

Mille Lacs County Area DAC

RIGHTS OF PERSONS SERVED

Application and intent of these rights

These rights apply to persons served in a program licensed under MN Statutes, chapter 245D. The company will ensure that the person's rights in the services provided by the company and as authorized in the *Coordinated Service and Support Plan* are exercised and protected by all staff of the company including subcontractors, temporary staff, and volunteers. This document will be signed and dated by the person served and/or legal representative and maintained in the service recipient record at service initiation and annually thereafter.

Service-related rights

A person's service-related rights include the right to:

1. Participate in the development and evaluation of the services provided to the person.

You have the right to fully participate in the development and evaluation of the services you receive from this company. Your support team is available to assist you in obtaining and maintaining services that meet your unique needs and wants. We encourage you to let this company know what services you need and want and upon evaluation, how we can modify the services to better meet your desired service outcomes.

2. Have services and supports identified in the *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum* provided in a manner that respects and takes into consideration the person's preferences according to the requirements in MN Statutes, section 245D.07 and 245D.071.

This company is dedicated to providing you with person-centered planning and services that are based upon what you want and need. You have the right to participate fully in the development of the services we provide you and to evaluate those services. Please understand that you may notify us of your needs, interests, preferences, and desired outcomes. With more and continuous communication between us, we will be able improve the services to you and to the best of our ability.

3. Refuse or terminate services and be informed of the consequences of refusing or terminating services.

You have the right to refuse or stop the services being provided to you through this company. If you are not satisfied with your services, you may discuss your concerns and dissatisfaction with us at anytime. All discussions regarding this right will be taken seriously by everyone you speak with. Further discussions may also include information and/or conversations with your support team. By refusing or terminating services, you may have a difficult time receiving the same services again from this company if you choose to do so again in the future.

4. Know, in advance, limits to the services available from the license holder, including the license holder's knowledge, skill, and ability to meet the person's service and support needs

We will notify you prior to service initiation if there are any limits to the services that we will provide. If you are not satisfied with the limitations, you may consider all options available for services to meet your needs.

Those limits are:

The DAC Staff does not administer any injectable drugs or treatments

During the time you are receiving services from this company, if there is any change in service provision or a limitation in service is planned, we will notify you of this in a written format at least 30 days prior it the implementation of the limitation. Based upon this notification of the limitation, you may decide if we are still able to effectively meet your needs.

The company's knowledge, skills, and ability to meet your service and support needs include:

Trained and competent staff, administrators, and program directors. Programs and work assignments suited for all levels of ability.

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5. Know conditions and terms governing the provision of services, including the license holder's admission criteria and policies and procedures related to temporary service suspension and service termination.

This company's *Policy and Procedure on Admission* contains information on our admission criteria. We will do what we can, according to this policy and criteria, to provide you with services. If this is not possible, you have the right to know why the company is not able to meet your needs. If we are no longer able to continue providing you with services, you have the right to know what the procedures are in the *Policy and Procedure on Temporary Service Suspension and Termination* that direct how that will occur. You will always receive an explanation, in a way that you can understand, of what is occurring and why in a way that you understand. This procedure will be followed with consideration and respect for you and your support team members.

6. A coordinated transfer to ensure continuity of care when there will be a change in provider.

Regardless of the situation that brings forth a change in service provider, this company will clearly inform the other service provider of necessary information regarding your services and care. We will continue to provide you with services until you leave this company at which point we will consider services to be ceased. You have the right to a smooth and seamless transfer that is coordinated, as much as possible, with your next service provider to ensure your care.

7. Know what the charges are for services, regardless of who will be paying for the services, and be notified upon request of changes in those charges.

We will provide you with information regarding the charges for the services to be provided at the time of service initiation regardless of where the funding originates. If the charges for the services change, we will provide you with that change, if you request the information. You may do this at any time and we will meet the request as soon as possible. As of July 1st 2014 our rates are as follows:

CSIS DD Waiver DT&H	\$67.63/full day	\$50.72/partial day	\$15.09/transportation
CADI Prevocational	\$67.63/full day	\$50.72/hour	\$15.09/transportation

8. Know, in advance, whether services are covered by insurance, government funding, or other sources, and be told of any charges the person or other private party may have to pay.

Services provided to you by this company will be charged to the correct payment source. This may include government assistance, insurance, or a private source such as yourself or family. All services will be for your benefit and health and will not include services that are unnecessary. If you will pay for some of your services, we will work with you and your team on determining payment schedules and how that process will occur.

