



CONNECTICUT



Aging and Disability Services

Long Term Care Ombudsman Program



Balancing Rights and Responsibilities: Resident-Centered Practices in Connecticut Residential Care Homes

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Welcome and Introduction

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Goals and Agenda

- Understanding resident rights in Residential Care Homes
- Exploring the concept of dignity of risk
- Clarifying involuntary discharge rights and requirements



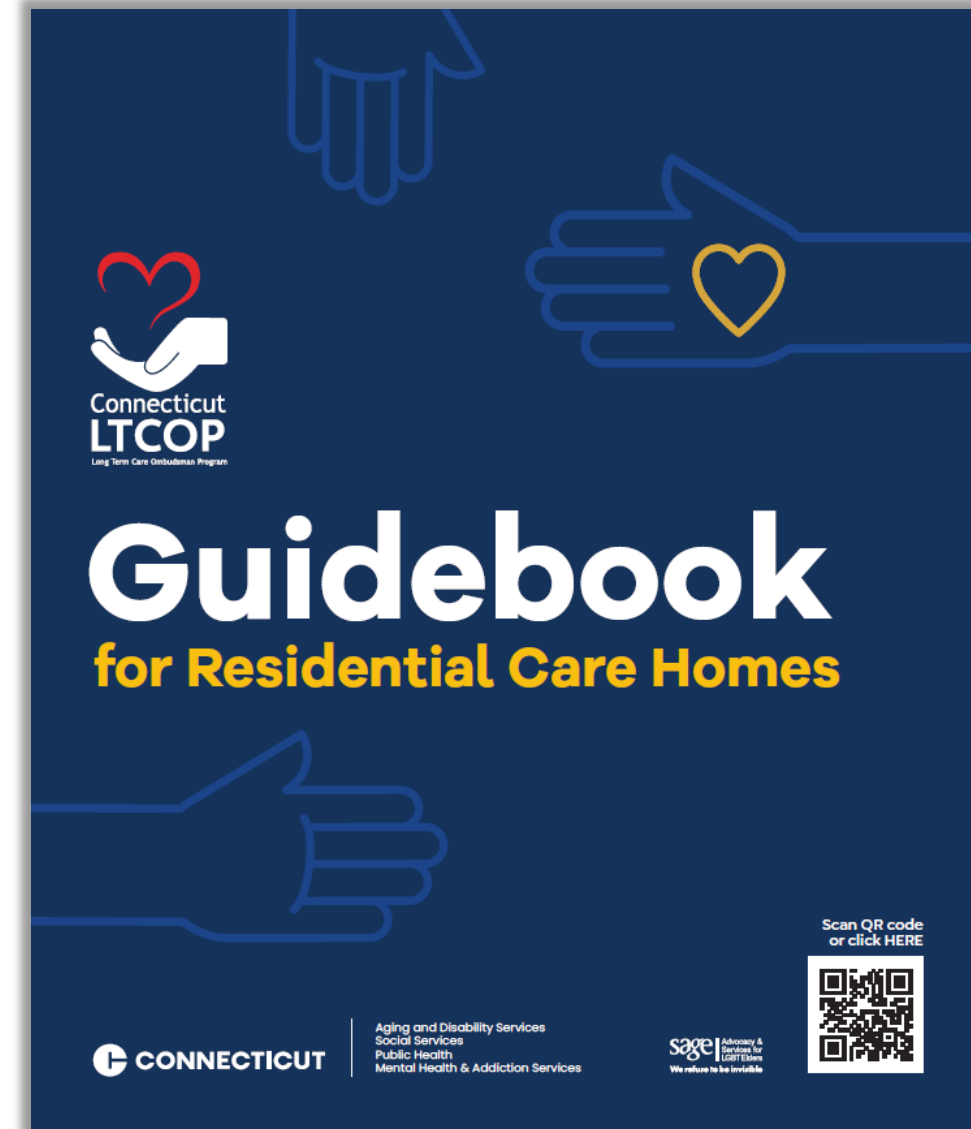
Resident Rights in Residential Care Homes

Overview of Resident Rights in Residential Care Homes

There is an established a residents' bill of rights for any person admitted to residential care home.

