

**State of Alaska
Department of Health
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 47.33.320, & AS 47.33.330**

AS 47.33.300. RESIDENT’S RIGHTS:

- (a) A resident of an Assisted Living Homes has the right to:
- (1) live in a safe and sanitary environment free from abuse and discrimination;
 - (2) be treated with consideration and respect for personal dignity, individuality, and the need for privacy, including privacy in
 - (A) medical examination or health-related consultation;
 - (B) the resident’s room or portion of a room;
 - (C) bathing and toileting, except for any assistance in those activities that are specified in the resident’s assisted living plan;
 - (D) the maintenance of personal possessions and the right to keep at least one cabinet or drawer locked;
 - (3) 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;
 - (4) engage in private communications, including
 - (A) receiving and sending unopened correspondence;
 - (B) having access to a telephone, or having a private telephone at the resident’s own expense; and
 - (C) visiting with persons of the resident’s choice, subject to the visiting hours established by the home and consistent with AS 47.33.060; and

- (D) having access to the Internet provided by the home, subject to availability to the home in the community, and having a private device to access the Internet at the resident's own expense;
- (5) close the door of the resident's room at any time, including during visits in the room guests or other residents;
- (6) 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;
- (7) manage the resident's own money;
- (8) participate in the development of the resident's assisted living plan;
- (9) share a room with a spouse if both are residents of the home;
- (10) have a reasonable opportunity to exercise and to go outdoors at regular and frequent intervals when weather permits;
- (11) exercise civil and religious beliefs;
- (12) 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;
- (13) self-administer the resident's own medications, unless specifically provided otherwise in the resident's assisted living plan;
- (14) receive meals that are consistent with cultural preferences and religious or health-related restrictions;
- (15) 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;
- (16) present to the home grievances and recommendations for change in the policies, procedures, or services of the home without fear of reprisal or retaliation;
- (17) 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;
- (18) 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;

- (19) reasonable access to home files relating to the resident, subject to the constitutional right of privacy of other residents of the home;
- (20) receive information in a language the resident understands;
- (21) receive quality care; in this paragraph, “quality care” means care of a resident in accordance with the resident’s assisted living plan, plan of care, personal preferences, and health care providers’ recommendation;

AS 47.33.320. ACCESS TO ASSISTED LIVING HOME:

An assisted living home shall allow advocates and the representatives of community legal services programs access to the home at reasonable times to, subject to the resident's consent:

- (1) visit with a resident of the home and make personal, social, and legal services available to the resident;
- (2) distribute educational and informational materials to advise a resident or resident's representative of applicable rights; and
- (3) assist a resident or a resident's representative in asserting legal rights or claims.

AS 47.33.330 PROHIBITIONS:

- (a) An Assisted Living Home, including staff of the home, may not;
 - (1) deprive a resident of the home of the rights, benefit, or privileges guaranteed to the resident by law;
 - (2) enter a resident’s room without first obtaining permission, except
 - (A) during regular, previously announce, fire, sanitation, or other licensing inspections;
 - (B) when a condition or situation presents an imminent danger;
 - (C) as required by the resident’s assisted living plan to provide services specified in the residential services contract; or
 - (D) for other vital health or safety reasons;
 - (3) impose religious beliefs or practices upon a resident or require a resident to attend religious services;
 - (4) place a resident under physical restraint unless the resident's own actions present an imminent danger to the resident or others;

(5) place a resident under chemical restraint; this paragraph does not prevent a resident from voluntarily taking tranquilizers, or other medication, prescribed by a licensed physician;

(6) 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

(7) restrain, interfere with, coerce, discriminate against, or retaliate against a resident for asserting a right specified by this chapter or by other law;

(b) An assisted living home may not physically restrain a resident unless the home has a written physical restraint procedure that has been approved by the licensing agency. The home shall terminate the physical restraint as soon as the resident no longer presents an imminent danger.

(c) An owner, administrator, employee, or agent of an assisted living home may not act as a representative of a resident.

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- 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 Name Printed: _____

Resident Signature: _____ Date: _____

Representative Name Printed: _____

Representative Signature: _____ Date: _____

Home Representative Name Printed: _____

Home Representative Signature: _____ Date: _____