

H.B. 64
As Introduced

_____ moved to amend as follows:

In line 108 of the title, after "5123.451," insert "5123.62," 1

In line 285, after "5123.451," insert "5123.62," 2

Between lines 54319 and 54320 insert: 3

"**Sec. 5123.62.** The rights of persons with mental retardation 4
or a developmental disability to exercise choices, by or with the 5
aid of family members or other guardians, among residential or 6
employment accommodations include, but are not limited to, the 7
following: 8

(A) The right to be treated at all times with courtesy and 9
respect and with full recognition of their dignity and 10
individuality; 11

(B) The right to an appropriate, safe, and sanitary living 12
environment that complies with local, state, and federal standards 13
and recognizes the persons' need for privacy and independence, 14
including the right to choose to live, or to decline to live, in a 15
large or small intermediate care facility for individuals with 16
intellectual disabilities, a home, or another facility or 17
community setting; 18

(C) The right to food adequate to meet accepted standards of 19
nutrition; 20

(D) The right to practice the religion of their choice or to abstain from the practice of religion and to have access to and participate in activities of a social, religious, or other nature in association with other persons who share their interests and in accordance with individual choice;

(E) The right of timely access to appropriate medical or dental treatment;

(F) The right of access to necessary ancillary services, including, but not limited to, occupational therapy, physical therapy, speech therapy, and behavior modification and other psychological services;

(G) The right to receive appropriate care and treatment in the least intrusive manner as appropriate to the person, including adequate health care, personal care, and other therapeutically necessary services;

(H) The right to privacy, including both periods of privacy and places of privacy;

(I) The right to associate and communicate freely with persons of their choice in any reasonable manner they choose;

(J) The right to ownership and use of personal possessions so as to maintain individuality and personal dignity;

(K) The right to social interaction with members of either sex;

(L) The right of access to opportunities that enable individuals to develop their full human potential;

(M) The right to pursue vocational opportunities that will promote and enhance economic independence, including the right, with their parents or guardians, to choose the settings in which

they wish to work or engage in day programs and services, whether 49
in disability-specific facility-based workshops and programs 50
regardless of size or location or in community settings; 51

(N) The right to be treated equally as citizens under the 52
 law; 53

(O) The right to be free from emotional, psychological, and 54
 physical abuse and from neglect and indignity; 55

(P) The right to participate in appropriate programs of 56
 education, training, social development, and habilitation and in 57
 programs of reasonable recreation; 58

(Q) The right to participate without government coercion in 59
 decisions that affect their lives, including the right, with their 60
parents and guardians, to be informed in writing of rights and 61
policies governing any residential, work, or other setting 62
provided as an accommodation by the state or a local government 63
entity; 64

(R) The right to select a parent or advocate to act on their 65
 behalf; 66

(S) The right to manage their personal financial affairs, 67
 based on individual ability to do so; 68

(T) The right to confidential treatment of all information in 69
 their personal and medical records, except to the extent that 70
 disclosure or release of records is permitted under sections 71
 5123.89 and 5126.044 of the Revised Code; 72

(U) The right to voice grievances and recommend changes in 73
 policies and services without restraint, interference, coercion, 74
 discrimination, or reprisal; 75

(V) The right to be free from unnecessary chemical or 76
 physical restraints, including the right to have such restraints 77

used only when ordered by a physician or as necessary to protect 78
the lives and safety of themselves or others and never to have 79
them used for discipline or the convenience of service providers 80
or other caregivers; 81

(W) The right to participate in the political process, 82
including the right, with their parents or guardians, to speak on 83
their own behalf before agencies of the state and local 84
government; 85

(X) The right to refuse to participate in medical, 86
psychological, or other research or experiments; 87

(Y) The right, with their consent or that of their parents or 88
guardians, to be included or be free from being included as 89
litigants or class members in threatened or actual litigation 90
asserting claims on their behalf or affecting their rights 91
protected under this section." 92

In line 72111, after "5123.451," insert "5123.62," 93

The motion was _____ agreed to.

SYNOPSIS

Rights of individuals with developmental disabilities 94

R.C. 5123.62 95

Specifies additional rights of individuals with developmental 96
disabilities. 97