

- CLIENT RIGHTS and GRIEVANCE PROCEDURE / CLIENT RESPONSIBILITIES -

PURPOSE:

1. To establish a system to inform clients of their rights and responsibilities.
2. To ensure staff awareness of Client Rights and Responsibilities.
3. To ensure that all services are delivered consistent with Client Rights and Responsibilities.
4. To establish a process for clients to formally file and address grievances against the organization.

POLICY:

Harbor will advise all clients and staff of its Client Rights and Grievance Procedure/Client Responsibilities Policy and will ensure that all services are delivered consistent with clients' rights. Clients will be advised of the grievance procedure and their right to file a grievance against the organization. All grievances will be processed timely with letter of notification/resolution to the client. Client will also be advised of their responsibilities.

A designated Harbor staff member will serve as Harbor's Client Rights Officer. This person will be responsible for processing grievances. The Client Rights Officer will receive full support to take all steps necessary to implement and maintain Harbor's Client Rights and Client Grievance Procedures. There will also be two back up Client Rights Officers trained to perform the duties of the Client Rights Officer should she or he be unavailable (i.e. vacation etc.).

Records of written grievance will be maintained for two (2) years. Records will include: (1) a copy of the grievance, (2) documentation of the process used and grievance resolution, (3) a copy of the letter to the grievant and (4) if applicable, documentation of extenuating circumstances for extending the time period for resolution beyond twenty-one (21) calendar days.

ACCOUNTABILITY:

All Staff

PROCEDURE:

1. At admission or intake, Harbor's Policy on Client Rights and Grievance Procedure/Client Responsibilities will be explained to each client and clients will be given a copy. Documentation of receipt will be included in the client record. In case of emergency or crisis, clients will be verbally informed of their immediate pertinent rights, such as the right to consent to or refuse the offered treatment and consequences of the

agreement or refusal. Copy of the Policy on Client Rights and Grievance Procedure/Client Responsibilities may be delayed to a subsequent appointment.

2. The Client Rights Policy/Client Rights Statement and Client Grievance Procedure/Client Responsibilities will be posted in the waiting room or in a place accessible by clients at each Harbor site.
3. All staff must be familiar with the Client Rights Policy and Grievance Procedure/Client Responsibilities and be able to immediately advise any client about the Client Rights Officer and the right to file a grievance. All staff providing alcohol and drug abuse services including contract staff, volunteers and student interns will have received a copy of the Client Rights and Grievance Procedure and have agreed to abide by them. Documentation will be maintained in their personnel file.
4. The Client Rights Officer or back-up Client Rights Officer will provide a written acknowledgement of the receipt of the grievance to each grievant within three (3) working days of receipt. This acknowledgement shall include:
 - a) date grievance was received;
 - b) summary of grievance;
 - c) overview of grievance investigation process;
 - d) timetable for completion of investigation and notification of resolution;
 - e) treatment provider contact name, address and telephone number.
5. Supervisors will educate new employees regarding Harbor's Client Rights and Grievance Procedure/ Client Responsibilities Policy during orientation and regular supervision.
6. Annually, the Client Rights Officer will conduct in-service training during a general staff meeting regarding client rights and responsibilities, and staff responsibilities.
7. Staff is expected to ensure the protection of Client Rights. Failure to do so will result in appropriate discipline.
8. Upon request, staff will explain Harbor's Client Rights and Grievance Procedure/Client Responsibilities Policy and anyone may receive a copy of this policy.

Client Rights:

1. The right to be treated with consideration and respect for personal dignity, autonomy, and privacy;
2. The right to service in a humane setting which is the least-restrictive feasible as defined in the Treatment Plan;
3. The right to be informed of one's own condition, of proposed or current services, treatment or therapies, and of the alternatives;
4. The right to consent to or refuse any service, treatment, or therapy upon full explanation of the expected consequences of such consent or refusal. A parent or legal guardian may consent to or refuse any service, treatment or therapy on behalf of a minor client;
5. The right to a current, written, individualized service plan that addresses one's own mental health, physical health, social and economic needs, and that specifies the provision of appropriate and adequate services, as available, either directly or by referral and to receive a copy of it;
6. The right to active and informed participation in the establishment, periodic review, and reassessment of the service plan;
7. The right to freedom from unnecessary or excessive medication;
8. The right to freedom from unnecessary restraint or seclusion;
9. The right to participate in any appropriate and available agency service, regardless of refusal of one or more other services, treatments, or therapies, or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the client's participation in other services. This necessity shall be explained to the client and written in the client's current service plan.
10. The right to be informed of and refuse any unusual or hazardous treatment procedures;
11. The right to be advised of and refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, televisions, movies, or photographs;
12. The right to have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense;
13. The right to confidentiality of communications and all personally identifying information within the limitations and requirements for disclosure of various

funding and/or certifying sources, state or federal statutes, unless Release of Information is specifically authorized by the client or parent or legal guardian of a minor client or court-appointed guardian of the person of an adult client in accordance with Rule 5122:2-3-11 of the Administrative Code;

