



1000 – Administration and Governance
1050 – Client Rights and Communications
Document ID Number: 1050.1
Title: Client Rights and Responsibilities

Policy: It is the policy of Diversus Health to support and protect the fundamental human, civil, constitutional, and statutory rights of each client. Further, this policy enshrines basic rights and responsibilities for clients in their course of treatment with Diversus Health. Diversus Health will ensure that clients are educated about their rights and responsibilities. All clients will receive the Notification of Client Rights and Responsibilities at first appointment. These rights will also be posted in all client areas.

Clients have the rights to:

- a. Receive services in a manner, which ensures the protection of all client rights, including those legal rights mandated by the Care and Treatment of the Mentally Ill Act and the Alcoholism and Intoxication Treatment Act.
- b. Be treated with respect, dignity, and regard for their privacy.
- c. Receive medically necessary behavioral health care services according to federal law.
- d. Receive continuing care from the same provider whenever possible.
- e. Receive information on treatment options and the information is presented in such a way that is easy to understand.
- f. Be included in decisions about their health care and have the right to refuse treatment, except if required by law.
- g. Be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation.
- h. Services provided in the least restrictive, clinically appropriate setting.
- i. Be free from mental, physical, sexual, and verbal abuse, neglect, and exploitation. Clients are free from sexual intimacy with a provider.
- j. Have a denial of a person's right made on a case by case basis and have the reason for denying the right documented in the clinical record. Restrictions on rights in shall be evaluated for therapeutic necessity on an ongoing basis and the rationale for continuing the restriction shall be documented at least every seven (7) calendar days.

- k. Be treated equally without discrimination based on race, religion, gender, age, disability, health status, or sexual orientation.
- l. Be free to use all of their rights without it affecting how they are treated.
- m. See his or her attorney, clergy or physician. Advance notice will be given to the unit so such visits can be adequately staffed for the private visit.
- n. To request a copy of their medical records and ask that the records be changed or corrected.
- o. To access to an independent advocate.
- p. To receive a second opinion.
- q. To receive culturally competent services.
- r. To receive interpreter services if they have disabilities or do not speak English.
- s. To receive coordination of care to include medical, vision and dental services.
- t. To be informed if there are changes in services or if the client's provider stops seeing clients.
- u. Be allowed to give their opinion about services to other people and to do this without affecting the services they are provided.
- v. To be informed about the level of emergency services offered and how to access those services.

Client Responsibilities Include:

- a. Understanding their behavioral health benefits.
- b. Participating in their treatment and service planning.
- c. Giving providers the information needed to provide good care.
- d. Arriving to their appointments on time or call if late or need to reschedule.
- e. Taking medications agreed upon by client and prescriber.
- f. Following the treatment plan that was developed with his/her team.
- g. Telling providers if they want to change their treatment plan or don't agree with it or do not understand it.

- h. Updating their address and phone information
- i. Treating others with courtesy and respect.

Purpose:

To ensure staff are aware of, and understand, all client rights and can discuss and interpret these rights for our clients.

Scope:

All staff

Definitions: SUD – Substance Use Disorder

Responsibilities: Providers and Clients

Procedures:

Notification to Clients of Rights and Responsibilities

- a. All clients who receive evaluation, care or treatment under any provision of Article X, Title 27 shall sign and receive a copy of the Rights of Clients (M-2).
- b. Voluntary clients shall be informed of rights and responsibilities on the date of initial appointment. Each client shall be offered a copy of the Client Rights and Responsibilities Statement and shall acknowledge receipt with his/her signature.
- c. Clients shall be informed of their rights in a language which is understood by them. A translator or interpreter will be obtained when necessary to ensure the client understands their rights.

Documentation in the Clinical Record

The Consent to Treatment form with signature of the client or legal guardian referencing receipt of the Client Rights and Responsibilities form shall be filed in the clinical record. If the client is impaired such that they cannot sign due to an acute clinical circumstance such as psychosis, signatures will be sought when the client's condition becomes stable enough to do so.

Posting of Client Rights and Responsibilities Statements

Client Rights and Responsibilities Statements shall be posted at each Diversus Health location where services are provided. The statements shall be posted in waiting areas and other prominent locations accessible to the client.

Rights of Children and Adolescents

A. Youth who are 12 years of age or older, with or without the consent of a parent or legal guardian, have the right to:

- 1. Consent to receive outpatient behavioral health services from Diversus Health;

2. Parents or legal guardians shall be contacted without the youth's written consent if:
 - A. The individual presents as a danger to self or others; or,
 - B. Essential medical information is necessary for parents or legal guardians to make informed medical decisions on behalf of youth.
 - C. Diversus Health must obtain parental or legal guardian consent for youth under 12 years of age.
- B. Youth who are 15 years of age or older, with or without the consent of a parent or legal guardian, have the right to:
 1. Consent to voluntary hospitalization;
 2. Object to hospitalization and to have that objection reviewed by the court
 3. Consent to release of information.
- C. Youth who are under the age of fifteen (15) have the right to object to hospitalization and to have a guardian-ad-litem.
- D. Appropriate educational programs shall be available for all school age youth who are residents of the designated facility in excess of fourteen (14) calendar days. These educational programs may be provided by either the local school district or by the designated facility. If provided by the designated facility, the educational program shall be approved by the Colorado Department of Education.

Related policies/sources:

Effective date: 10/11/11

Review Date: 5/5/21

Approved by: Policy Review Committee

Sponsor: Chief Experience Officer