



## **Individual Rights Policy**

### **While receiving services at Infinite Healing Solutions, an individual has the right to:**

- a) Be free from abuse or neglect and to report any incident of abuse or neglect without being subject to retaliation.
- b) Be free from seclusion, unauthorized training or treatment, and personal, chemical, and mechanical restraints, unless an imminent risk of physical harm to the individual or others exists and only for as long as the imminent risk continues.
- c) Be assured that medication is administered only for the clinical needs of the individual as indicated by a health care provider unless an imminent risk of physical harm to the individual or others exists and only for as long as the imminent risk continues.
- d) Informed, voluntary, written consent prior to receiving services, except in a medical emergency or as; otherwise permitted by law.
- e) Informed, voluntary, written consent prior to participating in any experimental programs.
- f) A humane service environment that affords reasonable privacy and the ability to engage in private communications with people chosen by the individual through personal visits, mail, telephone, or electronic means.
- g) Visit with legal and designated representatives, family members, friends, advocates, legal and medical professionals, and others chosen by the individual, except where prohibited by court order.
- h) Ongoing participation in the planning of services, including the right to participate in the development and periodic revision of the plan for services, the right to be provided with an explanation of all service considerations in a manner that ensures meaningful individual participation, and the right to invite others chosen by the individual to participate in the plan for services.
- i) Request a change in the plan for services and a reassessment of service needs.
- j) A timely decision upon request for a change in the plan for services and a reassessment of service needs.
- k) Not be involuntarily terminated or transferred from services without prior notice, notification of available sources of necessary continued services, and exercise of a complaint procedure.
- l) Advance written notice of any action that terminates, suspends, reduces, or denies a service or request for service, notification of available sources of necessary continued services, and a hearing to challenge an action that terminates, suspends, reduces, or denies a service or request for service.
- m) Be informed at the start of services and annually thereafter of the rights guaranteed by this rule, the contact information for the protection and advocacy system described in ORS 192.517 (Access to records of individual with disability or individual with mental illness) (1), and the procedures for filing complaints, reviews, hearings, or appeals if services have been or are proposed to be terminated, suspended, reduced, or denied.
- n) Be encouraged and assisted in exercising all legal, civil, and human rights.
- o) Be informed of and can assert complaints as described (Complaints) with respect to infringement of the rights described in this rule, including the right to have such complaints considered in a fair, timely, and impartial complaint procedure without any form of retaliation or punishment.
- p) Freedom to exercise all rights described in this rule without any form of reprisal or punishment.

**In addition to all applicable statutory and constitutional rights, every individual receiving services has the right to:**

- (a) Choose from services and supports that are consistent with the assessment and service plan, culturally competent, provided in the most integrated setting in the community and under conditions that are least restrictive to the individual's liberty, that are least intrusive to the individual, and that provide for the greatest degree of independence.
- (b) Be treated with dignity and respect.
- (c) Participate in the development of a written service plan, receive services consistent with that plan and participate in periodic review and reassessment of service and support needs, assist in the development of the plan, and receive a copy of the written service plan.
- (d) Have all services explained, including expected outcomes and possible risks.
- (e) Confidentiality and the right to consent to disclosure in accordance with ORS 107.154 (Authority of parent when other parent granted sole custody of child), 179.505 (Disclosure of written accounts by health care services provider), 179.507 (Enforcement of ORS 179.495 and 179.505), 192.515 (Definitions for ORS 192.515 and 192.517), 192.507, 42 CFR Part 2 and 45 CFR Part 205.50.
- (f) Give informed consent in writing prior to the start of services, except in a medical emergency or as otherwise permitted by law. Minor children may give informed consent to services in the following circumstances:
  - (A) Under age 18 and lawfully married.
  - (B) Age 16 or older and legally emancipated by the court; or
  - (C) Age 14 or older for outpatient services only. For purposes of informed consent, outpatient service does not include service provided in residential programs or in day or partial hospitalization programs.
- (g) Inspect their service record in accordance with ORS 179.505 (Disclosure of written accounts by health care services provider)
- (h) Refuse participation in experimentation.
- (i) Receive medication specific to the individual's diagnosed clinical needs, including medications used to treat opioid dependence.
- (j) Receive prior notice of transfer, unless the circumstances necessitating transfer pose a threat to health and safety.
- (k) Be free from abuse or neglect and to report any incident of abuse or neglect without being subject to retaliation.
- (L) Have religious freedom.
- (m) Be free from seclusion and restraint.
- (n) Be informed at the start of services and periodically thereafter of the rights guaranteed by this rule;

(o) Be informed of the policies and procedures, service agreements and fees applicable to the services provided, and to have a custodial parent, guardian, or representative assist with understanding any information presented.

(p) Have family and guardian involvement in service planning and delivery.

(q) Have an opportunity to make a declaration for mental health treatment, when legally an adult.

(r) File grievances, including appealing decisions resulting from the grievance.

(s) Exercise all rights set forth in ORS 109.610 (Right to care for certain sexually transmitted infections without parental consent) through 109.697 (Right to contract for dwelling unit and utilities without parental consent) if the individual is a child, as defined by these rules.

(t) Exercise all rights set forth in ORS 426.385 (Rights of committed persons) if the individual is committed to the Authority; and

(u) Exercise all rights described in this rule without any form of reprisal or punishment.

(2) The provider shall give to the individual and, if appropriate, the guardian a document that describes the applicable individual's rights as follows:

(a) Information given to the individual shall be in written form or, upon request, in an alternative format or language appropriate to the individual's need.

(b) The rights and how to exercise them shall be explained to the individual, and if applicable the guardian; and

(c) Individual rights shall be posted in writing in a common area.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_