- When individuals live in a residential care homes (RCH), they have many important rights. The most important of these, the foundation of all the other rights, is the rights to be treated with ***dignity, respect and with consideration of personal preferences.***

- 2024 LTCOP Residential Care Home Guidebook
Digital Publication [English](#), ([PDF](#)) ([Audio Book](#))
Digital Publication [Spanish](#), ([PDF](#)) ([Audio Book](#))



Applicable Statutes and Regulations



- [Connecticut General Assembly Statutes Chapter 368v](#) –Contains key provisions related to Residential Care Homes (RCHs), sometimes referred to as rest homes or homes for the aged.
- [Department of Public Health State Regulations](#) -Title 19, Section 19-13-D6
- Federal Regulations for Home and Community-Based Services (HCBS) [42 CFR § 441.301\(c\)\(4\)](#)



Dignity of Risk

What is Dignity of Risk?

- **Definition**

Dignity of risk means being able to make choices that could have negative consequences and getting to experience those consequences.

- **Why it matters in person centered care**

Dignity of risk is essential in person centered care as it empowers individuals to make their own choice, even when those choices involve risk, thereby respecting their autonomy and preferences this approach enhances quality of life and builds trust between caregivers and individuals, ensuring that care is tailored to each person's unique value and needs

- **Risk vs. Safety – Finding the Balance**

Balancing risk and safety involves assessing potential risk while actively engaging individuals in discussions about their preference and comfort levels. By providing clear information developing collaborative plans of care and continuously monitoring outcomes Staff can empower individuals to make informed choice that respects their autonomy while ensuring safety.

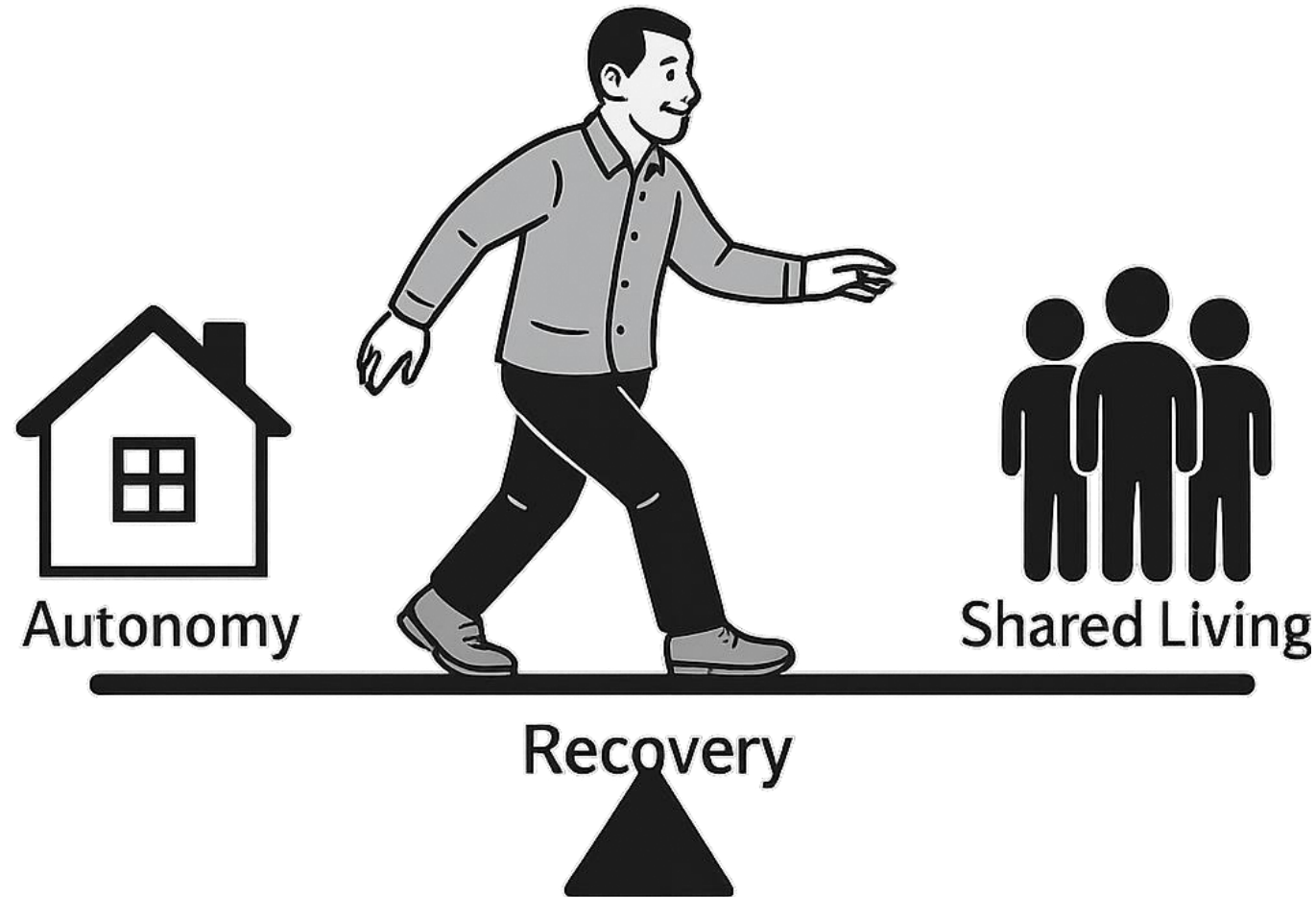
James' Story: Autonomy, Recovery, and Shared Living Challenges