14. The right to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual client for clear treatment reasons in the client's Treatment Plan. "Clear Treatment Reasons" shall be understood to mean only severe emotionally damage to the client such that dangerous or self-injurious behavior is an eminent risk. The person restricting the information shall explain to the client and other persons authorized by the client the factual information about the individual client that necessitates the restriction. The restriction must be renewed at least annually to retain validity. Any person authorized by the client has unrestricted access to all information. Clients shall be informed in writing of agency policies and procedures for viewing or obtaining copies of personal records;
15. The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event;
16. The right to receive an explanation of the reasons for denial of service;
17. The right not to be discriminated against in the provision of service on the basis of religion, race, color, creed, ethnicity, sex, national origin, age, lifestyle, physical or mental handicap/disability, developmental disability, or inability to pay;
18. The right to know the cost of services;
19. The right to be fully informed of all rights;
20. The right to exercise any and all rights without reprisal in any form including continued and uncompromised access to service;
21. The right to file a grievance; and,
22. The right to have oral and written instructions for filing a grievance.

Client Grievance Procedure:

1. To begin the grievance process, you may advise any Harbor personnel, verbally or in writing, that you wish to complain about some problem with the organization's treatment of you. This complaint may include, but is not limited to:
 - a) Denial of services
 - b) Abuse and/or neglect
 - c) Inadequacy of services
 - d) Payment of fees
 - e) Discrimination in the provisions of services
 - f) Any other complaint regarding the manner in which services are offered or delivered
2. The grievance must be in writing. The grievance can be written by the person making the complaint or by Harbor's Client Rights Officer on your behalf.
3. A grievance must be dated and signed by the grievant or by the person filing on behalf of the client. The grievance should include: date, approximate time, description of the incident in detail and names of individuals involved in the incident/situation being grieved.
4. Harbor's Client Rights Officer is Laura McLaughlin. She can be reached at Harbor's Secor Road location (4334 Secor Road, Toledo, OH 43623). You may contact Ms. McLaughlin at (419) 475-4449. The Client Rights Officer for Harbor is available Monday through Friday from 8:00 a.m. to 5:00 p.m. If the Client Rights Officer is not available at the time of your call, please leave a voice mail message and your call will be returned promptly.

The Client Rights Officer helps clients exercise their rights, investigates grievances and monitors the organization's implementation of the state administrative code and regulations concerning client rights. The Client Rights Officer is responsible for explaining any and all aspects of this organization's grievance procedure.

Information may also be given to the client's therapist or the receptionist at any Harbor service site.

5. A written acknowledgement of receipt of the grievance shall be provided to each grievant within three (3) working days of receipt. This acknowledgement shall include:
 - a) Date grievance was received
 - b) Summary of grievance
 - c) Overview of grievance investigation process
 - d) Timetable for completion of investigation and notification of resolution
 - e) Treatment provider contact name, address and telephone number

