

# Know Your Rights

## Help Prevent Unnecessary Drugging of Seniors

American Senior Home Finders

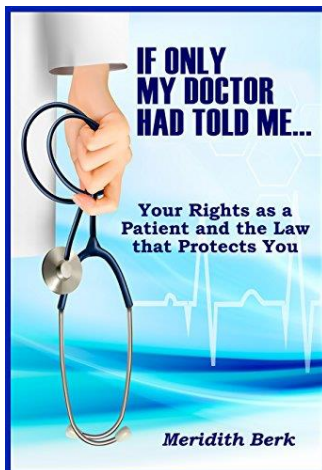
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### Informed Consent

It has come to my attention that many family members of elderly individuals as well as many elderly individuals do not know about their right to be informed about medication and treatments being suggested, prescribed, or administered before treatment or administration is given. This can occur in hospitals, skilled nursing facilities

as well as in long-term care assisted living communities, residential care homes and dementia care (Memory Care) communities or homes.

This article will help you understand *the law and your rights to Informed Consent*. This information is designed to help educate and protect you and your elderly loved one from unauthorized and unnecessary medications or treatments.



**INFORMED CONSENT** is a legal right that requires doctors to respect the decisions of their patients. As the term suggests, the concept has two components: *information and consent*.

The information part of informed consent requires doctors to explain any proposed treatment to their patients and, if applicable, to their patients' legal representatives.

The consent part of informed consent **simply requires** that **patients or their representatives agree** to any form of health care treatment *before* it is undertaken. Failure to obtain consent before administering treatment is battery against the patient.

### Toxic Medicines

California nursing home **regulations require doctors to disclose the following information** when seeking consent from residents or their representatives for the use of psychoactive drugs:



1. the reason for the particular psychoactive drug;
2. the medical condition for which the drug is needed;
3. how long and how often the drug will be used;
4. how the resident's medical condition will be affected;
5. the nature, degree, duration and probability of known side effects;
6. the reasonable alternative treatments; and
7. the resident's right to accept or refuse the psychoactive drug and, if he or she consents, the right to revoke consent for any reason at any time.

The key informed consent regulations are found at sections 72528 and 72527(a)(4)&(5) of Title 22 of the California Code of Regulations.

### About CANHR's Stop Drugging Campaign

Ending the misuse of psychoactive drugs is one of CANHR's (California Association for Nursing Home Reform) top priorities because overdrugging is a leading cause of misery, neglect and death for residents who suffer from dementia. The Campaign features a one-of-its-kind website where you can join the Campaign, examine drugging rates for each California nursing home, view CANHR's 3-part video series on chemical restraints, learn about better methods of care, read and participate in CANHR's Stop Drugging Our Elders Blog, and much more.

Please join the Campaign today and help us improve residents' lives and end this form of elder abuse. [www.canhr.org/stop-drugging](http://www.canhr.org/stop-drugging)

*If Only My Doctor Had Told Me...* Available on Amazon.com

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