

CLIENT RIGHTS

I. Consumer Rights: Rights, responsibilities and how to exercise them, shall be explained to the consumer, and appropriate, guardian at intake.

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

1. Not be discriminated against or denied service based on race, color, creed, sex, national origin, duration of residence, age or sexual preference. Furthermore, no qualified person shall, on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity;
2. Not be denied services or be discriminated against on the basis of age, diagnostic or disability category, unless the Columbia Community Mental Health admission criteria for that program restricts the service to a specific age, diagnostic or disability category;
3. Not be denied services from Columbia Community Mental Health based on the ability to pay, if an emergent need;
4. Be treated with dignity and respect throughout the treatment process at Columbia Community Mental Health;
5. Not perform labor as a method of payment for services rendered. Any labor performed as a part of a treatment plan or a standard program expectation shall be agreed to in writing by the client;
6. Choose from available services and supports, those that are consistent with the 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;
7. Be treated with dignity and respect;
8. 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 to receive a copy of the written Service Plan;

9. Have all services explained, including expected outcomes and possible risks;
10. Confidentiality, and the right to consent to disclosure in accordance with ORS 107.154, 179.505, 179.507, 192.515, 192.507, 42 CFR Part 2 and 45 CFR Part 205.50.
11. 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;*
12. Inspect their Service Record in accordance with ORS 179.505;
13. Refuse participation in experimentation;
14. Receive medication specific to the individuals diagnosed clinical needs;
15. Receive prior notice of transfer, unless the circumstances necessitating transfer pose a threat to health and safety;
16. Be free from abuse or neglect and to report any incident of abuse or neglect without being subject to retaliation;
17. Have religious freedom;
18. Be free from seclusion and restraint;
19. Be informed at the start of services, and periodically thereafter, of the rights guaranteed by this rule;

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20. 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;

19. Be informed at the start of services, and periodically thereafter, of the rights guaranteed by this rule;

20. 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;

21. Have family and guardian involvement in service planning and delivery;

22. Make a declaration for mental health treatment, when legally an adult;

23. File grievances, including appealing decisions resulting from the grievance;

24. Exercise all rights set forth in ORS 109.610 through 109.697 if the individual is a child, as defined by these rules;

25. Exercise all rights set forth in ORS 426.385 if the individual is committed to the Authority;

II. Non-Discrimination Policy: As a recipient of Federal financial assistance, Columbia Community Mental Health will not deny access of services to any qualified person on the basis of race, color, religion, political party, national origin, gender, sexual orientation, insurance status, or on the basis of disability or age from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity, or employment therein, whether carried out by Columbia Community Mental Health directly or through a subcontractor, or any other entity with whom Columbia Community Mental Health arranges to carry out its programs and activities.

III. Complaints, Grievances & Appeals: Any individual receiving services, the parent or guardian of the individual receiving services, or a community partner may file a complaint or grievance with CCMH, the individuals managed

care plan or with the Addictions and Mental Health Division [the Division].

Staff will assist individuals and parents, guardians or community partners, as applicable, to understand and complete the complaint/grievance process, and notify them of the results and basis for the decision as appropriate. CCMH will encourage and facilitate resolution of the complaint/grievance at the lowest possible level.

Individuals may communicate a complaint verbally or in writing. If communicated verbally, the receiving staff member will document the complaint to the extent possible. If the individual wishes to remain anonymous, staff will not include identifying information. While individuals have the right to communicate their complaint to any individual at CCMH, if the individual is uncomfortable communicating with the person they are seeing, they may communicate with another staff member to document their complaint, per their preference.

Any complaint related to an allegation of abuse or neglect will be referred to the CCMH Abuse Investigator for screening as soon as possible.

Any other complaint will be investigated by the Supervisor, Program Manager, Compliance Officer, or designee to determine:

1. The sequence of events that contributed to the complaint.

2. The outcome preferred by the complainant.

3. Options available for resolving the complaint.

The investigation may include the following, if applicable:

1. Contact with the individual or party who communicated the complaint.

2. Clinical chart review.

3. Contact with other witnesses or collaborating parties.

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The provider or providers who are the subject of the complaint will be provided with an opportunity to respond to the allegation. If the investigation determines that a lack of quality of care contributed to the complaint, a peer or supervisor with equal or greater credentials will be consulted in order to determine the validity of any quality of care allegation.

Disciplinary action will not occur without the provider being given the opportunity to present information in response to the complaint.

The investigation will be completed within 30 calendar days

III.1 Expedited Grievances/Complaints: In circumstances where the matter of the grievance is likely to cause harm to the individual before the grievance procedures outlined in this policy are completed, the individual, or guardian of the individual, may request an expedited review. The program administrator will review and respond in writing to the grievance within 48 hours of receipt of the grievance. The written response must include information about the appeal process.

III.2 Retaliation: A grievant, witness or staff member of CCMH will not be subject to retaliation by CCMH for making a report or being interviewed about a grievance or being a witness. Retaliation may include, but is not limited to, dismissal or harassment, reduction in services, wages or benefits, or basing service or a performance review on the action.

III.3 Immunity: The grievant is immune from any civil or criminal liability with respect to the making or content of a grievance made in good faith.

III.4 Appeals: Individuals and their legal guardians, as applicable, have the right to appeal entry, transfer and grievance decisions as follows:

1. If the individual or guardian, if applicable, is not satisfied with the decision, the individual or guardian may file an appeal in writing within ten working days of the date of the program

administrator's response to the grievance or notification of denial for services as applicable. The appeal must be submitted to the CCMH Executive Director or to the Division as applicable;

2. If requested, program staff will be available to assist the individual;

3. The CCMH Executive Director will provide a written response within ten working days of the receipt of the appeal; and

4. If the individual or guardian, if applicable, is not satisfied with the appeal decision, he or she may file a second appeal in writing within ten working days of the date of the written response to the Director.

IV. Fee Disclosure: I have received a schedule of fees for services provided by Columbia Community Mental Health, and understand that I may apply for a sliding scale fee: exceptions based on my income circumstances. I agree to pay the fees established for me.

V. Voter Registration: I have been offered an opportunity to register to vote (if 18 years old or older).

VI. Advanced Directive: I have been offered an opportunity to complete and receive assistance with completing an Advanced Directive (if 18 years old or older).