- 58 years old
- Diagnosis of Schizophrenia, history of substance misuse disorder
- Engaged in off-site recovery groups
- Occasional alcohol use causes tension in the home



James' Story:

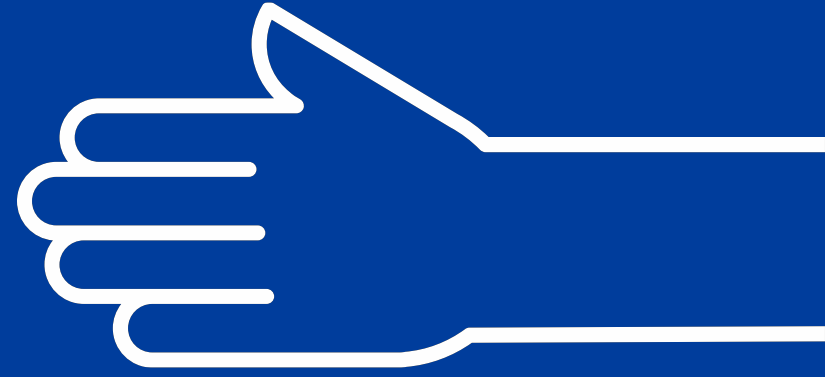
Autonomy, Recovery, and Shared Living Challenges



Dignity of Risk in Action: *Putting Principles into Practice*



- Honor autonomy while supporting accountability
- Use personalized, person-centered support planning
- Involve external supports and services
- Address community dynamics proactively
- Document efforts and revisit the plan regularly



Involuntary Discharges

When Things Break Down – Involuntary Discharge

- Discharge must meet legal criteria under CT law
- Advance written notice and due process are required
- Use of the Ombudsman Discharge Portal is mandatory
- While not required, offering support may strengthen your position
- Documentation helps ensure transparency and fairness

James' Situation Escalates: Health and Safety Concerns

- James continued returning home excessively intoxicated
- Was found intoxicated multiple times in common areas
- Once became verbally aggressive and blocked access to the hallway
- Residents and staff expressed safety concerns
- Incident reports were completed and support offered
- Discharge issued for risk to health and safety of others; discharge portal used



Using the LTC Ombudsman Discharge Portal

- Required for all involuntary discharges from RCHs
- Ensures resident receives proper notice and rights information including access to the Ombudsman.
- Providers must upload the written notice to the portal at the same time they issue it to the resident and (if required) legal representative.
- Portal submission does not mean approval or denial

Striking the Balance: Respecting Rights, Navigating Reality



- We advocate for residents, and we ask tough questions
- Discharges without documentation or clear cause are challenged
- Good-faith efforts matter: support, planning, transparency
- When done right, the process feels fair, even when it's hard
- The goal isn't just compliance—it's dignity and respect

Resources

- LTCOP Residential Care Home Rights Page
 - <https://portal.ct.gov/ltcop-rch>
- New 2024 LTCOP Residential Care Home Guidebook
 - Digital Publication [English](#), ([PDF](#)) ([Audio Book](#))
 - Digital Publication [Spanish](#), ([PDF](#)) ([Audio Book](#))
 - Digital Publication [Creole](#), ([PDF](#))
 - Digital Publication [Polish](#), ([PDF](#))
- LTCOP Involuntary Discharge Portal
 - <https://adsapps.ct.gov/ADSPortal/Account/Login.asp>
- RCH Resident Rights Posters
 - English ([PDF](#)), Spanish ([PDF](#)), Creole ([PDF](#)), Polish ([PDF](#))