

CONSUMER RIGHTS HANDBOOK

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INTRODUCTION

Alase Center for Enrichment (ACE) provides behavioral health services to children and adults with mental health, substance abuse, and intellectual and developmental disabilities. ACE is committed to supporting consumers to: make informed choices about care; resolve any problems that may occur; know what to expect from services; become a better self advocate for one's care and recovery.

When you request or receive services through Alase Center for Enrichment, your rights are protected by North Carolina law.

As a consumer, you have the right to:

- Be treated with dignity and respect
- Treatment that honors self-determination, humane care and freedom from physical punishment, abuse, neglect or exploitation
- Refuse treatment (unless court ordered)
- An individualized, person-centered plan and to participate in the development and review of that plan
- Confidentiality, right to see your record, privacy, advanced instruction
- Be informed about medications
- Know the cost of services
- Be informed about the expectations and requirements of your treatment service

This booklet provides additional details about your rights as well as your responsibilities.

DIGNITY AND RESPECT

Your right to be treated with dignity and respect is the foundation on which all consumer rights and responsibilities are based.

- You have a right to dignity, privacy, humane care and freedom from mental and physical abuse, neglect and exploitation.
- You have a right to live your life as normally as possible while receiving treatment.
- You have a right to ask for information about any restrictions of your rights, as defined by our policies.
- You have a right to self governance, social interactions and the appropriate level of independence while receiving services.
- You have a right to be free from the threat or fear of unwarranted suspension/ expulsion from services.
- You have a right to be told the rules that you are expected to follow and the possible penalties for violating those rules in any program you attend or service you receive from ACE.
- You have a right to be informed of the cost and payment policies for any service you receive.
- The fact that you are receiving services does not take away from you your basic civil rights. These rights can be limited **only** if a court has declared you incompetent/ incarcerated.
- Our policies assure basic human rights to each consumer. It is our policy that all employees shall protect consumers from harm, abuse, neglect and exploitation. Employees shall not subject a consumer to any sort of neglect or indignity, or inflict abuse on any consumer. Physical punishment is strictly prohibited. Employees must report any suspected abuse, neglect or exploitation to their Child protective Services or Adult Protective Services.
- Individual needs to be informed of the right to treatment, including access to medical care and habilitation, regardless of age or degree of MH/DD/SA disability.

RIGHT TO TREATMENT

Your rights include treatment in the best environment for you with the least possible restrictions.

- After an initial screening for eligibility for services, you have the right to choose an approved service provider that will meet your needs.
- You have the right to receive culturally and age-appropriate care, services and treatment based on your person-centered plan written especially by and for you. Your plan must be implemented within 30 days after completing the assessment with the service provider.
- You will be informed of potential benefits and/or risks of your treatment options. You have the right to consent to your person centered plan and may withdraw consent at any time. You will be informed of the potential risks of refusing recommended treatment.
- The **ONLY** times you can be treated without consent are:
 - (1) in an emergency;
 - (2) if your treatment has been ordered by the court; or
 - (3) if you are under 18 years old, a parent or legal guardian can give permission even if you object.
- ACE does **not** use restrictive interventions such as physical restraints or seclusion as behavior management. There may, however, be situations (i.e. risks to harm yourself or others) where un-planned emergency interventions could be used.

YOU HAVE THE RIGHT TO A PERSON CENTERED PLAN

You are not defined by your disability. Your person centered plan will reflect your hopes and dreams. Alase Center for Enrichment is here to help you to become the best person you can be.



You have the right to take part in the development and periodic review of your person centered plan. You have the right to receive services in the least restrictive environment possible, which is appropriate to your age and situation.

You also have the right to request a change in your treatment or provider. This request will be considered at team meetings.

You have the right to make recommendations regarding Alase Center for Enrichment's rights and responsibilities policies.

Based on eligibility you will have choices about your treatment options.

YOU HAVE THE RIGHT TO **CONFIDENTIALITY**

In general, under state and federal laws, no one can share information with others outside this organization about the services you receive. There are however some laws that requires ACE to share some information about you under certain conditions.

