



Bill of Rights – Residential Treatment

When you receive any type of service for mental health, alcoholism, drug abuse, or a developmental disability you have the following rights *under Wisconsin Statutes sec.51.61 (1) and HSS 94 Wis, Administrative Code:*

PERSONAL RIGHTS:

- You must be treated with dignity and respect, free of any verbal or physical abuse.
- You have the right to have staff make fair and reasonable decisions about your treatment and care.
- You can decide whether you want to participate in religious services.
- You cannot be made to work except for personal housekeeping chores. If you agree to do other work, you must be paid.
- You cannot be treated differently because of your race, national origin, sex, age, religion, disability, or sexual orientation.
- You can make your own decision about things like getting married, voting, and writing a will.
- Your surroundings must be kept clean and safe.
- You must be given the opportunity to exercise and go outside for fresh air regularly and frequently.

TREATMENT AND RELATED RIGHTS:

- You must be provided prompt and adequate treatment, rehabilitation, and education services appropriate for you.
- You must be allowed to participate in the planning of your treatment and care.
- You must be informed of your treatment and care, including alternatives and possible side effects and medications.
- No treatment or medication may be given to you without your consent, unless it is needed in an emergency to prevent serious physical harm to you or others, or a court orders it. (If you have a guardian, however, your guardian can consent to treatment and medication on your behalf)
- You must not be given unnecessary or excessive medication.
- You cannot be subject to electro-convulsive therapy or any drastic treatment measures such as psychosurgery or experimental research without your written informed consent.
- You must be informed of any costs of your care and TREATMENT that you or your relatives may have to pay.
- You must be treated in the least restrictive manner and setting necessary to safely and appropriately meet your needs.
- You may not be restrained or placed in a locked room (seclusion) unless in an emergency when it is necessary to prevent physical harm to you or to others.

COMMUNICATION AND PRIVACY RIGHTS:

- You may call or write to your public officials or your lawyer or advocate.
- You may not be filmed or taped unless you agree to it.*
- You may use your own money as you choose, within some limits.
- You may send and receive private mail.(Staff cannot read your mail unless you or your guardian asks them to do so. Staff may check your mail for contraband. They can only do so if you are watching.)
- You may use the telephone daily. *
- You must have privacy when you are in the bathroom.*
- You may wear your own clothing. *
- You must be given the opportunity to have your clothes washed.
- You may keep and use your own belongings. *
- You must be given a reasonable amount of secure storage space. *

Some of your rights may be limited or denied for treatment or safety rules. (See rights with an * after them) Your wishes and the wishes of your guardian should be considered. If any of your rights are limited or denied, you must be informed of the reasons for doing so. You may ask to talk with staff about it. You may also file a grievance about any limits of your rights.

RECORD PRIVACY AND ACCESS LAWS:

Under *Wisconsin Statute sec.51.30 and HSS92, Wisconsin Administrative Code:*

- Your treatment information must be kept private (confidential).
- Your records cannot be released without your consent, unless the law specifically allows for it.
- You can ask to see your records. You must be shown any records about your physical health or medications. Staff may limit how much you can see of the rest of your records while you are receiving services. You must be informed of the reasons for any such limits. You can challenge those reasons in the grievance process. After discharge, you can see your entire record if you ask to do so.
- If you believe something in your record is wrong, you can challenge its accuracy. If staff will not change the part of your record you have challenged, you can put your own version in your record.

CONFIDENTIALITY OF PATIENT RECORDS

- Each clinical staff person will receive required training on confidentiality of patient records in accordance with 42 CFR Part 2 and DHS 92.
- No staff member of Pathways To A Better Life shall release, in any manner, personally identifiable information contained in resident treatment records, without the signed consent of resident.
- No personally identifiable information will be re-released by a recipient of a treatment record unless re-release is specially authorized by informed consent of the individual.
- Any disclosure or re-release, except oral disclosure, of confidential information shall be accompanied by a written statement which states that the information is confidential and disclosure without patient consent or statutory authorization is prohibited by law.
- All treatment records shall be maintained in a locked room with limited access to only clinical staff.
- Whenever information from treatment records is disclosed, that information shall be limited to include only the information necessary to fulfill the request.
- Any request for written information will include a statement that the patient has the right to access to the information as provided under SS. DHS 92.05 and 92.06.

RIGHT OF ACCESS TO COURTS:

- You may sue someone for damages or other court relief if they violate any of your rights.
- Involuntary patients can ask a court to review the order to place them in a facility.

GRIEVANCE RESOLUTION PROCESS:

- If you feel your rights have been violated, you may file a grievance.
- You cannot be threatened or penalized in any way for filing a grievance.
- The service provider or facility must inform you of your rights and how to use the grievance process.
- You may, at the end of the grievance process, or any time during it, choose to take the matter to court.

YOU HAVE THE RESPONSIBILITY:

1. to be honest about matters that relate to you as a patient;
2. to attempt to understand your problem;
3. to attempt to follow the directives and advice offered by the staff;
4. to know the staff who are caring for you;
5. to report changes in your condition to those responsible for your care and welfare;
6. to be considerate and respectful of the rights of both fellow residents and staff;
7. to honor the confidentiality and privacy of other patients;
8. to use the grievance procedure if you feel your rights are being violated;
9. to keep appointments and cooperate with staff;
10. to avoid making unreasonable demands;
11. to follow the policies and expectations of your rehabilitation unit;
12. to take an active part in your rehabilitation program;
13. to take an active part in daily group therapy sessions.

I HEREBY ACKNOWLEDGE IN WRITING THAT I HAVE RECEIVED A COPY OF AND UNDERSTAND MY RIGHTS AND RESPONSIBILITIES AS A RESIDENT OF PATHWAYS TO A BETTER LIFE, LLC.

Staff member signature and date

Resident signature and date