

NOTIFICATION OF RIGHTS

As a consumer of services, you have certain rights which are established in the Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Developmental and Substance Abuse Services. Also, there is a written policy and procedures which describe what this program must do to comply with the Regulations. A summary of your rights follows:

I. RIGHT TO NOTIFICATION

You must be informed of your rights upon entering a program and every twelve (12) months while in the program. You have the right to see and be given a copy of the Human Rights Regulations upon request. Some programs have rules. Upon admission, you must be told what these rules are, and you have the right to obtain a copy of the rules.

II. RIGHT TO TREATMENT

Mount Rogers Community Services (MRCS) may not deny services to you solely on the basis of your race, national origin, sex, age, religion, disability, or ability to pay. If you think you have been discriminated against by this Agency, you may register a complaint in accordance with **Number IX. Right to Hearings and Appeals**.

III. RIGHT TO CONFIDENTIALITY

Your records will be released only with your consent or the consent of your authorized representative or by court order, except in emergency situations or as otherwise required or permitted by law.

You have the right to inspect and to have copies made of your records at your own expense, except where it would be harmful to you. In that situation, a lawyer, doctor or psychologist you choose may review the records on your behalf. If you feel there are mistakes in your record, you may ask to have them corrected. If MRCS doesn't change what you think is in error, your statement about the error can be placed in your record.

Your records will be retained for six years after your case is closed, or five years beyond your 18th birth date, whichever occurs later. Records will then be destroyed in a manner consistent with preserving the confidentiality of the contents.

IV. RIGHT TO CONSENT

A treatment or service which poses a risk of harm greater than that ordinarily encountered in daily life - that is, one that might cause some injury or have a serious side effect - may not be administered unless you or your authorized representative first give informed consent to it. Information about program services and policies will be presented in a manner that is easily understood to facilitate your decision making.

V. RIGHT TO DIGNITY

You have the right to be called by your preferred or legal name, to be protected from abuse, neglect, exploitation, retaliation and humiliation, and to request help in applying for services for which you are eligible, to include access to self-help and self-advocacy support services.

You have the right to express preferences about decisions regarding all aspects of services including service delivery, concurrent services, composition of the service delivery team, involvement in research projects if applicable and have your preferences honored to the extent possible.

If you are in a residential program, you have the right to a safe, sanitary and humane environment; to the provision of suitable clothing if it is not otherwise available; to confidential mail and telephone communications; to personal meetings with professionals or counselors assisting you; and to observe religious practices which do not conflict with the rights of others or with the law.

VI. RIGHT TO LEAST RESTRICTIVE ALTERNATIVE

Your personal and physical freedom can be limited when necessary for your safety or the safety of other consumers, or for treatment. You will be involved in decisions to limit your freedom, and you will be told what has to happen for the limits to be removed. Restrictions can be applied without notice in emergency situations.

VII. RIGHT TO BE COMPENSATED FOR COMPENSABLE WORK

You have the right to be paid for the work you do for MRCS which the law says is "compensable" work. Personal housekeeping and work which is done as part of treatment and is not done mainly for the purpose of making money for the program is not "compensable" work.

VIII. RIGHT TO RETAIN CERTAIN LEGAL RIGHTS

When you enter this program you still keep your basic rights, including the right to enter into contract; to register and vote; to marry or divorce; to make a will; to use the courts, etc.

IX. RIGHT TO HEARINGS AND APPEALS

When entering this program you are assured protection to exercise your legal, civil, and human rights related to receipt of services. If you believe any of your rights under the Regulations have been violated, you may make a formal complaint to any staff member, your Program Director, or the Office of the Executive Director (276) 223-3200. In answering your complaints, MRCS staff must inform you of your appeal rights, which include the right to appeal a decision to the Local Human Rights Committee (LHRC).

Any time you have a Medicaid covered service denied, suspended, reduced, or terminated, you have the right to appeal these decisions to the Department of Medical Assistance Services (Medicaid). This appeal must be in writing and mailed to: Appeals Division, Department of Medical Assistance Services (DMAS), 600 E. Broad Street, Suite 1300, Richmond, VA 23219.

X. RIGHT TO ASSISTANCE BY REGIONAL ADVOCATE

The State has appointed a Human Rights Advocate to assist you and to make sure programs recognize your rights. The advocate will assist you in making, resolving or appealing complaints about rights violations. You may contact the Regional Advocate yourself and ask for help or MRCS staff will help you make the contact. Call or write: Mandy Crowder, Acting Human Rights Advocate, DBHDS, P.O. Box 1797 Richmond, VA 23218 or call (877) 600-7434.