Your records and other information about you will not be released without your or your legal guardian's written permission. There are some situations when ACE may be required by law to share information about the services you receive without written permission. These situations include:



SHARING INFORMATION WITHOUT CONSENT:

- ◆ If it is in your best interest, your next of kin or other family member with a legitimate role in your services may receive certain information about your services.
- ◆ Audit, funding resource.
- ◆ The court may order ACE to release your records.
- ◆ Your records may be shared as needed within the ACE organization.

- ◆ If you go to jail or prison, ACE may share your record with prison officials if you need mental health, developmental disabilities or substance abuse services.

- ◆ In an emergency, another professional who is treating you may receive your records.
- ◆ The professional who referred you to ACE may receive your records.



- ◆ If ACE suspects that you are a danger to yourself or to others, ACE must share this information with law enforcement.

- ◆ Special confidentiality rules may apply if you have a legal guardian appointed, are under age 18, or are receiving treatment for substance abuse.

- ◆ When a child is receiving services and his/her parents are divorced, both biological parents may have access to their child's record unless parental rights have been terminated or suspended.

- ◆ Non-identifying information may be shared for group research and reports.
- ◆ Also, ACE is bound by law to report suspected abuse, neglect or exploitation to county officials.

YOU HAVE THE RIGHT TO SEE YOUR OWN RECORD

You have the right to review your own case record as requested. Under limited circumstances, the request to review or obtain a copy of your case record may be restricted or denied (for example, if a clinician believes its contents may be harmful to you or others). You have the right to have those circumstances and procedures explained to you.



YOU HAVE THE RIGHT TO PRIVACY

You shall be free from unwarranted invasion of privacy and random searches. Searches shall be warranted only if there is a threat of harm to you or others. You may request this policy and procedure at any time.

ADVANCED INSTRUCTION

In North Carolina, an Advanced Instruction for Mental Health Treatment is a legal document that tells doctors and health care providers what mental health treatments you would want and what treatments you would not want if you later become unable to decide for yourself. The designation of a person to make your health care decisions, should you be unable to make them yourself, must be established as part of a Health Care Power of Attorney. Further information can be requested from the person in charge of your care.



YOU HAVE THE RIGHT TO KNOW THE COST OF SERVICES



Fees for services should be discussed with you at your first visit. If you have private health insurance coverage, ACE will submit claims for payment. You are responsible for any co-payments.

If you do not have insurance coverage, ACE will discuss payment options based on a sliding fee scale.

If you are eligible for Medicaid and your Medicaid coverage is active, the services you receive from ACE should be covered when determined to be medically necessary.

YOUR RESPONSIBILITIES

Although this booklet is about your rights, you also have responsibilities as a consumer.

When you become a consumer, ACE asks that you read about your rights and responsibilities. Your rights are guaranteed by law as well as by ACE policies and procedures. ACE pledges to protect them fully, fairly and consistently. ACE encourages you and members of your family to let us know how we are doing when it comes to protecting your rights.

The following are your primary responsibilities as a consumer of ACE:

Participate in developing your person centered plan.

Planning your care together with your assigned staff is your most important responsibility. To help plan your care to meet your needs, you have the responsibility to be open about any of your physical and health problems. Your assigned staff will do his/her best to help you develop the resources and skills to meet your needs. Once the plan has been agreed upon, you have the responsibility to follow the goals in the person centered plan and to meet with your assigned staff face-to-face at least monthly.

Notify your assigned staff about medication use and other treatment.

Tell your assigned staff about any other care you are receiving and about medications you are taking. Please bring all medicine bottles to your first visit with your assigned staff. Also be sure to tell your assigned staff of any medication or treatment changes that take place while you are receiving services from ACE.

Keep appointments and notify your assigned staff of cancellations.

You have the responsibility to keep appointments and attend activities that you have scheduled. It is very important that if you cannot keep an appointment, you call or have someone else call your assigned staff. Failure to participate in care may lead to a discharge from your ACE services.

Give us information updates.

It is your responsibility to tell your assigned staff of your name, address or telephone number changes. ACE needs to know who to contact in case there is an emergency. Tell your assigned staff if there are any changes in your financial, insurance or Medicaid status. Your assigned staff may require that you bring your insurance/Medicaid card with you to appointments.

Make sure your ACE bills are paid.

You are responsible for making arrangements to pay your ACE bills or let us know about any problems you have in paying.

