

Ariz. Admin. Code § 9-10-212

Section R9-10-212 - Patient Rights

A. An administrator shall ensure that:

- 1.** The requirements in subsection (B) and the patient rights in subsection (C) are conspicuously posted on the hospital's premises;
- 2.** At the time of admission, a patient or the patient's representative receives a written copy of the requirements in subsection (B) and the patient rights in subsection (C); and
- 3.** Policies and procedures include:
 - a.** How and when a patient or the patient's representative is informed of patient rights in subsection (C), and
 - b.** Where patient rights are posted as required in subsection (A)(1).

B. An administrator shall ensure that:

- 1.** A patient is treated with dignity, respect, and consideration;
- 2.** A patient is not subjected to:
 - a.** Abuse;
 - b.** Neglect;
 - c.** Exploitation;
 - d.** Coercion;
 - e.** Manipulation;
 - f.** Sexual abuse;
 - g.** Sexual assault;
 - h.** Seclusion, except as allowed under R9-10-217 or R9-10-225;
 - i.** Restraint, if not necessary to prevent imminent harm to self or others or as allowed under R9-10-225;
 - j.** Retaliation for submitting a complaint to the Department or another entity; or
 - k.** Misappropriation of personal and private property by a hospital's medical staff, personnel members, employees, volunteers, or students; and
- 3.** A patient or the patient's representative:
 - a.** Except in an emergency, either consents to or refuses treatment;

b. May refuse examination or withdraw consent for treatment before treatment is initiated;

c. Is informed of:

i. Except in an emergency, alternatives to a proposed psychotropic medication or surgical procedure and associated risks and possible complications of the proposed psychotropic medication or surgical procedure;

ii. How to obtain a schedule of hospital rates and charges required in A.R.S. § 36-436.01(B);

iii. The patient complaint policies and procedures, including the telephone number of hospital personnel to contact about complaints, and the Department's telephone number if the hospital is unable to resolve the patient's complaint; and

iv. Except as authorized by the Health Insurance Portability and Accountability Act of 1996, proposed involvement of the patient in research, experimentation, or education, if applicable;

d. Except in an emergency, is provided a description of the health care directives policies and procedures:

i. If an inpatient, at the time of admission; or

ii. If an outpatient:

(1) Before any invasive procedure, except phlebotomy for obtaining blood for diagnostic purposes; or

(2) If the hospital services include a planned series of treatments, at the start of each series;

e. Consents to photographs of the patient before the patient is photographed, except that a patient may be photographed when admitted to a hospital for identification and administrative purposes; and

f. Except as otherwise permitted by law, provides written consent to the release of information in the patient's:

i. Medical record, or

ii. Financial records.

C. A patient has the following rights:

1. Not to be discriminated against based on race, national origin, religion, gender, sexual orientation, age, disability, marital status, or diagnosis;

2. To receive treatment that supports and respects the patient's individuality, choices, strengths, and abilities;

3. To receive privacy in treatment and care for personal needs;

4. To have access to a telephone;
5. To review, upon written request, the patient's own medical record according to A.R.S. §§ 12-2293, 12-2294, and 12-2294.01;
6. To receive a referral to another health care institution if the hospital is not authorized or not able to provide physical health services or behavioral health services needed by the patient;
7. To participate or have the patient's representative participate in the development of, or decisions concerning, treatment;
8. To participate or refuse to participate in research or experimental treatment; and
9. To receive assistance from a family member, representative, or other individual in understanding, protecting, or exercising the patient's rights.

Ariz. Admin. Code § R9-10-212

Former Section R9-10-212 renumbered as R9-10-312 as an emergency effective February 22, 1979, new Section R9-10-212 adopted effective February 23, 1979 (Supp. 79-1). Section repealed; new Section made by final rulemaking at 8 A.A.R. 2785, effective October 1, 2002 (Supp. 02-2). Amended by final rulemaking at 11 A.A.R. 536, effective March 5, 2005 (Supp. 05-1). Section R9-10-212 renumbered to R9-10-210; new Section R9-10-212 renumbered from R9-10-209 and amended by exempt rulemaking at 19 A.A.R. 2015, effective October 1, 2013 (Supp. 13-2). Amended by exempt rulemaking at 20 A.A.R. 1409, effective 7/1/2014.
