

Client's Rights and Grievance Policy and Procedure

Policy:

It is the policy of the Board to ensure that client rights will be protected through the development of a Client Rights procedure that provides for an impartial resolution of grievances. It is the policy of the Board to assure that all staff members are informed of and are familiar with this client grievance policy. Each staff member shall sign an acknowledgement statement documenting that they have been oriented to these policies and procedures and have received such policies and procedures in written form. The signed acknowledgement shall become part of the staff person's personnel file. Each staff member shall be able to explain any and all aspects of the Client Rights and Grievance Procedure to a client or a parent/guardian, upon request.

According to the Ohio Revised Code rule 5122-26-18, except for clients receiving forensic evaluation service as defined in rule [5122-29-07](#) of the Administrative Code from a certified forensic center, or attending a driver intervention program as defined in rule [5122-29-12](#) of the Administrative Code, each client has all of the following rights:

- (1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;
- (2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment;
- (3) The right to receive services in the least restrictive, feasible environment;
- (4) The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation;
- (5) The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency;
- (6) The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it;
- (7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
- (8) The right to be informed and the right to refuse any unusual or hazardous treatment procedures;
- (9) 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, photographs or other audio and visual technology. This right does not prohibit an agency from using closed-circuit

monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;

(10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations;

(11) The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;

(12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;

(13) The right to be informed of the reason for denial of a service;

(14) The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;

(15) The right to know the cost of services;

(16) The right to be verbally informed of all client rights, and to receive a written copy upon request;

(17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;

(18) The right to file a grievance;

(19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;

(20) The right to be informed of one's own condition; and,

(21) The right to consult with an independent treatment specialist or legal counsel at one's own expense.

Procedure:

1. Each contract agency of the Board is required to establish a client rights policy, which meets the requirements of Administrative Rule 5122-26-18.

2. A copy of the policy is to be posted in a conspicuous location at each agency, and a copy of such policy is to be filed at the Board office. A copy of such policy will be made available to the community upon request.
3. A copy of the Client Rights Policy shall be distributed to each client or parent/guardian at the intake session or next subsequent appointment.
4. Each employee of a contract agency shall receive a copy of the Client Rights Policy and shall be able to explain any and all aspects of the Client Rights and Grievance Procedure to a client or parent/guardian, upon request.
5. In case of a crisis or emergency situation, the client or parent/guardian shall be verbally advised of at least the immediate pertinent rights including, but not limited to, the right to consent to or to refuse the offered treatment and the consequences of that agreement or refusal. A printed copy and full verbal explanation of the Client Rights Policy may be delayed until the next appropriate meeting.
6. Each contract agency of the Board shall ensure that a client or recipient of behavioral health services may receive a copy and explanation of the Client Rights Policy upon request.

Each contract agency of the Board is required to notify the Executive Director in writing within 24 hours of any verbal or written complaint alleging client right violation. The notification will include the action taken to resolve the complaint. The resolution of the grievance shall not exceed twenty (20) working days from the date of filing the grievance, unless a specific timeline is agreed to by all parties.

Should no satisfactory resolution of the grievance be reached at the agency level, the client or his/her representative may initiate a written complaint with the Client Rights officer designated by the Board following notification of the results of the agency. Provisions for redress shall be made available to assist clients who cannot write or may have difficulty filing an appeal.

The Executive Director shall serve as the Board Client Rights Officer.

Executive Director
Huron County Board of Mental Health and Addiction Services
2 Oak Street
Norwalk, Ohio 44857
Phone: 419-681-6268

Grievances are to be addressed as stated in the 500 APPENDIX of the policies.