



CATHOLIC SOCIAL SERVICES OF THE MIAMI VALLEY

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Organizational Unit: Agency Operations	Initial Date: 6/95
Program Area: Agency Wide	Last Revised: 4/17, 2/21, 9/24
Subject: Client Rights	Last Reviewed: 10/24
ODMH Rule: OAC 5122-26-18; 5122:2-02 CARF: ASPIRE 1.K	Last Approved: 10/24

Client Rights Policy

Policy/Purpose:

The purpose of this policy is to protect and enhance the rights of persons, regardless of age, applying for or receiving mental health or other agency services by establishing specific rights of clients and procedures for responsive and impartial resolution of client grievances. These rights assurances apply to children as well as adults.

Procedures:

1. The provisions of this rule are applicable to each contract agency and community mental health record.
2. Definitions:
 - a. "Client" means an individual applying for or receiving mental health services from a provider.
 - b. "Client Rights Officer" means the individual designated by a mental health agency or board with responsibility for assuring compliance with the client rights and grievance procedure rule as implemented within each agency or board. For these purposes, the individual holds the specific title of Client Rights Officer.
 - c. "Grievance" means a formal, written request for further review of any unresolved complaint or complaint containing allegations of the denial, exercise or violation of the rights of the persons served initiated either verbally or in writing by a person served, client, former client, or person or provider acting on behalf of a person served.
 - d. "Service" means any action named and defined in Chapter 5122-29 of the Administrative Code as a mental health or addiction service provided for persons served by the provider and their families and significant others, community organizations, and the general public for the purpose of treating or preventing mental illness, emotional disturbance, or substance abuse.
3. Client Rights. In compliance with Ohio Administrative Code Section 5122-26-18, the Commission on Accreditation of Rehabilitation Facilities, and other oversight and credentialing bodies, you, as a recipient of services from Catholic Social Service of the Miami Valley, have the following rights:
 - (1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;
 - (2) The right to reasonable protection from financial, physical, sexual or emotional abuse, neglect, and inhumane treatment;

- (3) The right to receive services in the least restrictive, feasible environment;
- (4) The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation;
- (5) The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency;
- (6) The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it;
- (7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
- (8) The right to be informed and the right to refuse any unusual or hazardous treatment procedures;
- (9) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;
- (10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations;
- (11) The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;
- (12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;
- (13) The right to be informed of the reason for denial of a service;
- (14) The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;
- (15) The right to know the cost of services;
- (16) The right to be verbally informed of all client rights, and to receive a written copy upon request;
- (17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;
- (18) The right to file a grievance;
- (19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;
- (20) The right to be informed of one's own condition; and,
- (21) The right to consult with an independent treatment specialist or legal counsel at one's own expense.

4. Client Rights - Grievance Procedure



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- a. It is the responsibility of the Client Rights Officer for (1) assuring compliance with client/consumer rights and grievance procedures; (2) assisting the client/consumer in preparing the grievance if assistance is required; (3) explaining all aspects of the grievance procedure to client/consumer (4) ensure that client/consumer does not experience any form of reprisal or retribution consistent with the Ohio Administrative Code.

The designated Client Rights Officer is:

Christie Linard
Catholic Social Services of the Miami Valley
922 West Riverview Avenue
Dayton, Ohio 45402-6424
(937) 223-7217
cssmv@cssmv.org
Monday-Friday, 8:30 a.m. to 4:00 p.m.

- b. All agency staff shall be familiar with the Client Rights Policy. All agency staff shall be trained in the Client Rights Policy at the time of their initial orientation. Staff will be expected to explain any and all aspects of the Client Rights Policy upon client request. There shall be evidence in each staff member's personnel file that she/he received a copy of the Client Rights Policy and has agreed to abide by it.
- c. Copies of the Client Rights Policy and the Grievance Procedure will be posted in conspicuous areas of each service location and on the agency website. Copies of the Client Rights brochure will be given to all clients at the time of intake. The Client Rights Policy is available in the primary languages of major population groups served. If a translated copy is not available, access to a linguistically appropriate interpreter will be made available. Recipients of information and referral, consultation, mental health education, prevention and training services may receive a copy and explanation of the client rights policy upon request. Clients will sign the Consent for Treatment form attesting to the fact that staff has reviewed their rights with them.
- d. In case of emergency or crisis, staff will verbally review client rights with the client as pertain to the immediate situation. The client's verbal and written rights will be delayed until the emergency or crisis has passed.
- e. All documentation concerning client grievances will be kept confidential and in the sole possession of Client Rights Officer. The CRO will maintain records of written client grievances that include a copy of the grievance, documentation of the investigation and resolution of the grievance and a copy of the letter to the client reflecting the resolution of the grievance for two years.
- f. Any allegation of staff neglect or abuse and the subsequent investigation will be reported by the Chief Executive Officer to CARF and any other required oversight body within 24 hours by FAX or email and hard copy within 72 hours of the event.
- g. In situations involving child abuse or adult abuse, any notification required by law will be made to the appropriate authorities.

All Client Rights 100924