

**Central State Community Services
Annual Corporate Compliance
Training**

Recipient Rights

Recipient Rights Protection System

- It is the expectation of Central State that employees will respect the rights of the Individuals served by this agency and that employees will refrain from practices that are abusive and/or neglectful.
- All of the rights and responsibilities of an individual pass to the individual's guardian, next of kin, or sponsoring agency.
- The Home Supervisor will advise the parent's guardian or sponsoring agency and acquire a statement indicating an understanding of the Individual's rights.

Rights Against Discrimination

Each individual receiving services from CSCS has the right to live in an environment in which he/she will be treated with dignity and respect.

All individuals have the right to be free from treatment that would resemble discrimination based on age, height, weight, race, gender, gender expression, sexual orientation, religion, color, national origin, marital status, arrest record, or source of payment or due to a physical or mental disability in regard to admission, treatment transfer or discharge.

Each individual has a right to express grievances regarding their treatment without retaliation.

Guaranteed Rights

- The following are specific rights that need to be safeguarded in the daily operation of our programs. It is not intended to be a complete list, but rather serves as a beginning point for ensuring compliance with minimum standards.

Person-Centered Plan

In 1996, revisions to the Mental Health Code mandated a person-centered approach to the planning, selection, and delivery of the supports, services, and/or treatment delivered to individuals by service providers under contract with community mental health agencies.

CSCS supports the individual's right to person-centered planning and will assist individuals in determining the supports wanted or needed to achieve his/her desired future. CSCS staff involved in your treatment will encourage feedback about the supports, the progress made, and any changes necessary to make the treatment more effective.

As individuals make decisions for their own lives, staff will as part of the person-centered process, describe to the individuals, the benefits and risks related to the choices. Staff will also inform individuals of the limits to choose, if those choices are harmful, illegal, or unavailable.

Least Restrictive Setting/Treatment

- CSCS supports the right of each individual to live in the least restrictive environment and to receive the least restrictive services possible. The individual's personal choice, as supported by the operating principles of Self Determination and facilitated by the Person-Centered Planning Process, is the ultimate authority in making such decisions. As an agency, CSCS strives to support individual choice.

Care of Belongings

- 1. Personal Property- All individuals are encouraged to have personal items as long as they are not restricted by the law or through the Person-Centered Plan (such as weapons, illegal drugs, etc.).
- The Home Supervisor will ensure adequate space is provided for the individual to store his/her belongings. Such items will be safeguarded through receipt and inventory. A
- All restrictions are to be documented in the Person-Centered Plan and/or Program Rules.

Funds

Each individual has a right to be free from financial and other exploitation.

The individual and his/her guardian will remain in control of how all funds are spent.

CSCS will obtain authorization from the guardian to make ongoing expenditures from individual's funds.

Refer to the Supervisor's Manual regarding Individual's Personal Funds for Further Information

Medical Care



Preventative- This is accomplished by means of a periodic physical examination and health care screening. Preventative care is documented in the Person- Centered Plan and follows the criteria set forth by the Department of Community Health regarding frequency of dental, medical, or nursing checkups.



Active Care As Needed- Physicians, dentists, optometrists, and other health care professionals provide these services in the community. When available, the assigned nursing consultant will be made aware of all medical issues.

Privacy

- Confidentiality and Disclosure- Each individual has a right to confidentiality.
- Every employee at CSCS is placed in a position of trust in regard to information regarding the individuals of the home.
- Employees must constantly be aware of the confidential nature of ALL information regarding the individuals.
- All reports, records, and data are confidential which pertain to testing care, treatment, reporting, and research associated with the serious communicable diseases or infection of HIV, and Acquired Immunodeficiency Syndrome.
- Any employee who releases information in any form about an individual pertaining to the individual's HIV status may be guilty of a misdemeanor, punishable by imprisonment or a fine.
- If an employee is contacted regarding the information in this section, the employee must direct the person to the Executive Director.
- Information concerning individuals is not to be discussed outside the home. Information concerning the individuals should not be released, whether written, orally, or over the phone, to any individual or agency without the approval of Central State Community Service, Inc.
- When requested, confidential information will only be disclosed as needed, to individuals providing services to the individuals such as physicians, psychiatrists, or when needed to continue benefits such as SS or SSI.



