

2960.0050 RESIDENT RIGHTS AND BASIC SERVICES.

Subpart 1. **Basic rights.** A resident has basic rights, including but not limited to the rights in this subpart. The license holder must ensure that the rights in items A to S are protected:

- A. right to reasonable observance of cultural and ethnic practice and religion;
- B. right to a reasonable degree of privacy;
- C. right to participate in development of the resident's treatment and case plan;
- D. right to positive and proactive adult guidance, support, and supervision;
- E. right to be free from abuse, neglect, inhumane treatment, and sexual exploitation;
- F. right to adequate medical care;
- G. right to nutritious and sufficient meals and sufficient clothing and housing;
- H. right to live in clean, safe surroundings;
- I. right to receive a public education;
- J. right to reasonable communication and visitation with adults outside the facility, which may include a parent, extended family members, siblings, a legal guardian, a caseworker, an attorney, a therapist, a physician, a religious advisor, and a case manager in accordance with the resident's case plan;
- K. right to daily bathing or showering and reasonable use of materials, including culturally specific appropriate skin care and hair care products or any special assistance necessary to maintain an acceptable level of personal hygiene;
- L. right of access to protection and advocacy services, including the appropriate state-appointed ombudsman;
- M. right to retain and use a reasonable amount of personal property;
- N. right to courteous and respectful treatment;
- O. if applicable, the rights stated in Minnesota Statutes, sections 144.651 and 253B.03;
- P. right to be free from bias and harassment regarding race, gender, age, disability, spirituality, and sexual orientation;
- Q. right to be informed of and to use a grievance procedure;
- R. for a facility licensed by the commissioner of human services, right to be free from restraint or seclusion used for a purpose other than to protect the resident from imminent danger to self or others; and
- S. for a facility licensed by the commissioner of corrections, right to be free from:

(1) restraint used for a purpose other than to protect the resident from imminent danger to self or others; and

(2) safety-based separation used for a purpose other than in accordance with this chapter and Minnesota Statutes, section 241.0215, subdivision 4.

Subp. 2. **License holder duties.** The license holder must provide basic services to residents and develop operational policies and procedures which correspond to the basic rights in subpart 1.

Subp. 3. **Basic rights information.** The license holder must meet the requirements of this subpart.

A. The license holder must give the resident a written copy of the resident's basic rights information and explain to the resident in a language that the resident can understand, if the resident is incapable of understanding the written basic rights documents, information about the resident's rights related to the resident's care in the licensed facility within 24 hours of admission.

B. The license holder must tell the resident's parent, guardian, or custodian within a reasonable time after admission to the facility that the information in item A is available.

C. A copy of the resident's rights must be posted in an area of the facility where it can be readily seen by staff and the resident.

D. A copy of the resident's rights must be posted in the staff work station.

E. The license holder must inform residents how to contact the appropriate state-appointed ombudsman and give residents the name, address, and telephone number of the state-appointed ombudsman.

Statutory Authority: *MS s 241.021; 245A.03; 245A.09; L 1995 c 226 art 3 s 60; L 2023 c 52 art 11 s 34*

History: *28 SR 211; 49 SR 499*

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