assisted  
living facilities and nursing home facilities in this  
state.