Fingerprinting,
Photographing,
Audio Taping
and Use of
One-Way Glass



Fingerprinting, photographing, and audiotaping and the use of one-way glass may be conducted only with the permission of the individual and his/her guardian if the intent is for education or treatment.



Individual's have the right to refuse to be photographed or videotaped.

Mail and Telephone Calls

- Mail and telephone calls will not be censored unless done so for all individuals as per program rules. If it is done for a specific individual, it must state so in the Person-Centered Plan.

Treatment by Spiritual Means

- Treatment by spiritual means is defined as a spiritual discipline or school of thought upon which an individual wishes to rely to aid physical and mental recovery and includes easy access, at the individual's expense, both to printed, recorded, or visual material or related treatment by spiritual means, and to a symbolic object of similar significance.

Religion

- Each individual has the right to participate in religious worship or to abstain from such practices. When possible, CSCS will work closely with the individual and his/her family to ensure their traditional religious practices are honored in an sensitive manner.

Sterilization, Contraception, and Abortion

A diagnosis of mental illness, intellectual disability, or other form of developmental disability shall not by itself, constitute grounds for consideration for the procedures of abortion or sterilization.

The procedures of abortion, contraception, and sterilization shall in no way be conditions for either the delivery or withholding services to the individual, or the discharge of the individual from the home or program.

If an individual requests information regarding contraception, sterilization, or abortion, he/she will be referred to the appropriate healthcare professional through the home or program's contract nurse and Program Coordinator.

Services Suited to Condition/Change in Type of Treatment

Services provided to the individual shall promote the best interests of the individual receiving them and shall be designed to increase independence, improve quality of life and support community integration and inclusion.

Services for each individual shall be suited to their condition and be developed using a person-centered planning process. These services will be provided in a safe, sanitary and humane treatment environment.

If the individual is in doubt or is not satisfied with the services provided, he/she has the right to seek and procure a qualified second opinion.

Resident Labor

- It is the policy of CSCS to comply with applicable rules and regulations of the United States Department of Labor, other federal and state rules and rules of the Department of Community Health as they pertain to recipient labor.

Dignity and Respect

Each individual, his or her guardian and family member have the right to be treated with dignity and respect.

Individuals, their family, and their representatives also have the right to be free from any form of humiliation.


It is the expectation of CSCS that employees, contractors, and volunteers act accordingly.

Use of Psychotropic Drugs

Medication shall be administered only at the order of a physician.



Medication shall not be used as a punishment, for the convenience of staff or as a substitute for other appropriate treatment.



All staff administering medications shall receive training for that purpose.

Freedom of Movement

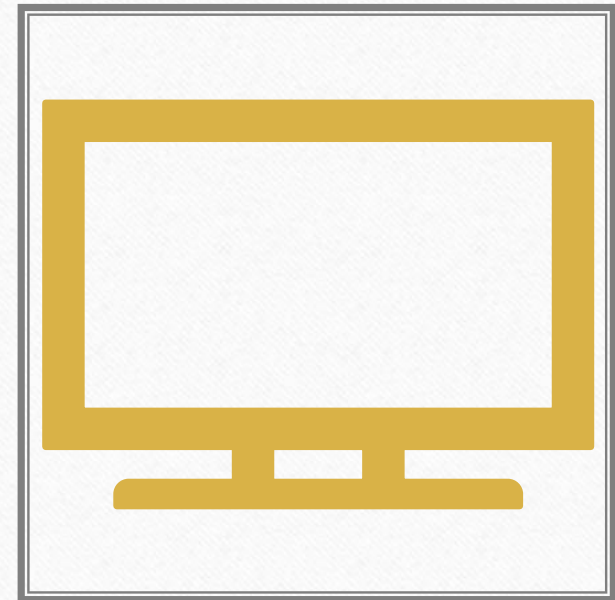
- Freedom of movement will not be limited or restricted more than is necessary to provide services to an individual, to prevent an individual from injuring him/herself or others, or to prevent substantial property damage.
- If there are limitations on an individual's freedom of movement, the expected length and reasons from them must be in the individual's written record.
- The limitations must be removed when the reasons for them no longer exist.

Visitors

- Each individual has the right to see visitors of their choice, unless there are restrictions in their person-centered plan regarding visitors or specific visitors.

Entertainment Materials, Information, and News

- Individuals have the right to watch television, have a newspaper, buy magazines and books of their own choice, unless limited by their plan or service or as generally restricted by program rules.



Abuse and Neglect Guidelines

1. Whenever an alleged instance of abuse or neglect is observed, rumored or reported the immediate supervisor (Home Supervisor, Program Coordinator, and Executive Director) must be notified, and immediate steps, including emergency medical care, taken to secure the health, safety, and comfort of the individual.
2. If the incident involves physical injury, the Emergency Medical Plan of the Emergency Procedures Policy should be followed. Additionally, procedures for reporting serious illness or death should be followed according to policy.

Abuse and Neglect Guidelines Continued..

3. If the incident includes physical or sexual abuse, the contract should be notified immediately. Notification should be documented on the Unusual Incident Report (UIR) form. An UIR should be made in all cases of abuse/neglect. The form should be filled out according to the established policy by the reporting person.
4. Staff reporting requirements include the following:
 - A. A staff person who has reasonable cause to suspect the abuse defined as:
 1. An assault other than that committed by one resident against another
 2. A Criminal Homicide
 3. Criminal Sexual conduct including an attempt or conspiracy involving an individual shall immediately make an oral report to the local or state police.

Abuse and Neglect Guidelines Continued

- B. Any employee of a program which is MDHHS funded and operated who has knowledge of, suspects or has reasonable cause to believe an adult individual of services has been abused, neglected, exploited, or is endangered shall make an oral report immediately to the appropriate local Department of Health and Human Services office to assure compliance with the mandatory reporting requirements of Public Act 519.

- 5. Charges of Abuse and Neglect will result in:
 - A. Immediate action from the moment of a report taken by CSCS program staff to correct the situation if a potential danger exists to an individual's health, safety, or welfare.
 - B. Notification of the CSCS Executive Director, Program Manager, Program Coordinator, Rights Advisor, Parents or Guardians, and the Michigan Department of Health and Human Services within 24 hours of the major incident. The Office of Recipient Rights must be notified immediately.
 - C. The submission of written statements from witnesses of alleged observations of abuse or neglect to the Home Supervisor. The Program Coordinator will give the report to the Executive Director within 3 days.
 - D. An on-site investigation of the incident by the Program Coordinator in cooperation with the Office of Recipient Rights and Adult Foster Care Licensing.
 - E. Submission of incident reports by the Home Supervisor according to the procedure for reporting unusual incidents and other documentation to the Rights Advisor, the CIS Licensing Consultant and the Program Coordinator per program specific and Responsible Mental Health Agency guidelines.

Abuse and Neglect Statement Abuse Class I

- A non-accidental act or provocation of another to act, by an employee, volunteer, or agent of the provider which caused or contributed to the death, serious physical harm or sexual abuse of a Recipient.
- Examples: Punching, kicking, slapping, biting etc. (any act by an employee that is not an accident) that caused or contributed to the death of a recipient or the permanent impairment or disfigurement of a recipient. Having sexual relations with a recipient, regardless of whether or not the recipient consents.

Abuse Class II

- A. A non-accidental act or provocation of another to act, by an employee, volunteer, or agent of the provider which caused or contributed to non-serious physical harm to a recipient; or
- B. The use of unreasonable force on a recipient, by an employee, volunteer, or agent of the provider with or without apparent harm; or
- C. Any action, or provocation of another to act, by an employee, volunteer, or agent of the provider which causes or contributes to emotional harm to a recipient; or
- D. An action taken on behalf of a recipient by a provider who assumes the recipient is incompetent, although a guardian has not been

Test Time!

