



# Rights and Responsibilities of Dialysis Patients

## Patient Behavior

The purpose of this resource is to help make sure that patients who have displayed abusive or disruptive behaviors are aware of their rights and what they can do to work with the clinic so that they can continue to get dialysis at the clinic.

Every person with end-stage renal disease (ESRD) has a right to choose to get life-sustaining dialysis treatments. To get dialysis in an outpatient clinic, you also have responsibilities to make sure everyone gets safe dialysis care. If you do not follow the rules or act in a way that threatens the safety of other patients and staff, you can be discharged from the clinic.

The Network often gets phone calls from dialysis clinic staff about disruptive or abusive behavior from patients. This can put the patient at risk of being discharged from the clinic and makes it hard for the staff to care for all their patients safely. Staff may need to shift the focus of care they normally provide for all patients to address a patient's disruptive behavior. Additionally, staff may become afraid and avoid the disruptive/abusive patient. The clinic is required to make sure that the rights of all patients and standards of care are being upheld; the rights of one person do not override the rights of others.

## Clinic Discharge

If a patient displays ongoing disruptive behavior (e.g., loud outbursts, name calling, or shouting), the clinic is required to inform the patient of the risk for discharge and will work with the patient to address the issue. If all their efforts to help fail and discharge is the only option, the clinic must give the patient a 30-day notice and try to help the patient find another place to get treatment. However, when a patient is involuntarily discharged from a clinic, another clinic is not required to accept them as a patient.

## My Rights: Discharge

- You have the right to be informed about the clinic's policies about transfer and discharge. Each clinic has a policy and steps to follow when a patient requests to transfer, decides to stop dialysis or is involuntarily discharged from the clinic.
- You have the right to receive a 30-day notice of discharge, except in the case of an immediate severe threat to the safety of others.



## My Responsibilities: Behavior

- Be kind
- Treat other patients and staff as you would like to be treated, with respect and dignity
  - Do not swear or curse at others, this includes staff, other patients, and visitors
  - Do not raise your voice, shout, or yell at others
  - Do not call others demeaning names
  - Do not make sexually suggestive comments to others
- Never threaten others, act in a violent way, or cause physical harm to anyone or cause damage to the clinic
  - Do not say that you will beat, hit, kick, kill, punch, shoot, or slap anyone
  - Do not threaten to blow up or set fire to the clinic
  - Do not bring a weapon to the clinic
  - Do not hit, grab, grope, kick, punch, or slap anyone at the clinic
- Follow the clinic's policies and rules to make sure everyone is safe
  - Do not pull out your needles

## What happens if I or another patient make a threat to harm others?

A threat can be anything said or done that makes someone else feel scared or intimidated. A threat can be something someone says or does that can lead to harm of staff and other patients. If a patient makes a threat and/or acts on that threat by hurting anyone, the clinic can and may:

- call the police
- stop taking care of the patient immediately
- not allow him or her back into the clinic
- request a no trespassing order be issued by the police

## What can I do to work with the clinic to avoid being discharged?

- Work with the clinic staff, talk about what may be causing the behaviors and how you can respond in a non-disruptive way.
  - The social worker may work with you or refer you to counselor, therapist or psychiatrist for an evaluation and/or services.
  - If the clinic recommends a referral, make an appointment and follow through.

- It is ok to get angry, frustrated or to have a grievance about your care, but you must address your concerns in a calm manner.
  - If you need some help to calm down, ask to talk with the social worker or clinic manager. You may be able to reschedule your dialysis and return when you are calm.
  - Use the clinic grievance process and/or contact the Network if you have concerns about the care you are being provided.
- The clinic may review the Patients' Rights, Responsibilities and Rules documents with you and may write a behavior and/or care agreement.
  - Participate in any meetings the clinic offers. It is your opportunity to help make a plan together.

## What happens if I am given a 30-day notice of discharge?

- The clinic social worker will work with you to try and find another clinic to accept you as a patient during the 30 days you are still at the clinic.
- The clinic will share the records required by the other clinics to accept you as a patient.
- A clinic or a doctor CAN NOT be forced to accept a patient. The Network, your state, and Medicare do not have the authority to require you be accepted into their care.
- You may have to go to the emergency room to get your dialysis. The hospital is only required to give you dialysis if it is an emergency, they may draw labs to determine if you need emergency care. The hospital gives acute care, not ongoing outpatient treatment, so it is unlikely you will get dialysis three times a week like you are used to.
- Without regular dialysis your life may be shortened.

It is important that you know and understand your rights and responsibilities. If you have any questions or concerns about this, or any part of your care, please reach out to the Network. We're here to help!

For more information or to file a grievance, please contact:

ESRD Network 10  
911 E. 86th St., Ste. 30  
Indianapolis, IN 46240  
Toll-Free: 800-456-6919

ESRD Network 12  
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Kansas City, MO 64108  
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