6. You have the right to assistance from the Client Rights Officer. If Harbor's Client Rights Officer is providing direct service to you in another capacity, if you wish to file a grievance against the Client Rights Officer, or you wish assistance from a different advocate, you may request or Harbor will appoint someone else to assist you. Additionally, you may contact the University of Toledo College of Law Legal Clinic, 2801 W. Bancroft Avenue, Toledo, OH 43606 (419) 530-4236 and/or Advocates for Basic Legal Equality (ABLE), 740 Spitzer Building, Toledo, OH 43604, (419) 255-0814. You may obtain private legal counsel at your own expense.
7. The Client Rights Officer will attempt to bring about an early resolution to your complaint within twenty-one (21) calendar days from the date of receipt or sooner. The Client Rights Officer will provide a written summary to you of the resolution once it has been established. If the complaint is not resolved within twenty-one (21) calendar days, you will be notified in writing of the extenuating circumstances surrounding the delay. Documentation of this written notification will be kept in the Complaint File.
8. If the complaint is not resolved during the initial grievance process, you have the right to a hearing with the organization's Chief Executive Officer (CEO) or designee. The Client Rights Officer will assist you in preparing for this hearing and will be present with you for the hearing with the CEO or the designee.
9. If the complaint is resolved at this hearing, the Client Rights Officer will prepare a written statement of the agreement that is signed by the Client Rights Officer and the CEO or designee. The written statement will be forwarded to you.
10. If the complaint is not resolved at this hearing, the Client Rights Officer will prepare a written statement signed by the Client Rights Officer and the CEO or designee which summarizes the unresolved issues. The summary is forwarded to the client within fifteen (15) working days, along with a copy of Harbor's Grievance Procedure that identifies other possible sources of redress. If you desire, the Client Rights Officer will assist you in taking the grievance to one of the identified external sources. (See #13 on Page 7)
11. If the hearing by Harbor does not settle the grievance to your satisfaction, you may take it to the Lucas County Mental Health Board. The Executive Director or designee of the Mental Health Board shall determine whether the grievance involves a clinical or policy decision. The clinical director will hear the appeal, review the relevant information and make a recommendation.
 - (a) If the grievant is satisfied, the issue is resolved
 - (b) If the grievant remains dissatisfied, it will be referred to the Ohio Department of Mental Health.

12. If you have any concerns about client care and safety that have not been addressed, you are encouraged to contact a Harbor manager. If the matter is not resolved internally, you may contact the Joint Commission on Accreditation of Healthcare Organizations at Joint Commission’s Office of Quality Monitoring 1-800-994-6619 or e-mail complaints to: complaints@jcaho.org

13. You have the right to initiate a grievance outside the organization at any time. You may contact:

<ul style="list-style-type: none"> Lucas County Mental Health Board (or its designee) 701 Adams St., Suite 800 Toledo, OH 43624 (419) 213-4600 	<ul style="list-style-type: none"> Ohio Department of Mental Health 30 E. Broad St., 8th Floor Columbus, OH 43215-3430 (614) 466-2333
<ul style="list-style-type: none"> Ohio Legal Rights Service 8 E. Long St., 5th Floor Columbus, OH 43215 (614) 466-7264 (800) 282-9181 	<ul style="list-style-type: none"> U.S. Dept. of Health & Human Services Office for Civil Rights-Region 5 233 N. Michigan Ave., Suite 240 Chicago, IL 60601 (312) 886-5078

14. Harbor is always interested in receiving comments and suggestions regarding its services. Even if you do not have a complaint, we invite you to write or call with suggestions or comments regarding our services.

CLIENT RESPONSIBILITIES

The staff of Harbor Behavioral Healthcare encourages you to be an active participant in your care. To ensure that you partner with us in your behavioral health treatment to the fullest extent possible, we would like you to be familiar with your responsibilities as a client or the responsible party for a client. Should you have questions about your responsibilities, please advise your clinician or any member of our staff.

Client Responsibilities:

It is the client's, or as appropriate, the client's parent, legal guardian or authorized representative's responsibility to:

1. Provide to the best of his/her knowledge, accurate, and complete information about present complaints, past illnesses, hospitalizations, medications, and other matters relating to the client's behavioral and physical health to assist with accurate diagnosis and appropriate treatment. Report perceived risks in your (the client's) care and unexpected changes in your (the client's) condition.
2. Ask questions if you do not understand your (the client's) care, treatment, and service or what you are expected to do.
3. Be an active participant in development of your (the client's) Individual Service/Treatment Plan, follow the treatment plan developed, and express any concerns about your ability to follow the treatment plan. Follow all medically-appropriate physician orders and prescriptions.
4. Accept consequences for treatment outcomes if you do not follow the treatment plan.
5. Become knowledgeable of the system to access medical care.
6. Show respect and consideration of Harbor's staff and property as well as other clients and their property, and follow Harbor's rules, procedures and guidelines.
7. Become informed about your (the client's) insurance plan including benefits available. Ensure that you are scheduled with a provider in your (the client's) insurance network and obtain the necessary referral, authorization and coordination of benefit information.
8. Supply Harbor Behavioral Healthcare with true and accurate insurance information and notify us of any changes and/or termination of insurances and benefits.
9. Promptly meet any financial obligation agreed to with Harbor Behavioral Healthcare, including charges that are not paid for by your (the client's) insurance or not paid in full by your insurance.
10. Keep all scheduled appointments, be on time for scheduled appointments, and notify us when unable to keep a scheduled appointment. Notification of the need to cancel an appointment must be made at least 24 hours in advance of the appointment time. (There may be a charge of \$35 for appointments missed without 24-hour advance notice.)