NEW OAKLAND FAMILY CENTERS

Recipient Rights Policy

New Oakland Family Centers shall support and protect the fundamental human, civil, constitutional and statutory rights of all clients. A recipient of mental health services will also receive the rights, benefits, and privileges guaranteed by other provisions of law, the state constitution of 1963, and the constitution of the United States. The rights of each client and how they are exercised are described below:

- Each client shall have impartial access to treatment regardless of race, religion, sex, ethnicity, age or disability/handicap.
- Each client has the right to be treated with dignity and respect in the course of the provision of all care and treatment. Family members of clients have the right to be treated with dignity and respect. In addition, family members of clients must be given:
  - An opportunity to provide information about the client to treating professionals
  - An opportunity to request and receive general education information about the nature of mental disorders, medications, and their side effects
  - Information about available support services, advocacy groups, financial assistance, and coping strategies
  - The client shall have the right to treatment by spiritual means upon the request of the client, guardian, if any or a parent of a minor
- A client has the right to have access to information pertinent to make informed decisions and has the right to access their own record. A client, guardian, or parent of a minor, after having gained access to their treatment records, may challenge the accuracy, completeness, timeliness, or relevance of factual information in the client's record. The client, guardian, or parent of a minor shall be allowed to insert into the record a statement correcting or amending the information at issue. The statement shall become part of the record.
- Each client shall have the right to visit with, phone, or write their attorney or others about legal problems at any time. The clinic does not assume any responsibility for providing clients with legal counsel.
- Each client shall have the right to make a complaint if they feel that any of their rights have been violated. The name and extension number of the clinic's Recipient Rights Liaison shall be posted and a supply of complaint forms shall be available for use by clients.
- Each client shall have the right to freedom from abuse and neglect, financial or other exploitation, humiliation, and retaliation.
- Each client shall have the right to be treated as competent to manage their own affairs unless a court has decided that they are not legally competent and has assigned the client a guardian. A competent client retains rights including the right to have a driver's license, marry and divorce, make a will, buy and sell property, and decide most things about their life.
- Each client's personal privacy shall be assured and protected within the constraints of the individual's treatment plan. Information concerning clients is confidential and cannot be released except as permitted by law.
- New Oakland Family Center does not fingerprint, photograph, audiotape, videotape, monitor, or view through a one-way glass.
- Each client has the right to use the telephone. Phone rights may be restricted if serious harm could occur to the client, if they are breaking a law, or to prevent a client from calling someone who has requested in writing that the client not call due to previous or current phone harassment.
- Each client has the right to receive visitors within reason during program hours.
- Each client shall have the right to see their own physician if they have one, and to visit with their own rabbi, minister, priest, or spiritual counselor at reasonable times. Each client shall have the right to talk with their attorney, a court, or others, about legal matters.
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- If any restrictions are placed on the client's rights, they shall be explained and justified in the client's record and a behavioral plan will be put in place by the multi-disciplinary team. This behavioral plan will be forwarded to the County Community Mental Health that the client is receiving services through for review by their Behavioral Management Review Committee. This excludes restrictions defined in policies and procedures designed for client safety and communicated in writing through postings, admission handouts, or program handbooks. The treatment team shall review any other restrictions placed on the client at case conference meetings. Restrictions may not continue indefinitely; they must be addressed by the treatment team.
- Each client and, if applicable, the client's guardian or the parent of a minor, shall receive a copy of their rights at the beginning of treatment and annually thereafter. Client rights will also be posted along with the name and number of the Recipient Rights Liaison in the lobbies of each site.
- Each client has the right to file a complaint if they feel their rights have been violated, and to have their complaint investigated and a resolution to the investigation. Recipient Rights complaint forms are readily accessible to clients.
- Each client has the right to have the information in their medical record and other information acquired in the course of their treatment kept confidential. Confidential information cannot be disclosed without the written permission of the client or under circumstances and conditions set forth in Sec. 748 and 946 of the Mental Health Code.
- Each client has the right to request the opinion of a consulting physician at his or her own expense or to request an in-house review of the individual treatment plan. Each client has the right to express choice regarding the services/concurrent services, and the composition of the treatment team to provide services within the limits of available staff and/or without placing undue hardship on the clinic.
- Each client has the right to participate in the development of their written individual plan of service and may also designate someone they would also like to participate. A client has the right to be given oral and written copy of the plan of service and to have a review of that plan with the designated implementing person, if they are not satisfied with the plan. Each client also has the right to be informed both orally and in writing of reports on their clinical status and progress. If a client has designated someone to participate in the treatment planning process which the physician and/or clinician feel should be excluded from the process, justification for exclusion shall be documented in the medical record.
- Each client has the right not to be physically, sexually or otherwise abused (including sexual harassment) or to be neglected.
- A written, signed and dated informed consent form shall be obtained from the client (or the client's family or legal guardian, as appropriate) for any of the following:
- Treatment and medication (a client, guardian, and/or parent of a minor will receive an oral and written explanation of common side effects of medication being prescribed for them from individuals prescribing, administering, or dispensing medication):
    - Release of information
    - Psychological testing services
    - Participation in research
    - Laboratory testing
- A client has the right to be treated in an environment which is clean and safe and provides for privacy, personal storage space, freedom of movement that is not limited or restricted more than necessary to provide mental health service to him/her, prevent harm to others/self or significant property damage.
- Each client has the right to information concerning the clinic rules, financial information, family planning and health information services, legal support services, self-help support services, and advocacy support services, as well as any other information requested, but not included in the previous discussion of client rights.

This policy/procedure has been approved by New Oakland's Quality of Care Committee and Appointing Authority.