

More Rights as a Patient

- The right to keep all your possessions. But certain valuables may be locked in a safe at the hospital so they won't get lost or stolen.
- The right to file a complaint against the hospital if you feel you have been wronged in any way.
- The right to know where you're going. A facility is not allowed to transfer you to one hospital or another without you knowing why.
- The right to leave the hospital (be discharged) when you are no longer a danger to yourself or others.

P&A is a federally mandated program that receives funding from the U.S. Department of Health and Human Services, the U.S. Department of Education and the Social Security Administration.

Stay informed! Know your rights!
For more help please call

Protection & Advocacy
Third Floor
100 Fair Oaks Lane
Frankfort, KY 40601

Toll Free & TTY 800-372-2988
Direct (502) 564-2967
Fax (502) 564-0848
www.kypa.net

RIGHTS IN PSYCHIATRIC HOSPITALS



Legal advocacy for Individuals
whose rights have been
violated due to disability

Involuntary Treatment

If someone thinks you might harm yourself or others, they can file a Mental Inquest Warrant (MIW) on you. This means that the police or a sheriff can take you to a hospital for evaluation. The hospital can keep you for 72 hours. (Weekends and holidays aren't counted in this 72 hours.) At the end of this time period, the hospital either has to release you or file a petition to keep you there. If the petition is filed, you have the following rights.

- You have the right to a preliminary hearing within 6 days of the time that they first hold you against your will. This hearing decides whether you have to stay in the hospital.
- You have the right to final hearing or jury trial within 21 days of being first held against your will.
- If you want a trial by a jury instead of the judge you must tell the court. Be sure to talk to your attorney about this as soon as you can.

Right to an Attorney

You have the right to an attorney during both hearings. If you can't afford one, the court will appoint a public defender to represent you. If you are in one of these hospitals, call the public defender's office listed below for help.

- Appalachian Regional Healthcare - call the public defender's office in Hazard 606-439-4509
- Central State Hospital - call the public defender's office in Louisville 502-574-3800
- Eastern State Hospital - call the public defender's office in Lexington 859-253-0593
- Western State Hospital - call the public defender's office in Hopkinsville 270-889-6527
- Northern Kentucky Hospitals - call the public defender's office in Covington 859-292-6596

Rights As A Patient

All patients in psychiatric hospitals have these rights.

- The right to be physically safe.
- The right not to be restrained physically or with medications, unless your behavior creates immediate harm to yourself or others.
- The right to informed consent. Medical staff must explain the good and bad effects of treatment and medications to you.
- The right to refuse medication. But if the doctor thinks you need it, the hospital can file papers with the court for forced medication.
- The right to have a treatment plan and to be a member of the treatment team.
- The right to look at your entire medical record at the hospital.
- The right to talk to your family and others.
- The right to have visitors.