



YOU HAVE RIGHTS IF A NURSING HOME ASKS YOU TO MOVE

A Message to Nursing Home Residents and Your Families

From the Long-Term Care Ombudsman Program

If you live in a nursing home and are being asked to move to another room or to leave the facility, you have certain rights, detailed in this flyer. You have a right to be told ahead of time about a move, unless it's an emergency. In some cases, you have the right simply to say no and you will not be moved. You may also have the right to appeal the move by requesting a hearing if the facility is telling you that you must move out of the building.

**FOR ASSISTANCE OR MORE INFORMATION, CALL THE OMBUDSMANS OFFICE
(TOLL FREE: 1-866-388-1888)**

Moving from One room to Another

No move may occur if it is medically contra-indicated. The nursing home must minimize any disruptive effects of a move. A nursing home can move you from one room to another room only at the resident's request or for the following reasons:

1. To accomplish physical plant repairs or renovations, or to protect residents from a physical plant emergency;
2. To resolve harmful, irreconcilable roommate incompatibility;
3. If there are two vacancies of the same sex in different rooms, no applicant of that sex pending admission, and grouping residents of the same sex is the only way for the facility to be able to admit someone of the opposite sex;
4. To allow use of specialized equipment no longer needed by the resident and needed by another resident;
5. If a resident can no longer benefit from a unit's specialized care focus;
6. From a private to a semi-private room if a resident's stay is Medicaid-covered;
7. To protect a resident from physical harm, to control the spread of an infectious disease, to respond to a physical plant or environmental emergency, or to protect a resident from immediate danger of death or serious physical harm.

If you do not want to move, you can discuss your concerns and alternatives with the nursing home staff. Then, if the move still must occur, you must have 15 days' notice and be able to participate in deciding how the move occurs to minimize any potential harm. In (6) the nursing home must give you at least 30 days' notice prior to a move. While no advance notice is required in an emergency, you have the right to return to your room, if you wish, when the emergency is over.



Moving Into or Out of a Medicare Unit

If the nursing home wants to move you into or out of a special Medicare unit at the facility, you have additional rights, including the right to say no to the transfer.

If you choose not to go into a Medicare unit, you are still entitled to receive the services you need, including rehabilitative care. Your Medicaid eligibility is not affected by your choice to stay. However, if you are paying privately, your choice not to move into the distinct part could mean that Medicare would not pay for your care.

You can choose not to leave a Medicare unit when your Medicare coverage has ended and can appeal the nursing home's proposal to move you. You should receive a notice from the nursing home explaining why it proposes to move you and telling you how to ask for a hearing and how to contact the ombudsman office for help.

Moving Out of the Facility

You can only be transferred from a nursing home if:

1. A nursing home can no longer provide for your welfare;
2. Your health has improved, and you no longer need nursing home care;
3. The health and safety of individuals in the facility is endangered;
4. You are self-pay and payment is more than fifteen days in arrearage; or
5. The facility ceases to operate.

Before a transfer, the nursing home must give you written information about the reasons for the transfer, the effective date of the transfer, the location to which you will be transferred, how to hold your bed if the transfer is to a hospital for treatment and you may be able to return to the facility, your right to appeal the transfer, and information about how to contact the ombudsman office if you need assistance in exercising your rights.

You should get this notice 30 days in advance of a transfer unless there is an urgent need to make the move without prior notice, in which case you should get notice as soon as possible. [More Info Here.](#)

REGIONAL OMBUDSMAN ARE HERE TO HELP

The Long-Term Care Ombudsman Program advocates for the rights of people who live in nursing homes. The program is free, confidential, and resident directed. Call us if you need our assistance:



1-866-388-1888