

216B.303 Rights of residents of boarding homes.

Every resident in a boarding home, as defined in KRS 216B.300, shall have at least the following rights:

- (1) Before entering a boarding home, the resident or the resident's guardian, if any, shall be fully informed in writing, as evidenced by the resident's written acknowledgment or that of the resident's guardian, of all services provided by the boarding home and all applicable charges.
- (2) Before entering a boarding home, the resident or the resident's guardian shall be fully informed in writing, as evidenced by the resident's written acknowledgment or that of the resident's guardian, of all the resident's rights as defined in this section, and a list of any rules established by the boarding home.
- (3) All residents shall be allowed to exercise their rights as a resident and a citizen, and may voice grievances and recommend changes in policies and services to the boarding home operator and to outside representatives of their choice, free from restraint, interference, coercion, discrimination, or reprisal.
- (4) All residents shall be free from mental and physical abuse.
- (5) Each resident may manage the use of his personal funds. The boarding home operator shall not require a resident to designate the operator as payee for any benefits received by the resident. However, if the operator accepts the responsibility for managing the resident's personal funds as evidenced by the operator's written acknowledgment, proper accounting and monitoring of such funds shall be made. This shall include the operator giving quarterly itemized statements to the resident or the resident's guardian which detail the status of the resident's personal funds and any transactions in which such funds have been received or disbursed. The operator shall return to the resident his valuables, personal possessions, and any unused balance of moneys from his account at the time the resident leaves the boarding home.
- (6) Residents shall not be required to perform services for the boarding home.
- (7) Residents may associate and communicate privately with persons of their choice, within reasonable hours established by the boarding home, and send and receive personal mail unopened.
- (8) No resident shall be detained against the resident's will. Residents shall be permitted and encouraged to go outdoors and leave the premises as they wish.
- (9) Residents shall be permitted to participate in activities of social, religious, and community groups at their discretion.
- (10) Residents shall be assured of at least visual privacy in multibed rooms and in bathrooms.
- (11) If the resident has been adjudicated wholly mentally disabled in both financial and personal affairs in accordance with KRS 387.590, the resident's guardian shall not place the ward in a boarding home.
- (12) Each resident shall be treated with consideration, respect, and full recognition of his dignity and individuality.

- (13) Residents shall have access to a telephone at a convenient location within the boarding home for making and receiving telephone calls subject to reasonable rules established by the boarding home.
- (14) Residents have the right to have private meetings with inspectors representing the Cabinet for Health and Family Services.
- (15) Each resident and his guardian has the right to have access to all inspection reports on the boarding home.

Effective: June 20, 2005

History: Amended 2005 Ky. Acts ch. 99, sec. 508, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 452, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 63, sec. 2, effective July 14, 1992.