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10 of Rights.-

11 (a) In addition to any other rights provided by law, the  
12 residents of nursing home facilities and assisted living  
13 facilities are entitled to be treated courteously, fairly, and  
14 with the fullest measure of dignity by the facilities' owners,  
15 operators, employees, professionals, and others who care for  
16 residents at such facilities.

17 (b) The right to be treated courteously, fairly, and with  
18 the fullest measure of dignity includes, but is not limited to:

19 (1) The right to adequate and appropriate health care and  
20 treatment that prioritizes the residents' needs and best  
21 interests.

22 (2) The right to a safe, clean, comfortable, and homelike  
23 environment that protects residents from harm and includes  
24 reasonable precautions to safeguard them from adverse effects  
25 caused by extreme climatic conditions and natural disasters.

26 (3) The right to access courts and a jury system that  
27 allows for a speedy trial and relief and remedies, without  
28 limitations, for loss, injury, and damages caused to residents  
29 and their families by the abuse, negligence, neglect,  
30 exploitation, or violation of residents' rights by the owners,  
31 operators, employees, professionals, and others who care for  
32 residents at such facilities.

33 (4) The right to know and hold accountable all persons or  
34 entities who either directly or indirectly own or operate the  
35 facilities.

36 (5) The right that the facilities will have the financial  
37 resources or liability insurance sufficient to ensure that  
38 residents and their families are justly compensated for any



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39 loss, injury, and damage they suffer because of abuse,  
40 negligence, neglect, exploitation, or violations of residents'  
41 rights by owners, operators, employees, professionals, and  
42 others who care for the residents at such facilities.

43 (c) Nursing home facilities and assisted living facilities,  
44 including the owners, operators, employees, professionals, and  
45 others who care for residents at such facilities, may not  
46 solicit, require, or ask residents to waive the rights provided  
47 herein or by other laws. Nothing in this section shall be  
48 construed to mean that residents are prohibited from voluntarily  
49 waiving the rights provided herein or by other laws.

50 (d) Any rights granted under this section do not dissolve  
51 upon the death or incapacity of a resident. Upon the death or  
52 incapacity of a resident, such resident's heirs, estate, family  
53 members, legal representatives, or other appropriate persons are  
54 entitled to any of the rights granted under this section and as  
55 may be provided by general law.

56 (e) A nursing home or assisted living facility resident may  
57 not be deprived of any right on the basis of their admission to  
58 or their residence in a nursing home or assisted living  
59 facility.

60 (f) This section is self-executing and does not require any  
61 implementing legislation or administrative rules.

62  
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete everything before the enacting clause  
66 and insert:

67 A proposal to create



68  
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a new section in Article I of the State Constitution  
to establish certain rights for residents of assisted  
living facilities and nursing home facilities in this  
state.