9. Receive licensed services from an individual who is competent and trained, who has professional certification or licensure, as required, and who meets additional qualifications identified in the *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*.

The services you receive from this company will be provided to you by staff that have received extensive training on keeping you safe and healthy. Staff must demonstrate that they understand the training and can implement the information as learned in applicable areas. If you or your case manager think that our company staff need additional training and/or additional training is written into your *Coordinated Service and Support Plan*, our company will ensure that our staff receive this training.

Protection-related rights

A person's protection-related rights include the right to:

1. Have personal, financial, service, health, and medical information kept private, and be advised of disclosure of this information by the license holder.

Your information will be private at all times except for case consultation, treatment, and discussion. This company will ensure that only those records needed for the appropriate care, treatment, and delivery of services are made available to those individuals who are directly involved in that delivery. Records will not be unnecessarily duplicated by staff. If disclosure of your private information is necessary, you may be aware of who received the information, the date of receipt, the nature and type of the information disclosed, and the purpose or intent of their receipt of that information.

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2. Access records and recorded information about the person in accordance with applicable state and federal law, regulation, or rule.

You may access your records at any time as requested, and if needed, may have copies free of charge. This company will follow all laws, regulations, or rules regarding privacy including the Health Insurance Portability and Accountability Act (HIPAA), the Minnesota Data Practices, MN Statutes, chapter 13, and the Home and Community-Based Services Standards, MN Statutes, chapter 245D.

3. Be free from maltreatment.

You have the right to live without the fear of abuse, neglect, or financial exploitation. If any of these were to occur, this company has policies and procedures in place to ensure your ongoing and future safety and the safety of others. Staff are trained in the Vulnerable Adult Act and the Maltreatment of Minors Act and understand what maltreatment is, how to prevent it, and what to do if it occurs. Staff will follow established maltreatment reporting requirements and procedures found within company policy and MN Statutes.

4. Be free from restraint, time out, seclusion, restrictive intervention, or other prohibited procedure identified in section 245D.06, subd. 5 or successor provisions, except for: (i) emergency use of manual restraint to protect the person from imminent danger to self or others according to the requirements in 245D.061 or successor provisions or (ii) the use of safety interventions as part of a positive support transition plan under section 245D.06, subd. 8 or successor provisions.

You have the right to receive services in the least restrictive setting possible and to have positive support strategies in place to assist you in managing symptoms of a mental health diagnosis and/or related behaviors. Staff are trained on positive support strategies and will assist you in minimizing risk to yourself or others in challenging situations. If an emergency use of manual restraint is necessary and implemented, it will only be implemented as the last resort and with the least restrictive intervention needed to obtain safety to you and others. Staff are trained in proper response and reporting procedures and will follow them as directed by policy and MN Statutes.

5. Receive services in a clean and safe environment when the license holder is the owner, lessor, or tenant of the service site.

We value maintaining the service or program site in a clean and safe environment and you have the right to receive services in that type of setting. If you have concerns regarding how the service site is maintained, please notify your staff who will take your concern seriously and will notify appropriate personnel. It is important to maintain the environment in a clean manner to reduce the risk of communicable disease and to promote the health and well-being of all persons served and staff.

6. Be treated with courtesy and respect and receive respectful treatment of the person's property.

Staff will do all that they can to respect you as an individual and other aspects of your life including your property. Other individuals will also be encouraged to treat everyone and their property with consideration and respect. If you feel that you or your property are not being treated with courtesy and respect by the company, staff, or other individuals; you have the right to complain about that treatment. This company is committed to listening, understanding, and resolving any complaints or grievances from individuals.

7. Reasonable observance of cultural and ethnic practice and religion.

You have the right to observe and participate in activities of cultural and ethnic practice or religion of your choice. Knowledge and information of your culture, ethnicity, and religion should be provided to the company to accommodate reasonable observation. The company's schedule may include observation of numerous cultural, ethnic, and religious activities for which you may choose to participate.

8. Be free from bias and harassment regarding race, gender, age, disability, spirituality, and sexual orientation.

Each individual is a unique person and has the right to live, work, and engage in environments that are free of bias and harassment. Each staff person will encourage you to express your individuality and will not judge, harass, or act in anyway that can be construed as biased or harassing.

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9. Be informed of and use the license holder's grievance policy and procedures, including knowing how to contact persons responsible for addressing problems and to appeal under section 256.045.

