




Policy and Procedures

<u>DEPARTMENT NAME:</u> Utilization Management		
<u>SUBJECT:</u> Behavioral Health Client Rights and Responsibilities	<u>POLICY NUMBER:</u>UM-024	
<u>APPROVAL:</u> 	<u>EFFECTIVE DATE:</u> <i>2-19-20</i>	<u>REPLACES :</u> New Policy

I. **PURPOSE:** Children’s Network of Southwest Florida informs all persons served of their rights and responsibilities.

II. **CONTACT:** Utilization Management Director

III. **PERSONS AFFECTED:** All Children’s Network of Southwest Florida Programs. All individuals / families served by the Children’s Network of Southwest Florida and/or their subcontracted providers.

IV. CHILDREN’S NETWORK OF SOUTHWEST FLORIDA CLIENT RIGHTS AND RESPONSIBILITIES

1. Children’s Network of Southwest Florida’s Behavioral Health Programs are based on fundamental human rights, civil, constitutional, and statutory rights of the individual client. Access to services is impartial regardless of race, religion, gender, sexual orientation, disability, ethnicity, and/or age, within the limits of our license. Service/Treatment goals and implementation are always based on the personal dignity of the individual client with an adequate number of competent, qualified and experienced professional staff to supervise, and implement the treatment/Service plan. Within the constraints outlined in the treatment/Service plan of the individual, personal privacy of clients and the right to confidentiality is assured and protected by each employee. Regardless of sources of financial responsibility, each individual receives adequate and humane services. Care is provided in a manner that is considerate and respects the personal value and belief system of the client served.

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2. All individuals are treated in the type of structure which enables them to function and grow at a maximum level. (The goal is to have clients in the most normal and least restrictive type setting possible.)
3. Clients have the right and responsibility to participate in decisions regarding the care and services provided by Children's Network of Southwest Florida. Clients have a right to receive services in a manner that is non-coercive and protects their right of self-determination.
4. An individualized clinical service/treatment plan is devised with long and short term treatment/service goals and objectives and a plan for consistent implementation. The staff, the client, and concerned parties (e.g., case workers, guardians, and parents) participate in formulating this plan. The plan is reviewed at least every 6 months until discharge.
5. Clients have a right to an attorney and legal counsel and staff will assist a client in obtaining one by referring to community resources.
6. The program relies on full participation in the treatment process. The program reserves the right to discontinue services with a client if the client is unwilling to participate in the treatment process.
7. If interested third parties (mental health, educational, legal, or insurance professionals) other than staff would like to discuss with (at the clients and parent/guardian's request and with their approval) an individual's treatment/service plans, an in-house review with these parties will be arranged at the expense of the client or the client's parent/guardian.
8. Clients, in a language they understand, will be informed of their rights and responsibilities and their informed consent will be included in their treatment/service plans unless services are court ordered. Clients will be informed of their staff, any change in staff, any transfer within or outside of the program, discharge plans, and the rules and regulations of the program, which apply to their behavior. Clients will be assured of the availability of Children's Network of Southwest Florida staff to enable him or her to work out complaints and/or problems in the appropriate way.
9. Clients will not be exploited or required to make public statements acknowledging gratitude, etc.

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10. Clients are not required to perform at public gatherings.

11. Client pictures, from which they can be identified, will not be used without written consent. Any written statements accompanied by a photo will not identify the child as a Children's Network of Southwest Florida client.

12. The client and parent/guardian shall be informed that any question or concern about their care can be communicated to staff. However, the Children's Network of Southwest Florida Staff will be identified as assuring the primary liaison responsibilities between the client and the program. Any question, concern, or communication received by any staff member needs to be communicated to the administrative and/or treatment team for prompt attention, and response.

13. A copy of the Client Rights and Responsibilities will be given to each client and parent/guardian. A staff member will review the information with the client and parent/guardian to assure understanding and to provide an opportunity of question, concerns, information, feedback, etc.

14. If a conflict arises between parent/guardian or client regarding treatment/care this conflict will be initially explored by the staff involved with the family. If resolution cannot be obtained through this intervention, assistance is sought through the supervisor. If necessary, assistance from the Chief Operating Officer will be sought to comply with all applicable local, state and federal laws and regulations and applicable standards and policies. Additional resources (administrative, legal, and therapeutic) will be utilized, as indicated.

15. No client in any Children's Network of Southwest Florida program will be involved in clinical trials or experimental medication.

16. Where required, Children's Network of Southwest Florida direct service staff will be Cardiopulmonary Resuscitation (CPR) certified. If a client is in need of resuscitative services, Children's Network of Southwest Florida staff who are certified would follow CPR instructions of providing resuscitative services until paramedics or emergency medical staff relieve them or until physically unable to continue.

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17.Information will be released only with the written consent of the client and the client's parent/guardian or valid court order in order to protect the client's rights to privacy and confidentiality.

18.Psychiatric Hospitalization - If a client expresses a specific harm to themselves or others and less restrictive treatment options are not available or appropriate a psychiatric hospitalization may be required. When this level of intervention is required, Children's Network of Southwest Florida will follow all laws and rules related to the involuntary admission to a crisis unit.

19.Duty to Warn – If a therapist has knowledge that a client poses a serious danger of violence to others, that therapist has an obligation to warn the potential victim of the danger.