

ALPINE COUNTY BEHAVIORAL HEALTH SERVICES

P&P No: AC-815	Approved by Gail St. James, LMFT, ACBHS Director
Subject:	CLIENT RIGHTS
Effective Date: 09/30/2011	Revisions: 07/01/12; 08/05/15; 02/23/16; 03/27/19

PURPOSE

The purpose of this policy is to educate Alpine County Behavioral Health Services (ACBHS) staff on the rights of clients and to outline the procedures for communicating these rights to clients.

References: 42 CFR Sections 438.100 and 438.206; DMH Letter No. 04-05.

POLICY

Clients seeking mental health services at ACBHS are entitled to all rights delineated within federal regulations. ACBHS staff adhere to and respect these client rights, as do providers at any agencies contracting with ACBHS. A client's treatment is NOT adversely affected as a result of exercising their rights.

Per state and federal requirements, clients have the following rights:

1. To receive written information in a format that is easily understood;
2. To be treated with respect and with due consideration for their dignity and privacy;
3. To receive information on available treatment options and alternatives;
4. To participate in decisions regarding their healthcare, including the right to refuse treatment;
5. To be free from any form of restraint or seclusions used as a means of coercion, discipline, convenience, or retaliation, as specified in federal regulations on the use of restraints and seclusions;
6. To request and receive a copy (or summary) of their medical records, and to request that they be amended or corrected; and
7. To be furnished health care services in accordance with 42 CFR, Title 42, Sections 438.206-210, which cover requirements for availability of services; assurances of

adequate capacity and services; coordination and continuity of care; and coverage and authorization of services.

PROCEDURES

A. Compliance with Client Rights

ACBHS ensures compliance with these requirements, as follows:

1. To meet the communication needs for individuals, written materials are provided in a format and language that is easily understood by those who have a preferred language and by those with Limited English Proficiency, as outlined in policies #AC-160 and AC-163.
2. For individuals who are visually impaired and/or hearing impaired, materials are provided in accordance with policy #AC-161.
3. The client is informed of their right to free language assistance services and/or alternate formats, if needed, as outlined in policies #AC-101, AC-102, AC-160, AC-161, and AC-163.
4. ACBHS ensures that staff treat clients with respect and with due consideration for their dignity and privacy. These procedures are outlined in the HIPAA policies and procedures; the HIPAA Notice of Privacy Practices; and the Guide to Alpine County Mental Health Services brochure.
5. All clients receive information on available treatment options and alternatives, presented in a manner appropriate to the client's condition and ability to understand, as outlined in the Guide to Alpine County Mental Health Services brochure and on the Consent for Mental Health Treatment form.
6. The Guide to Alpine County Mental Health Services brochure, the Consent for Mental Health Treatment form, and the Advance Directives brochure inform the client of their right to participate in decisions regarding their healthcare, including the right to refuse treatment and the right to file an advance health care directive with ACBHS.
 - a. Clients are also informed of their right to choose/change providers upon request, including choice of gender and the right to use culture-specific providers, as outlined in policies #AC-141 and AC-142, and communicated to the client through the ACBHS Provider Directory and the Guide to Alpine County Mental Health Services brochure.
7. Clients have the right to be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation, as specified in federal law. Clients are informed of this right in the Guide to Alpine County Mental Health Services brochure and the Consent for Mental Health Treatment form.

8. As specified in federal laws, clients have the right to request and receive a copy (or summary) of their medical records. Clients also have the right to request that their medical records be amended or corrected. This procedure is outlined in the Guide to Alpine County Mental Health Services brochure; the HIPAA Notice of Privacy Practices, and HIPAA policies and procedures.
9. As specified in federal law, ACBHS will make a good faith effort to provide all affected clients with written notice of the termination of a contracted provider within 15 days after receipt or issuance of the termination notice. This good faith notice will be given to each client who received their primary care from or was seen on a regular basis by the terminated provider.

B. Informing Clients of their Rights

ACBHS informs clients of their rights through the following mechanisms:

1. Client rights are posted in the ACBHS clinic lobby.
2. Client rights are denoted within the Guide to Alpine County Mental Health Services brochure, which is provided to clients at intake. This brochure may also be found in the clinic lobby and at various agencies around the county.
3. ACBHS intake staff review these rights with clients during the intake process.
4. 24/7 Access Line staff are also trained on client rights and are able to inform clients of these rights upon request.