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Approved by Donald Finn, Executive Director
Date: 11-13-2014

CLIENTS RIGHTS POLICY:

It is the policy of IBH Addiction Recovery Center to monitor and comply with all Federal, State, and County laws, standards, rules, and directives regarding client rights and grievances. Federal laws govern the rules of confidentiality of alcohol and drug addicted clients in treatment. These are found in Title 42, Part 2 of the Code of Federal Regulations (CFR). The State laws govern the specific client rights outlined in accordance with Section 5119.01 of the Ohio Revised Code. In addition, the Summit County Alcohol, Drug Addiction and Mental Health Services Board provides ancillary services and requirements for the administration of client rights in all board funded agencies.

DEFINITIONS:

- I. "Client"- an individual applying for or receiving services from IBH.
- II. "Client's Rights Officer"- the individual designated by IBH with the responsibility for assuring compliance with the Client's Rights and Grievance Procedure rule.
- III. "Grievance"-a written complaint initiated either verbally or in writing by a client or by any other person or agency on behalf of a client regarding denial or abuse of any client's rights.
- IV. "Complaint"- a written complaint initiated as a grievance but without substantial evidence that any rights were violated as determined by investigation of the Client's Rights Officer, or a grievance in which the client subsequently refuses to pursue resolution or the client specifically wishes only to file a complaint with instructions not to pursue resolution.
- V. "Applicability"- the provisions of this rule are applicable to all programs, public or private, regardless of whether they receive any public funds from THAT ORIGINATE AND/OR PASS THROUGH the department Ohio Department of Mental Health and Addiction Services in accordance with section 5119.00 of the Revised Code.

PURPOSE:

The purpose of this rule is to protect and enhance the rights of persons applying for or receiving addiction recovery services from IBH by identifying specific rights of clients and establishing procedures for responsive and impartial resolution of client grievances.

PROCEDURE:

I. IBH client's rights include the following:

1. The right to be treated with consideration and respect for personal dignity, autonomy, and privacy.
2. The right to receive services in the least restrictive, feasible environment.
3. The right to be informed on one's own condition.
4. The right to be informed of available program services.
5. The right to give consent or to refuse any service, treatment or therapy.
6. The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it.
7. The right or freedom from unnecessary or excessive medication, unnecessary physical restraint or seclusion.
8. The right to be informed and the right to refuse any unusual or hazardous treatment procedures.
9. The right to be advised of and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies or photographs.
10. The right to consult with an independent treatment specialist or legal counsel at one's own expense.
11. The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations.
12. The right to have access to the person's own psychiatric, medical, or other treatment records unless access is specifically restricted in the person's treatment plan for clear treatment reasons.
13. The right to be informed of the reason(s) for terminating participation in a program.
14. The right to be informed of the reason(s) for denial of a service.
15. The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, sex, national origin, sexual orientation, disability or HIV infection, whether asymptomatic or symptomatic, or AIDS.
16. The right to know the cost of services.
17. The right to be informed of all client rights.
18. The right to exercise one's own rights without reprisal.
19. The right to file a grievance in accordance with program procedures.
20. The right to have oral and written instructions concerning the procedure for filing a grievance.
21. The right to a second medical opinion if dissatisfied with services rendered by the IBH physician at one's own expense.
22. The right to request of her/his team to change therapist.

II. IBH shall inform clients of their rights by:

1. Posting the client's rights policy, including the client's grievance procedures, in a place accessible by clients and staff in each residence.
2. Providing each client at admission a copy of this policy and procedure, with documentation of this action included in the client record. At that time the designated staff shall ask the client to read the material on client's rights carefully and have the client sign a statement of

acknowledgement that he/she has read or has been provided a reading of the client's rights and fully understands the contents.

3. During employee orientation Human Resources staff will provide each new IBH employee a copy of this Client's Rights Policy and client grievance procedure. HR staff will provide the new employee a verbal overview of these documents. The new employee will sign a statement affirming knowledge of the rights and procedures outlined. On an annual basis, the Client's Rights Officer will provide a brief in-service reviewing the client's rights policy including the client grievance procedure.
4. On occasion, a client or IBH staff may request that a Residential Supervisor read and discuss this Client's Rights Policy and Procedure to a client, who may have difficulty reading or comprehending the content of the policy. A client may also simply wish to discuss this policy and procedure and its relevance to a particular situation with a trusted staff member.
5. At client orientation, the Client's Rights Officer or designee will provide to new clients an overview explanation describing this Client's Rights Policy, the grievance process, the scope of client confidentiality, and the responsibilities of the clients to engage in treatment.
6. During the course of treatment at IBH, a Residential Supervisor will review this client's rights material with the clients at a House Management meeting on a periodic basis. A Residential Supervisor may also review the Client's Rights Policy and Procedure privately with a client at a client's request or in an instance when an alleged violation may have taken place.

