



Lifelong, Inc.

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Lifelong, Inc. Individual Rights, Records, and Procedures

08/2024

2 CCR 502-1 (2.7) Individual Rights

All individuals, clients, or, when applicable, the individual's designated representative, has the right to:

1. Participate in all decisions involving the individual's care or treatment.
2. Be informed about whether Lifelong, Inc. is participating in teaching programs, and to provide informed consent prior to being included in any clinical trials relating to the individual's care.
3. Refuse any drug, test, procedure, service, or treatment and to be informed of risks and benefits of this action.
4. Receive care and treatment, in compliance with state statute, that is free from discrimination on the basis of physical or mental disability, race, ethnicity, socio-economic status, religion, gender expression, gender identity, sex, sexuality, culture, and/or languages spoken; and that recognizes an individual's dignity, cultural values and religious beliefs; as well as provides for personal privacy to the extent possible during the course of treatment.
5. Be informed of, at a minimum, the first names and credentials of the personnel that are providing services to the individual. Full names and qualifications of the service providers must be provided upon request to the individual or the individual's designated representative or when required by the department of regulatory agencies.
6. Receive, upon request:
 - a. Prior to initiation of non-emergent care or treatment, the estimated average charge to the individual. This information must be presented to the individual in a manner that is consistent with all state and federal laws and regulations.
 - b. Lifelong's general billing procedures.
 - c. An itemized bill that identifies treatment and services by date. The itemized bill must enable individuals or their legal representatives to validate the charges for items and services provided and must include contact information, including a telephone number, for billing inquiries. The itemized bill must be made available either within ten (10) business days of the request, thirty (30) days after discharge, or thirty (30) days after the service is rendered – whichever is later.
7. Give informed consent for all treatment and services. The personnel must obtain informed consent for treatment they provide to the individual. Informed consent includes:
 - a. A written agreement executed between Lifelong, Inc. and the individual or the individual's legal representative at the time of admission. The parties may amend the agreement if there is written consent of both parties. No agreement will be construed to relieve Lifelong, Inc. of any requirement or obligation imposed by law or regulation.
 - b. Individual consents must include consent to treatment. If the individual is refusing treatment or an aspect of treatment, Lifelong, Inc. must have the individual sign a form to confirm their refusal.
 - c. If the governor or local government declares an emergency or disaster, Lifelong, Inc. may obtain documented oral agreements or consents in place of written agreements or consents. Documented oral agreements and consents may only be used as necessary because of circumstances related to the emergency or disaster. Lifelong, Inc. shall send a hard copy or electronic copy of the documented agreement or consent to the individual within two (2) business days of the oral agreement or consent.
8. Register disputes with Lifelong, Inc. and grievances with the BHA and to be informed of the procedures for registering complaints and grievances including contact information.
9. Be free of abuse and neglect.
 - a. Lifelong, Inc. must develop and implement policies and procedures that prevent, detect, investigate, and respond to incidents of abuse or neglect. This includes suspected physical, sexual, or psychological abuse; exploitation and/or caretaker neglect; as well as child abuse, neglect and/or child safety issues, which must include definitions of abuse and neglect under the Colorado Children's Code (Section 19-1-103, C.R.S.), and that are consistent with the reporting of child abuse allowed under federal law. Policies and procedures must also be consistent with definitions and mandated reporting requirements for mistreatment, abuse, neglect, and exploitation of at-risk adults under the Colorado Human Services and Criminal Codes (Sections 26-3.1-101, 26-3.1-102, 18-6.5-108, C.R.S.).
 - i. Prevention includes, but is not limited to, adequate staffing to meet the needs of the individuals, screening personnel for records of abuse and neglect, and protecting individuals from abuse during investigation of allegations.
 - ii. Detection includes, but is not limited to, establishing a reporting system and training personnel regarding identifying, reporting, and intervening in incidences of abuse and neglect.

- b. Lifelong, Inc. shall investigate all allegations of abuse or neglect against BHE personnel, or made against an individual, when the allegation occurs during service provision or on BHE premises. Lifelong, Inc. shall implement corrective actions in accordance with such investigations.
- 10. Be free from the improper application of restraints or seclusion. Restraints or seclusion may only be used in a manner consistent with part 2.14 of this Chapter.
- 11. Expect that Lifelong, Inc. in which the individual is admitted can meet the identified and reasonably anticipated care, treatment, and service needs of the individual.
- 12. Receive care from Lifelong, Inc. in accordance with the individual's needs.
- 13. Have the confidentiality of their individual records maintained.
 - a. Lifelong, Inc. must comply with all applicable state and federal laws and regulations for release of information including but not limited to 42 C.F.R. Part 2, Section 27- 65-123, C.R.S. and HIPAA.
 - b. When obtaining informed consent or an authorization for release of information, the signed release must state, at a minimum:
 - i. Persons who may receive the information in the records;
 - ii. The purpose for obtaining this information;
 - iii. The information to be released;
 - iv. That the release may be revoked by the individual, or legal representative at any time; and
 - v. That the release of information is only valid for a time period specified but such time cannot exceed two (2) years from the date of signature.
- 14. Receive care in a safe setting.
- 15. Be notified if referrals to other providers are to entities in which Lifelong, Inc. has a direct or indirect financial benefit, including a benefit that has financial value, but is not a direct monetary payment.
- 16. Formulate medical and psychiatric advance directives and have Lifelong, Inc. comply with such directives, as applicable, and in compliance with applicable state statute.
 - a. When Lifelong, Inc. is aware that an individual has developed advance directives, Lifelong, Inc. shall make good faith efforts to obtain the directives and the directives must become part of the individual's record.
 - b. Lifelong, Inc. shall disclose the policy regarding individual rights to the individual or the individual's designated representative prior to treatment or upon admission, where possible. For any services requiring multiple individual encounters, disclosure provided at the beginning of such care or treatment course must meet the intent of the regulations.

Additionally, All clients involved in Lifelong, Inc.'s treatment programs have the following rights:

- 17. The right to be treated with consideration and respect for personal dignity, autonomy, and privacy.
- 18. The right to receive services in the least restrictive, feasible environment.
- 19. The right to be informed of one's own condition.
- 20. The right to be informed of available program services
- 21. The right to give consent or to refuse any service, treatment, or therapy.
- 22. The right to participate in the development, review, and revision of one's own individualized treatment plan and receive a copy of it.
- 23. The right or freedom from unnecessary or excessive medication, unnecessary physical restraint, or seclusion.
- 24. The right to be informed and the right to refuse any unusual or hazardous treatment procedures.
- 25. 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, or photographs.
- 26. The right to consult with an independent treatment specialist or legal counsel at one's own expense.
- 27. The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal law and regulations.
- 28. The right to have access to one's own client record in accordance with program procedures.
- 29. The right to be informed of the reason(s) for terminating participation in a program.
- 30. The right to be informed of the reason(s) for denial of a service.
- 31. The right not to be discriminated against for receiving services based on race, ethnicity, age, color, religion, sex, national origin, disability, or HIV infection, whether asymptomatic or symptomatic, or AIDS.
- 32. The right to know the cost of services.
- 33. The right to be informed of all client rights.
- 34. The right to exercise one's own rights without reprisal.
- 35. The right to file a grievance in accordance with program procedures.
- 36. The right to have oral and written instructions concerning the procedures for filing a grievance.

2 CCR 502-1 (2.11) Individual Records

Individual records must be available to an individual or their designated representative through Lifelong, Inc. or their designated representative at reasonable times and upon reasonable notice in accordance with all applicable state and federal laws, including but not limited to HIPAA and 42 C.F.R. Part 2. An individual, whether currently receiving services or discharged from Lifelong, Inc., may inspect, or obtain a copy of their own record. Lifelong, Inc. must act on the request to review the individual's record within a reasonable time, which must not exceed thirty (30) days except when an extension is allowable in accordance with 45 C.F.R. 164.524(b)(2).

It may be assessed to be in an individual's best interest not to have their records released to them due to one or more of the following reasons: danger to self or others, access to records creates risk to individual, competency, pervasive mental health needs, exemption in requirements to provide records, sealed records, applicable law or professional ethics that impose strict

limitations, other reasons not provided here but identified by professional responsibilities.

*** Record review in our office alongside a qualified Lifelong, Inc. professional is always permitted.***

Lifelong, Inc.'s Record Request Policy and Procedure

1. Submit your request to review or receive your records in writing to recordsrequest@lifelonginc.com.
2. A Lifelong, Inc. professional will review your request within 72 business hours.
3. A Lifelong, Inc. professional will schedule a time for you to receive/review your records.
 - a. Should the record request be denied, information will be provided to you on the denial.
 - i. You have the option to submit a verbal or written complaint/grievance regarding access to records. Written submissions are completed by filling out the grievance form.
 - ii. Upon submission, Lifelong, Inc. follows all Grievance Complaint Policies, Procedures, and Timelines. The above information has been provided to:
