

Consumer Handbook

2nd Edition

A Guide for Understanding the Mental Health,
Developmental Disabilities and
Substance Abuse Service System
in North Carolina



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Division of Mental Health, Developmental Disabilities and Substance Abuse Services

The Advocacy and Customer Service Section

Welcome

Welcome to the North Carolina Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) Consumer Handbook. This handbook is designed to provide you with valuable information about your care and services. We hope you find this information helpful.



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Who Can Help with Services?

Your Service Provider

Your service provider will help you develop a plan of care and provide the services authorized in your plan. Your plan of care must be a person-centered, skilled based, or recovery oriented plan based on your unique needs, strength, and wishes.



Local Management Entities (LMEs)

Your services are managed in the community through a local management entity (LME) office. The LME has a relationship with service providers to ensure that quality services are provided to consumers. Every LME has a customer service office. Representatives in each of the customer service offices are available to assist consumers, families and the general public with questions, concerns/complaints and information requests. If you do not know how to contact the LME, call the DHHS Customer Service Center - 1-800-662-7030 (English/Spanish) or TTY 1-877-452-2514 for the hearing impaired.

DMH/DD/SAS

The North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) is responsible for overseeing the publicly funded mental health, developmental disabilities, and substance abuse services in North Carolina.

DSOHF

The North Carolina Division of State Operated Healthcare Facilities (DSOHF) is responsible for overseeing and managing 14 state-operated healthcare facilities that treat adults and children with mental illness, developmental disabilities and substance abuse disorders. When you have a concern about how someone is being treated at a state facility, or if you are a consumer at a state facility and have a concern about your treatment, contact the facility and ask to speak to the professional advocate on duty or call (919) 855-4700.

The DMH/DD/SAS Advocacy and Customer Service Section has two teams that help consumers understand their rights and participate in state and local policy efforts.

1. Customer Service and Community Rights Team:

The Customer Service and Community Rights Team (CSCR) assists individuals and families in accessing public services and provides education on consumers' legal rights and protections while receiving services. The team responds to general inquiries, complaints and appeals and conducts client rights investigations. The team also monitors local management entity and provider rights protections and customer service systems. The team helps to increase public awareness regarding client rights and division initiatives.

2. Consumer Empowerment Team:

The Consumer Empowerment Team (CET) serves as the link between DMHDD/SAS, the LME and the consumer and family advisory committees (CFAC). Each of the LMEs is mandated by statute to have a CFAC. CFACs advise the LME Boards on service needs and development in their respective catchment areas. This team also works with grassroots advocacy organizations and community groups, with the goal of maximizing consumer and family involvement in policy decision making at DMH/DD/SAS. CET staff also educate the public on changes within the system as well as availability of and access to services. The staff are regionally located to provide consumers and family members access to DMH/DD/SAS staff, to obtain information and express concerns.

How to contact us:

Telephone: (919) 715-3197 (Mon.-Fri.; 8am-5pm)
(English/Spanish) TTY 1-877-452-2514
Email: dmh.advocacy@dhhs.nc.gov
Address: Advocacy and Customer Service Section
3009 Mail Service Center
Raleigh, NC 27699-3009

How to Access Services, Person-Centered Planning & Recovery

How to Access Services

When you or a family member needs mental health, developmental disabilities, or substance abuse services, the first step is to contact your local management entity (LME). Every community has a way to access services 24-hours-a-day, seven-days-a-week and 365 days-a-year. This is done through your LME access team. You can ask about obtaining ongoing services or emergency mental health, developmental disabilities, or substance abuse services. The access team is available by phone or by visiting the LME office near you.



Person-Centered Planning

Person-Centered and Recovery

The process used to design your individual plan of supports, service(s) or treatment is called person-centered planning (PCP) and includes the following important points:

1. Your planning meeting occurs at a time and place that is convenient for you.
2. You can invite the people you want to your meeting.
3. You get the information you need and ask for from the people at your meeting.
4. The people at your meeting listen to you and respect your opinions and wishes.
5. The people at your meeting work together so you can be more independent and more involved in your community and be in charge of your life.
6. Consider the team's suggestions if you do not agree with the plan.
7. You must be satisfied with the final plan.
8. You sign and receive a copy of the plan.
9. You continue a positive lifestyle.

Provider Information on the Internet

NC Treatment Outcomes & Program Performance System

NC-TOPPS

www.ncdhhs.gov/mhddsas/nc-topps/index.htm

Review with your provider your consumer outcome information in NC-TOPPS to assist you in service planning. Make sure to get a copy of your NC-TOPPS report. Participate in consumer surveys that will help to improve and enhance services.

NCcareLink

<https://www.nccarelink.gov>

This website provides up-to-date information about programs and services across North Carolina.

Crisis Services

Crisis Plans

It is important to include a “crisis plan” in your Recovery and Person-Centered Plan. Your provider will work with you to develop a plan to help prevent a crisis and to help you during a crisis. Your crisis plan will give information about what you would like to happen should a crisis occur. Your provider will tell you the person to contact in their agency when you are in crisis. Examples of what might be in a crisis plan include friends or relatives to be called, contact numbers, preferred medicines, care of children and pets.

Emergency Services

The crisis plan that you develop with your provider will make it easier for others to help you in the event that a crisis occurs. Sometimes, unexpected things can happen during a crisis so it is important to remember: **Your local LME Access Team is also always available to assist you during a crisis.**

To find the access line in your area, contact DHHS Customer Service Center at 1-800-662-7030.

Your Rights

When you receive services from the public mental health, developmental disabilities and substance abuse services system, you have many rights supported in law. Understanding your rights will help you stand up for yourself and fully participate in your care. Knowing your rights can help you:

- Make informed choices about your care.
- Resolve any problems that may occur.
- Know what to expect from your service provider and
- Become a better self advocate for your care and recovery.



A Declaration of Basic Client Rights:

Some of your basic rights are in North Carolina law. North Carolina law states “It is the policy of the State to assure basic human rights to each client of a facility. These rights include the right to dignity, privacy, humane care and freedom from mental and physical abuse, neglect and exploitation.”

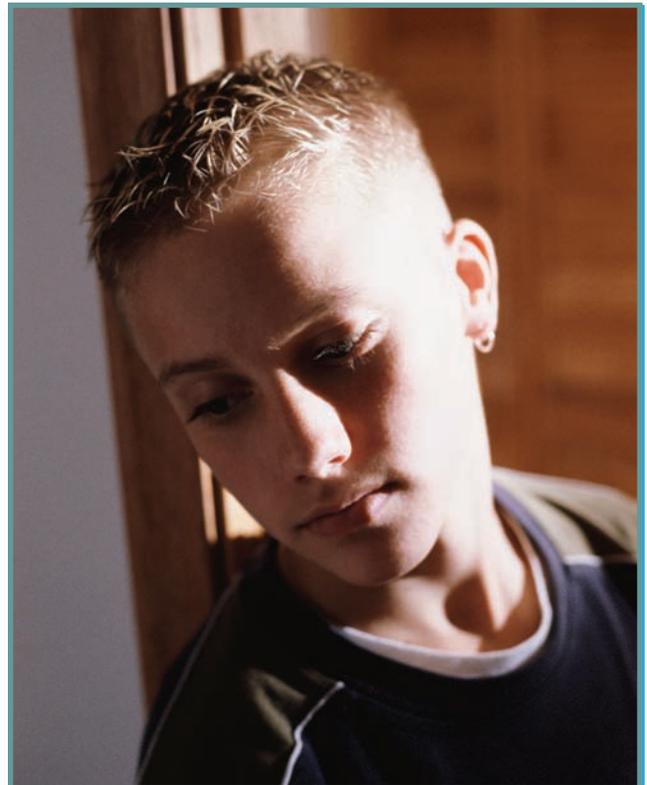
You also have the following rights...

To be informed of your rights:

By law, you must be informed of all of your rights within the first three visits to your community provider (or within the first 72 hours if you are in a 24-hour facility). You may also have the right to:

- Ask that printed information explaining your rights be given to you in a way that you can understand.

- Know what to do and whom to call if you believe someone is trying to take away your rights.
- You must be told about any rules you need to follow. This information should be shared with you when you begin receiving services. If you do not receive this information, ask someone you trust to help you.
- Staff should be polite, attentive and responsive to your needs and values.
- It is your right to receive care in your community in the least restrictive environment suitable to your individual needs.



Rights & Recovery

Knowing your legal rights is important to recovery and self-advocacy. Recovery is a commitment by individuals and by systems to self-fulfillment, strengths over deficits, mutual support, involvement, wellness and the value of lived experiences. Recovery and self-advocacy stress hope during the ups and downs in everyone's life.

To have information about you kept confidential:

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is the federal law that protects private health information. The HIPAA law states that medical records, treatment plans and any other information about you (including what you say or share) must be kept private. Anyone not involved in providing your care, including family members, must first obtain your or your guardian's permission before this information is provided to them.

To understand and give informed consent:

When you are making a decision about your treatment, you should have the chance to know the most likely results of your decision and what other choices you have. Making decisions after considering all available options is called “informed consent.” Except during an emergency, informed consent is always your right. Before you give your approval for any service or treatment, be sure you have all of the information you need. This right is based on the idea that you are the person who best knows what works for you.

Informed consent includes being given information:

- To know about medication: You have the right to know the possible side effects of medication and to be free from unnecessary or excessive medication. Medication can not be used as a punishment, discipline or for the convenience of staff.
- To accept or refuse services: By law, you can accept or refuse any service, medication, test or treatment. However, during an emergency situation, treatment may be necessary without your permission.
- To be involved in the service plan: It is your right to be involved in your service plan. You have a right to be involved in the development and review of your plan before you sign it.
- To make certain treatment choices: It is your right to be informed of the potential risks, benefits and alternatives to the treatments being offered to you.
- Each person has the right to be free from abuse, corporal punishment, and involuntary seclusion. A person must not be subjected to abuse by anyone, including, but not limited to, facility staff, other residents, consultants or volunteers, staff of other agencies serving this resident, family members or legal guardians, friends, or other individuals.

To exercise your rights as a citizen:

You have many rights as a citizen. These include buying or selling property, signing a contract, registering to vote, marrying or getting a divorce. Unless the court has declared you incompetent, you will **always** have these rights.

To make advance instructions:

You have the right to a written plan called an “advanced instruction for mental health treatment.” This written plan describes how you want to be cared for if you are ever unable to decide or speak for yourself. You can also name a “health-care proxy” in your advanced instruction to make decisions about your care if you are unable to do so. Review these matters with someone you trust. You can also contact the organizations listed at the end of this booklet for assistance.



To review your medical records:

You will usually have the right to review information in your medical records, which includes your service plan.

To see a medical care provider:

If you are sick or need medical care, you have the right to receive medical treatment.

To know the costs of services:

Any charges or fees for services you receive should be discussed with you at your first visit. You should also be given a written copy of the fees. Ask your provider or have someone you trust talk to your provider if you have questions about any costs or fees that you may be charged.

To be accepted for treatment:

You have a right to receive age-appropriate treatment. Services cannot be denied, interrupted or reduced without good cause. If your services are denied, interrupted or reduced you can appeal the changes to your services. There is more information on what to do if there are changes to your services in the next section of this booklet.

To freely file an appeal:

Before anyone can change your service or deny your request for a service, you will receive a notice explaining your rights. You have a right to appeal any changes to the services you already receive or any services you and your service provider have requested to receive. The way you appeal the changes depends on how your services are funded:

- If Medicaid pays for your services, you may appeal the changes through the Division of Medical Assistance. Follow the directions in the written letter for your federal rights. If you appeal the decision by the deadline in the letter, your services will continue during the appeal.
- If your services are paid for by state funds (sometimes called IPRS funds), you may appeal the decision to the LME. If you still are unsatisfied with what the LME decides, you may appeal to the state DMH/DD/SAS to review the decision. Your services may or may not continue while you are appealing this decision.
- If your private insurance company pays for your services, you can appeal their decision through your insurance company.

If you are unsure how to appeal changes to your services or if you have questions about appeals, contact your LME customer service office at _____ or contact the Advocacy & Customer Service Section at DMH/DD/SAS at (919) 715-3197. For all appeals, call the number on your appeal notice.

Ask your LME and provider to let you review the policies and procedures about grievances and appeals.

To Request Special Accommodations:

If you need help to participate in services, you may request accommodations: In accordance with federal and state laws, all buildings and programs of the N.C. Department of Health and Human Services are required to be physically accessible to individuals with all qualifying disabilities.

If you need to request an accommodation on behalf of yourself or a family member or a friend, you can contact the LME customer service representative. If you need more information, you can contact your LME.

Language Assistance including:

- Assistance with TTY.
- Sign language interpretation.
- Interpretive services if you do not speak English.
- Assistance for the visually impaired.

The Americans with Disabilities Act of 1990 (ADA) was enacted to ensure that individuals with disabilities are not discriminated against in areas such as, but not exclusively, employment, public accommodations, institutionalization, communication and access to public services.



Rights in 24-Hour Facilities

Consumers admitted to 24-hour facilities have important rights. However, there are times when a consumer admitted to a 24-hour facility may have some of their rights restricted based on care and treatment considerations. If you have any questions about these restrictions, always ask a facility advocate.

Rights of adults which CANNOT be restricted include the right to:

- Send and receive unopened mail.
- Contact a lawyer, doctor or other private professional at your own expense.
- Receive medical care if you are sick.
- Contact a client advocate.

Rights of minors which CANNOT be restricted include the right to:

- Talk to a parent or guardian. Consult with legal counsel, private doctors or mental health, developmental disabilities, and substance abuse service providers.
- Contact a client advocate.

Substance Abuse Rights:

There are special rights regarding substance abuse that are protected in federal law. Ask your LME customer service representative about specific substance abuse rights.

Involuntary Commitments:

Sometimes when a person's illness makes it difficult for him or her to recognize the need for help, it is up to someone else who cares about the person to seek help and petition for what is called involuntary commitment. You are entitled to many rights when under an involuntary commitment petition. If you are unsure of what your rights are when you are under an involuntary commitment petition, you should ask staff at the facility to explain these rights to you.

This section of the handbook is intended to be a general overview of your rights and is not intended to be used as the sole source of information regarding your rights. If you have specific questions about your rights, please contact your provider, LME customer service representative or the DMH/DD/SAS customer service section at (919) 715-3197.

Final Tips:

- Use your rights to take charge of the services that you receive and your treatment.
- Try to learn about the many rights you have and use them in the way that is best for you.
- Even when people may not explain your rights, assert yourself. Teach others about your rights.
- If you run into problems with your rights, ask someone to help you out. You do not have to go it alone. There are many people and supports that can help with your recovery, but sometimes you have to ask for them.
- Remember, these are your rights, they can support and protect your recovery and they can make your life better!
- **Don't be afraid to ask questions.**

Treatment Success and Responsibilities

Your Responsibilities

Your treatment success will be enhanced by how much you are involved in developing and implementing your person-centered plan. You are encouraged to share responsibility for the success of your treatment. Your increased involvement in your care increases the likelihood of achieving the best results. Things you can do include:

- Be on time for all appointments and call if you can't make an appointment.
- Let the staff know about any changes to your medications or changes to your health.
- Treat staff and other consumers with respect and consideration.
- Follow the rules of the program where you receive services.
- Respect the confidentiality and privacy of other consumers.
- Be very involved in developing and reviewing your person-centered plan.
- Talk to your case manager, counselor or doctor and others on your planning team often about your needs, preferences and goals and how you think you are doing at meeting your goals.
- Tell your provider when you are experiencing problems.
- Let your provider know if you decide to discontinue services.
- Present your Medicaid, Medicare or insurance card each time you come for an appointment.
- Let your provider know about changes in your name, insurance, address, telephone number or your finances.
- Pay your bill or let your provider know about problems you may have meeting payments.
- Take responsibility for your own health: exercise, fresh air, sunshine and diet.

“Every community has a way to access services 24-hours-a-day, seven-days-a-week and 365-days-a-year through your local LME access line.”

A Recovery and Person-Centered System:

The success of the mental health, developmental disabilities and substance abuse service system relies on active participation from concerned individuals. As a consumer or family member of a consumer, your contribution is especially important. There are a number of ways you can be involved:

- Participate on state-level committees: www.ncdhhs.gov/mhddsas/scfac/index.htm
- Participate in local consumer and family advisory committees.
- Serve on area, LME and service provider boards.
- Participate in focus groups and provide feedback on policies and proposed rules.
- Participate in the development of monitoring tools that measure the quality of services.
- Become a peer support specialist.
- Serve on a rights committee.
- Advocate at local, state and national levels either individually or with an established group.



Other Helpful Resources

| Organization | Phone Number | Web Address |
|--|--------------------------------|--|
| Alcohol/Drug Council of North Carolina | 1-800-688-4232 919-493-0003 | www.alcoholdrughelp.org |
| Disability Rights North Carolina | 1-877-235-4210 | www.disabilityrightsn.org |
| Exceptional Children's Assistance Center (ECAC) | 1-800-962-6817 | www.ecac-parentcenter.org |
| NAMI North Carolina | 1-800-451-9682 | www.naminc.org |
| National Council on Alcoholism and Drug Dependence, Inc. | 1-800-NCA-CALL (Hope Line) | www.ncadd.org |
| NC care LINK | 1-800-662-7030 | www.nccarelink.gov |
| DHHS Customer Service Center | 1-800-662-7030 | www.nccarelink.gov |
| NC Council on Developmental Disabilities | 1-800-357-6916 | www.nccdd.org |
| NC Division of Health Service Regulation | 1-800-624-3004 | www.ncdhhs.gov/dhsr |
| NC Mental Health Consumers Organization, Inc. | 1-800-326-3842 | www.ncmhcosupport.org |
| Substance Abuse and Mental Health Services Administration (SAMHSA) | 1-800-662-4357 | www.samhsa.gov |
| The Arc of North Carolina | 1-800-662-8706 | www.arcnc.org |
| Veterans Services | 919-715-1294 ext. 212 | www.ncdhhs.gov/veterans.htm |

My Helpful Contacts

DMH/DD/SAS Website:

www.ncdhhs.gov/mhddsas

| Title/Program | Name | Address | Phone Number |
|--------------------------------------|------|---------|----------------|
| DHHS Customer Service Center | | | 1-800-662-7030 |
| LME Customer Service | | | |
| Service Provider | | | |
| Program Supervisor | | | |
| Therapist/Counselor/ Case Manager | | | |
| Crisis Contact | | | |
| LME Access Line | | | |
| Doctor | | | |
| Pharmacy | | | |
| DMH/DD/SAS Customer Service | | | 919-715-3197 |
| Advocate | | | |
| Support Person/Friend | | | |
| Emergency Room | | | |
| County Department of Social Services | | | |
| Other: | | | |

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Email: contactdmh@dhhs.nc.gov

Location: 325 N. Salisbury Street, Raleigh, North Carolina

Mail: 3003 Mail Service Center, Raleigh, North Carolina 27699-3003



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