

[<<Prev Rule](#)

Texas Administrative Code

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[TITLE 26](#)

HEALTH AND HUMAN SERVICES

[PART 1](#)

HEALTH AND HUMAN SERVICES COMMISSION

[CHAPTER 553](#)

LICENSING STANDARDS FOR ASSISTED LIVING
FACILITIES

[SUBCHAPTER E](#)

STANDARDS FOR LICENSURE

[RULE §553.267](#)

Rights

(a) Residents' Bill of Rights

(1) A facility must:

(A) provide a copy of the Residents' Bill of Rights to each resident, and

(B) post the Residents' Bill of Rights, as provided by HHSC, in a prominent place in the facility and written in the primary language of each resident.

(2) A resident has all the rights, benefits, responsibilities, and privileges granted by the constitution and laws of this state and the United States, except where lawfully restricted. The resident has the right to be free of interference, coercion, discrimination, and reprisal in exercising these civil rights.

(3) Each resident in the facility has the right to:

(A) be free from physical and mental abuse, including corporal punishment or physical and chemical restraints that are administered for the purpose of discipline or convenience and not required to treat the resident's medical symptoms;

(i) A provider may use physical or chemical restraints only if the use is authorized in writing by a physician or if the use is necessary in an emergency to protect the resident or others from injury.

(ii) A physician's written authorization for the use of restraints must specify the circumstances under which the restraints may be used and the duration for which the restraints may be used.

(iii) Except in an emergency, restraints may only be administered by qualified medical personnel.

(B) participate in activities of social, religious, or community groups unless the participation interferes with the rights of others.

(C) practice the religion of the resident's choice.

(D) if intellectually disabled, with a court-appointed guardian of the person, participate in a behavior modification program involving use of restraints, consistent with subparagraph (A) of this paragraph, or adverse stimuli only with the informed consent of the guardian.

(E) be treated with respect, consideration, and recognition of his or her dignity and individuality, without regard to race, religion, national origin, sex, age, disability, marital status, or source of payment. This means that the resident

(i) has the right to make his or her own choices regarding personal affairs, care,

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Lingjun Ying



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