Treat people with respect and consideration.

It is your responsibility to treat ACE staff with respect and consideration. You are also responsible for respecting other consumers' rights and their confidentiality.

Do not bring weapons, illegal drugs or alcohol.

You must not bring weapons, illegal drugs or alcohol to ACE. You are also responsible for making sure that people who come with you do not bring these items either.

If there is any information in this pamphlet that you do not understand, please ask your assigned staff for assistance.

OUR RESPONSIBILITIES

Alase Center for Enrichment, in turn, has responsibilities to you as a consumer.

- We must inform you of your rights.
- Our main responsibility is to work together with you to determine your needs and to identify service providers that will help you meet them.
- It is our responsibility to maintain and protect your rights as a consumer.
- We have the responsibility to treat you in a considerate, understanding and respectful manner.
- We are responsible for including you in the planning for the services you will receive.
- We are **responsible and required** to call DSS for any suspected abuse or neglect.
- It is our responsibility to communicate with you regarding the status of your services. For example, if you fail to participate in services ACE will notify you that you may be discharged from services.

YOU HAVE THE RIGHT TO MAKE A COMPLAINT

Your rights include the right to accessible, responsive complaint and grievance procedures to protect your ability to speak up about things that concern you. You can expect that your concerns will be addressed promptly and fairly. You have the right to:

- Voice concerns and complaints relating to the treatment or care you receive.
- A timely response which explains how ACE is going to consider the issue or issues you raise and act upon them.
- Be free from any pressure intended to discourage you from voicing your concerns or complaints.



If you think a problem exists with your services or you think your rights have been violated, try to talk to the assigned staff first. If you are not comfortable talking to assigned staff or you continue to be dissatisfied, you can contact the Supervisor of your assigned staff. If you are still dissatisfied, you can contact the Executive Director, or visit the office in person. We are open Monday through Friday from 8:30 a.m. to 5:00 p.m.

At your request or at the time you submit a complaint, you will be offered a copy of the policy and procedure for making a complaint/grievance.

Our staff is committed to a timely response to your questions, concerns, or grievances. Every effort will be made to address your concerns as quickly as possible.

If you are not satisfied with the response of ACE staff, you have the right to a subsequent appeal or you can file a formal grievance by contacting the County Consumer Representative at your local Managed Care Organization or Local Management Entity (see “MCO/LME Contact Information” at the end of this booklet). The MCO/LME has a relationship with service providers to ensure that quality services are provided to consumers. Each MCO/LME has a customer service office responsible for assisting consumers, families, and the general public with questions, concerns/complaints and information requests. The MCO/LME’s County Consumer Representative will assist you with filing a formal grievance and will inform you of the procedure for your grievance.

At any point in the process, you can contact NC Disability Rights, formerly known as the Governor’s Advocacy Council. NC Disability Rights is the statewide agency established to protect and advocate for the rights of persons with disabilities. See “Groups Who Offer Support and Advice” at the end of this booklet for how to contact NC Disability Rights and other consumer advocate organizations.

Groups Who Offer Support and Advice

An advocate is someone who is not directly involved with your treatment but who has the knowledge and ability to speak with you about your rights. The advocates listed below provide their services free and all phone calls are free.

1-877-452-2514

DMH/DD/SAS Advocacy and Customer Service is the state agency responsible for helping consumers understand their rights and participate in state and local policy efforts.

1-877-235-4210

NC Disability Rights (formerly known as the Governor's Advocacy Council) is a statewide agency established to protect and advocate for the rights of persons with disabilities.

1-800-326-3842

NC Mental Health Consumer's Organization, Inc. is a non-profit, non-governmental, organization made up of mental health consumers who provide peer support and advocacy for mental health clients.

1-800-622-8706

The Arc works to ensure that people with intellectual and developmental disabilities and their families have the supports they need to live an ordinary, decent American life.

1-800-451-9682

NC Alliance for Mentally Ill (NAMI) is a non-profit, non-governmental organization made up of families of mental health consumers.

IMPORTANT INFORMATION TO KEEP

Owner/Executive Director:

Assigned Clinical Staff

ACE Administrative Staff

ACE Crisis Phone Number:

Mobile Crisis Management Phone Number:
