

SUBJECT: **Rights of Persons Receiving Services**

NO: **C-512**

REVISION DATE: March 22, 2018

EFFECTIVE DATE: January 11, 2011

INTENDED USER(S): Arizona Training Program at Coolidge

Purpose:

1.0 To ensure that individuals who receive services provided at ATPC are afforded all rights and responsibilities guaranteed by the Constitution and laws of the United States and the state of Arizona.

1.1 The Statement of Rights is attached.

Policy:

2.0 Each individual residing at ATPC has a legally authorized guardian responsible to assure the individual is afforded all of their rights and responsibilities.

3.0 Employees shall assist all individuals receiving services within ATPC to exercise their rights.

Procedure:

4.0 The Qualified Intellectual Disability Professional (QIDP)/Support Coordinator will inform all individuals receiving services, and their guardians, of their rights and responsibilities which shall include, but not be limited to, the attached Statement of Rights.

4.1 The QIDP/Support Coordinator will ensure documentation of receipt of the Statement of Rights is included in the individual's central case file.

4.2 The QIDP/Support Coordinator will witness the guardian's signature and indicate on the Statement of Rights signature sheet.

4.3 The QIDP/Support Coordinator will provide a copy of the Statement of Rights to the individual and guardian upon admission to Division of Developmental Disabilities (DDD) services, whenever the Statement of Rights is amended or changed and annually upon review and recertification during the individual's annual Individual Service Plan (ISP) meeting.

5.0 Any violation of an individual's rights will be documented on a Client Incident Report and entered into the Incident Management System within 48 hours of notification of the incident.

5.1 The Quality Assurance Manager will review the incident and submit recommendations for follow-up action to the Superintendent.

5.2 The Superintendent will ensure necessary follow-up is completed and provide to the PRC and HRC.

- 6.0 Employees may not restrict or deny any individual's rights unless the exercise of these rights constitutes an immediate threat to the health and safety of the affected individual or others, or upon order of the Court.
- 6.1 In an emergency when the individual is a danger to self or others, staff must intervene to ensure the individual's safety and the safety of others potentially impacted.
- 6.1.1 The ISP team must meet to determine the need for a new or revised behavior plan if the use of two or more emergency measures within a 30-day period is required.
- 6.1.2 For all other rights' restrictions (e.g. restricting access to personal property, removal of personal property, not allowing the individual to take a phone call, etc.), the restriction is
- 6.1.2.1 Documented on a Resident Incident Report and
- 6.1.2.2 The ISP team must meet as soon as possible to discuss the rights restriction and to determine appropriate action, e.g., the development or revision of the individual's behavior plan, as necessary.
- 6.1.3 If a right is restricted, information describing the restriction and the plan to restore that right must be documented as a part of the individual's behavior program approved by the ISP team.
- 7.0 Rights the individual can exercise but uses irresponsibly or in a dangerous manner can be limited or denied only after the following steps have been instituted:
- 7.1 The ISP Team has obtained an assessment of the possible environmental causes, and programmatic issues.
- 7.2 An ISP Team reconvene meeting is held to determine if the rights restriction is valid based on the assessment.
- 7.3 If invalid, the team will develop a plan to best deal with the situation and present their plan to the Program Review Committee (PRC) and the Human Rights Committee (HRC) for review and approval.
- 7.4 If valid, a behavior program will be developed and will include a plan to restore the restricted right. The program will be submitted to the PRC and HRC for approval.

STATEMENT OF RIGHTS

Persons living at the Arizona Training Program at Coolidge shall be afforded all civil rights guaranteed by the Constitution and laws of the United States and the State of Arizona. These are not intended to limit in any way those rights which are otherwise guaranteed under federal and state laws.

- You have the right to options for treatment or services and to refuse treatment or services.
- You have the right to choose what purchases you wish to make.
- You have the right to participate in social, religious and community activities of your choice.
- You have the right to communicate, associate and meet privately with individuals of your choice. This includes the right to visit or be visited by a personal physician, attorney or representative of your religious faith.
- You have the right to choose and be dressed in your own clothing each day.
- You have the right to all choices and the expression of preferences as afforded to all individuals according to your age.
- You have the right to voluntarily dismiss yourself from participating in any program. The concerns revolving around this issue will be brought forth to your Qualified Intellectual Disability Professional (QIDP)/Support Coordinator.
- You have the right to receive haircuts by a licensed barber/hair stylist of your choice.
- You have the right to get to know your community and learn how to participate in all aspects of community life.
- You have the right to have access to all areas of your home/hometown/neighborhood environment.
- You have the right to be actively involved to the extent of your capabilities, with the development of every aspect of your Individual Support Plan (ISP).
- You have the right to participate in the development of your daily routine and follow through with the home/work tasks involved in your routine.
- You have the right to live and work in a setting of your choice.
- You have the right to equal opportunity employment.
- You have the right to fair compensation for labor.
- You have the right to not be compelled to perform services for the agency. If you do work, you have the right to reasonable compensation.

- You have the right to be informed of your medical needs, programmatic/skill acquisitions status, the attendant risks of treatment and the right to refuse treatment or services.
- You have the right to file complaints and the right to due process.
- You have the right to confidentiality of all personally identifiable information and records obtained in the course of your assessment, or evaluation of the services delivered to you, and the right to examine these records.
- You have the right not to be fingerprinted, photographed or have your conversations recorded without your consent.
- You have the right to personal privacy, including privacy during the assistance with personal needs and in medical examination.
- You have the right to retain and use appropriate personal possessions and have access to individual storage space for your private use.
- You have the right to send and receive unopened mail without censorship.
- You have the right to telephone access with privacy for incoming/outgoing local/long distance calls.
- You have the right to learn how to form meaningful, personal relationships and practice these skills.
- You have the right to manage your financial affairs to the extent of your capabilities. This includes choosing purchases you wish to make, opening your own savings and/or checking accounts.
- You have the right to learn those skills which will increase your independence and to practice those skills.
- You have the right to have needed equipment/devices to assist you in communication, transportation and other forms of increased independence.
- You have the right to be free of physical, verbal, sexual or psychological abuse, punishment or exploitation.
- You have the right to contact the Human Rights Committee.
- You have the right to be free from unnecessary and excessive medication.
- You have the right to a clean physical environment.