At any time, you may contact your legal representative, case manager, an advocate, or someone within the company if you are not satisfied with services being provided in order to make a formal complaint. The policy on grievances will be followed and all complaints will be taken seriously with the intention of a beneficial resolution to the issue. This company has a grievance policy that will be explained to you upon service initiation and more frequently if desired by yourself or your legal representative. This policy includes information on who to contact for addressing problems and your right to appeal a decision. The right to appeal may be found in Minnesota Statutes, section 256.045 which can be accessed on the MN Office of the Revisor's web site: <https://www.revisor.mn.gov/>.

10. Know the name, telephone number, and the Web site, e-mail, and street addresses of protection and advocacy services, including the appropriate state-appointed ombudsman, and a brief description of how to file a complaint with these offices.

Should you choose to voice a grievance, you will not be retaliated against. You may be provided with contact information for persons and agencies that can assist you. Staff may explain how to contact them and how to file a complaint with those agencies or offices. A list of contact information for protection and advocacy agencies are listed at the end of the *Policy and Procedure on Grievances*.

11. Assert these rights personally, or have them asserted by the person's family, authorized representative, or legal representative, without retaliation.

This company will allow and encourage the exercising of these rights as persons of this service provision and as citizens of the United States. Staff and others in this company will actively assert your rights on your behalf and will not wait for you to do so. Your family, authorized representative, or legal representative also have the right to assert these for you and on your behalf without retaliation.

12. Give or withhold written informed consent to participate in any research or experimental treatment.

You have the right to know all terms and conditions regarding any type of research or experimental treatment and have those explained to you in a manner in which you understand. Information will be provided to you in as much detail as known before you make a decision. You may consult with your legal representative or other support team members before making a final informed consent or refusal.

13. Associate with other persons of the person's choice.

You may choose to spend time with others of your choice and to have private visits with them, unless that visit infringes on your health, safety, or well-being. Staff or anyone in this company cannot tell you, who you can be friends with; that is your choice. Your friendships should be encouraging, safe, and beneficial. If someone wants to visit with you, you have the right to meet or refuse to meet with them.

14. Personal privacy.

You have the right to spend time alone and to close your door for privacy. If staff or other persons do not recognize that you want to be alone, you can tell them without fear of reprisal. Staff will knock on the door and gain consent before entering your bedroom or bathroom where you are spending time alone, except in emergencies. Time alone may be spent as you choose unless being alone will infringe on your health, safety, or well-being.

15. Engage in chosen activities.

You have the right to refuse or engage in the activities planned by you, your family, your support team, staff and other persons. If you want to do an activity or go somewhere, you have the right to express that desire. Some activities may cost money, and you may have financial resources to do these activities; but, other activities may require that you save your money before participating in them. Staff will also ensure that your right to participate in activities of commercial, religious, political, and community groups without interference is exercised without being denied.

For persons residing in a residential site licensed according to MN Statutes, chapter 245A, or where the license holder is the owner, lessor, or tenant of the residential service site, protection-related rights also include the right to:

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1. Have daily, private access to and use of a non-coin-operated telephone for local calls and long-distance calls made collect or paid for by the person.

You may use the phone provided to you and other persons served on a daily basis and have private conversations. If you make long distance or collect calls, you will be expected to pay for those charges yourself. You have the right to purchase and use your own phone. Because the company phone is used by others, there may be times throughout the day that you may have to wait your turn to use the company phone.

2. Receive and send, without interference, uncensored, unopened mail or electronic correspondence or communication.

No one other than yourself or someone you have given permission to may open and/or read your mail or e-mail/electronic correspondence. You may also send mail or e-mail/electronic correspondence without concern that your privacy will be violated. If you choose to safely engage in participation in electronic chat rooms, blogs, or other electronic communication avenues, you may do so without your privacy being violated unless it infringes on your health, safety, or well-being.

3. Have use of and free access to common areas in the residence.

This company considers the residence you live in as your home and therefore you have use of and access to the common areas within the home. All persons served in the home will be expected to treat common areas with respect so that everyone may enjoy those areas. Your bedroom remains your private area and is not considered a common area of the residence.

4. Privacy for visits with the person's spouse, next of kin, legal counsel, religious advisor, or others, in accordance with section 363A.09 of the Human Rights Act, including privacy in the person's bedroom

You have the right to privacy for visits with persons of your choice and may do so in the privacy of your own bedroom. If this association and privacy puts you at risk of harm to your health, safety, or well-being, a discussion with your support team will occur and a plan developed to address that risk. This is intended to ensure that you maintain your right in this area to the greatest extent possible, while your health, safety, and well-being are safeguarded.