III. Filing a grievance:

1. All grievances must be in writing. The use of the grievance form itself is not mandatory, but the grievance must be dated and signed by the client or on behalf of the client. The grievance must contain approximate time and description of any incident and the names of individuals involved or witnessing the situation grieved.
2. All grievances must be submitted immediately and without delay to:
 - i. Joshua Shkolnik, Human Resource Director, who serves as the IBH Client's Rights Officer
IBH Addiction Recovery Center Administration Building
3445 S. Main Street
Akron, Ohio 44319
Regular business hours: Monday through Friday 8:30 a.m.-4:30 p.m.
Phone: (330) 644-4095, ext. 304
Fax: (330) 645-2031
 - ii. The alternate Client's Rights Officer is the Executive Director and he may be found at the address and phone above (ext. 301). The Executive Director may designate a staff person to act as Client's Rights Officer in the case the Client's Rights Officer is not available.
3. The Client's Rights Officer has the responsibility to accept and oversee the process of any grievance filed by a client or other person or agency on behalf of a client.
4. Upon hearing a client express what appears to be a clear grievance verbally, staff will remind the client of the Client's Rights Policy process and even offer to assist the client to begin the grievance process as one option available to the client. Staff may also initiate a resolution of

the complaint. In all cases staff will direct the inquiry, any information subsequent, and the written grievance, in confidence, to the Client's Rights Officer, even if the grievance appears to be resolved. Staff will become familiar with this policy and associated procedures and will attend periodic training sessions originated by the Client's Rights Officer. Staff is expected to assist clients in preparing a written grievance.

5. Clients are to be given the option of filing a grievance outside of IBH to one of the appropriate individuals or agencies including:

County of Summit Alcohol, Drug and Mental Health Board

Joanne Arndt, Client's Rights Coordinator

1867 W. Market St Suite b2 Akron, Ohio 44313

Phone: 330.762.3500 or 330-564-4053

Monday through Friday, 7:30 a.m. to 3:30 p.m.

Ohio Department of Mental Health and Addiction Services

30 East Broad Street 36th Floor

Columbus, Ohio 43215-3430

Phone: 614-466-2596

Ohio Legal Rights Service

50 W. Broad Street Suite 1400

Columbus, Ohio 43215-5923

Phone: 1.800.282.9181

Office of Civil Rights

U.S. Department of Health and Human Services

200 Independence Ave S.W.

Room 509F HHH Building

Washington, D.C. 20201

Phone: 1-800-368-1019

6. A written acknowledgment will be provided to each client filing a grievance within 3 working days and will include:
 - i. Date received
 - ii. Summary
 - iii. Overview of the investigation process
 - iv. Timetable for completion of investigation and notification of resolution.
 - v. Treatment provider contact name, address, and phone number
7. The Client's Rights Officer will complete the resolution decision of the grievance within 21 calendar days or provide sufficient reason to delay this deadline and will notify the client in writing.

8. The Client Rights Officer may request the assistance of staff in an impartial resolution hearing in which the grievance is presented and parties to the grievance can make statements toward a resolution of the grievance. The client may or may not be asked to be present, and the Client's Rights Officer may or may not use the hearing in the final resolution decision.
9. The Client's Rights Officer may request the assistance of the Executive Director, acting as an independent and impartial reviewer. The Executive Director may be asked to assist in determining a resolution in cases where the client is not in agreement with the Client's Rights Officer before the client might decide to take the grievance outside the agency.

IV. Documenting and Reporting of client's rights grievances

1. The Client's Rights Officer will document each grievance and keep a log of all grievances, summaries and resolutions that will be used to provide an annual report to the Executive Director and to the Client's Rights Officer of Summit County ADM Board at the conclusion of each calendar year. The information must meet the requirements of the ADM Board. For example:
 - Number of complaints/grievances received
 - Source of the complaints/grievances
 - Nature of the complaints/grievances
 - Use of any appeal process
 - Number of complains/grievances directed to the Client's Rights Officer of Summit County ADM Board or other outside entities
 - Orientation and Training activities conducted by the agency
2. A file copy of the grievance and any supporting documents including the process used to investigate and substantiate the complaint and resolution is filed in a secure and confidential area and retained for at least 2 years.
3. The Executive Director may request to review any grievances or resolutions and to review all files and documentation for the grievance at any time.