

Nursing Home Resident Rights – New Jersey & Federal Summary

This summary outlines the major rights guaranteed to residents of nursing homes in New Jersey, including those under state law (N.J.S.A. 30:13■5 and N.J.A.C. 8:39) and federal law (42 C.F.R. Part 483, OBRA '87). These rights apply to all residents, with additional protections for facilities that receive Medicare or Medicaid funding.

Respect, Dignity & Autonomy

Residents must be treated with respect, consideration, and full recognition of their dignity and individuality. They have the right to make decisions about daily routines, clothing, and social activities.

Freedom from Abuse, Neglect & Restraints

Residents must live free from physical, mental, verbal, or sexual abuse, neglect, and exploitation. Restraints (physical or chemical) may only be used for medical reasons and never for discipline or staff convenience.

Privacy & Communication

Residents have a right to privacy in personal and medical matters, private communications, and to receive visitors and mail freely. Telephone access must be reasonably available.

Medical Care & Informed Consent

Residents may choose their own physician, be fully informed about their health status, and participate in care planning. They can refuse treatment or participation in research after being informed of consequences.

Financial & Property Rights

Residents can manage their own finances or designate someone to assist. Facilities must provide itemized statements and safeguard resident funds and property.

Grievances & Ombudsman Access

Residents can file complaints without fear of reprisal. Facilities must inform them how to contact the New Jersey Long■Term Care Ombudsman and state agencies.

Admission, Transfer & Discharge

Transfers or discharges must follow notice and due■process rules. Residents must be informed of reasons, appeal rights, and bed■hold policies.

Participation & Voting

Residents may participate in religious, social, or community activities and retain the right to vote in elections without interference or coercion.

Key Resources

- NJ Long-Term Care Ombudsman: nj.gov/ooie
- NJ Administrative Code (N.J.A.C. 8:39) and Residents' Rights Act (N.J.S.A. 30:13-5)
- Centers for Medicare & Medicaid Services (CMS) – Nursing Home Residents' Rights
- 42 C.F.R. Part 483 – Requirements for Long-Term Care Facilities