



Information about Rights Restrictions for Direct Support Professionals

What is a 'rights restriction?'

Restrictions of Rights are actions by paid workers which use the caregiver's authority over the individual and which interfere with an individual's autonomy, rights, activities, or privacy in ways that cross over the line ordinarily found in consenting relationships between adults. Restrictions of rights limit those civil rights adults ordinarily expect to exercise. A good general principle is to ask if you would object if someone else imposed the same rule or limitation on you. If so, it's likely what you are doing is a rights restriction.

What are some examples of rights restrictions?

Locked cupboards or fridge	Audio/visual monitors	Door alarms
Physical restraint, including escorts of a person	Violations of privacy or confidentiality	Limiting access to family or friends
Not allowing a person to close or lock the bedroom door	Limiting access to different types of books, movies or websites	Denying someone opportunities to date or be physically intimate
Restricting access to common areas (kitchen, living room, etc.) of the home	Limiting or interfering with private communication by mail or phone	Limiting a person's general ability to interact with people of the opposite sex
Vehicle safety shields	GPS or similar tracking devices	Locked exits from a home
Not allowing someone to decorate for furnish their private space as they wish	Limiting what or when a person can eat (absent a medical order)	Entering someone's room without knocking and waiting for permission to enter

What do I need to know?

Rights restrictions, though sometimes necessary and appropriate, are a violation of a person's civil liberties, and can only be used under specific circumstances. Generally, the team has a responsibility to show that a proposed restriction is necessary to ensure safety and/or physical or emotional health. Rights restrictions must be documented in the person's annual service plan. As an additional layer of protection, our Rights Review Committee must review certain types of restrictions:

- Any proposed behavior support plan that is not agreed to by the person (or guardian, if there is one)
- Any proposed restriction of rights that is not agreed to by the person (or guardian, if there is one)

- Any proposed restraint, of any type
- Any measure which restricts a right guaranteed by the Developmental Disabilities Act, specifically a measure that restricts
 - Privacy, dignity, and confidentiality
 - Association with individuals of both genders
 - Communication in private by mail and telephone
 - Contact with family

What is my responsibility as a Direct Support Professional?

Each team member is responsible for being knowledgeable about and vigilant around rights restrictions. If you have a question or concern about a rights restriction or what appears to be a possible rights restriction, talk right away with your service coordinator.

How can I learn more?

Speak to your service coordinator and/or program manager. Additional information is also available in the following documents. Paper copies will be provided to you upon request:

DDSD Behavior Support Guidelines

http://ddsd.vermont.gov/sites/ddsd/files/documents/Behavior_Support_Guidelines10%272004.pdf

DDSD Health and Wellness Guidelines

<https://ddsd.vermont.gov/health-wellness-standards-and-guidelines>

Settings Rule Bill of Rights

https://ddsd.vermont.gov/sites/ddsd/files/documents/Settings_Rule_Bill_of_Rights%20pdf.pdf

GMSA Settings Rule Slides

<https://gmsavt.org/wp-content/uploads/2022/10/HCBS-Setting-Rule-Slides.pdf>