

MOUNTAIN LAKE SERVICES

HUMAN RIGHTS - SECTION VI RESPONSIBILITIES AND PRIVILEGES

Name:

Date:

POLICY

It is the policy of Mountain Lake Services that each person capable of doing so, and or his/her parents, guardian or correspondent, is fully informed of his/her rights, privileges and responsibilities as an individual and of all rules and regulations governing conduct.

1. No person shall be deprived of any civil or legal right solely because of a diagnosis of intellectual or developmental disability.

2. All persons shall be given the respect and dignity that is extended to others regardless of race, religion, origin, creed, age, gender, ethnic background, sexual orientation, intellectual or developmental disability or other disability or health condition, such as one tested for or diagnosed as having an HIV infection. There shall be no discrimination for these or any other reasons.

3. No person shall be denied a safe and sanitary environment; one free from physical or psychological abuse, devices, unnecessary or excessive medication and one that protects from commercial and other exploitation.

4. No person shall be denied confidentiality with regard to all information contained in his/her clinical records.

5. No person shall be denied a written individualized plan of service, nor will they be denied the opportunity to participate in its development and modification. Each person capable of doing so, and/or his or her parents, guardian or correspondent, shall have the right to object to and/or appeal any decision with which he/she disagrees.

6. No person shall be denied meaningful and productive activities within his/her capacity as well as services, assistance and guidance from staff, who are trained to administer services with full respect for the individual's dignity and personal integrity.

7. No person shall be denied access to or participation in meaningful recreation and community programs

8. No person shall be denied the opportunity, to the extent possible, to appoint a health care agent and to participate in the establishment of a Health Care Proxy, if he/she so desires.

9. No person shall be denied appropriate and humane health care and the opportunity, to the extent possible, to have input either personally or through parents(s)/guardian(s), or correspondent to participate in the choice of physician and dentist in accordance with each individual's needs to maintain an optimum level of health.

10. No person shall be denied information regarding procedures governing Do Not Resuscitate (DNR) Orders, and in the establishment of DNR Orders if he/she so desires.

11. No person shall be denied access to clinically sound instructions on the topic of sexuality and family planning services and access to medication or devices designed to regulate contraception, when clinically indicated.

12. No person shall be denied freedom to express human sexuality, as limited by one's consensual ability to do so, and provided such expressions occur in an appropriate manner and location. Each person has the right to make decisions regarding conception and pregnancy, according to the mandates of applicable State and Federal law.
13. No person shall be denied participation in the religion of his/her choice, including the right of choice not to participate.
14. No person shall be denied the opportunity to register and vote; or, to participate in activities that educate him/ her in civic responsibilities.
15. No person shall be denied privacy; the opportunity to receive visitors at reasonable times, even without prior notice, to have privacy when visited, provided such visits avoid infringements on the rights of others; and to communicate freely with anyone within or outside the facility, as well as receive and send communications freely and uncensored.
16. No person shall be denied receipt of information of the supplies and services provided by the program and those for which additional charges will be made.
17. No person shall be denied regular notice of his/ her financial status, including the provision of assistance in the use of his/ her personal money and property.
18. No person shall be denied a balanced and nutritious diet, one that is not altered or denied for behavior modification or disciplinary purposes.
19. No person shall be denied individually owned and properly fitted clothing, appropriate for age and season and the opportunity to be involved in the selection of clothing and an adequate supply of individually owned grooming and personal hygiene supplies.
20. No person shall be denied a reasonable amount of safe, individual, accessible storage space for clothing and personal belongings, used on a day-to-day basis.
21. No person shall be denied the opportunity to request an alternative residential setting or involvement in the decisions regarding such changes.
22. No person shall be denied the opportunity to participate with staff in the establishment of residence/program rules.
23. Implementation of many of the above rights entails inherent risks. To the extent reasonable and appropriate, such risks shall be described to individual and/or parents, guardians or correspondents. Additionally, the above rights, privileges and responsibilities shall not be limited for disciplinary purposes or for the convenience of staff. There shall be no corporal punishment whatsoever.

PROCEDURE
1. It will be the responsibility of the Director of Clinical Services to ensure that each individual is informed of his/ her rights.
2. Each person and his/her parent, guardian or correspondent, will be notified of his/ her rights and any and all rules governing conduct prior to, or upon admission to Mountain Lake Services. Such information will be conveyed in the individual's and/or parent's, guardian's or correspondent's primary language, if necessary, to facilitate comprehension.
3. Each person and his/her parents, guardians or correspondent will be notified of any and all changes in policies, regarding human rights and rules governing conduct, as they occur.

4. Each person capable of doing so, and/or his/ her parents, guardian or correspondent will acknowledge in writing, the receipt of such information and any amendment to it. This acknowledgement will be documented in the individual's record.

5. A process for resolving objections, problems or grievances relative to individual rights and responsibilities will be available to each person and/or his/ her parent, guardian or correspondent.

6. Each person and/or his/ her parent, guardian or correspondent will receive annual notification of the availability of the following parties to receive complaints, concerns and suggestions:

a. Executive Director, Mountain Lake Services - 10 St. Patrick's Pl., Port Henry, NY 12974 (518-546-3381) Monday – Friday

b. Region 2, RSO Deputy Director - OPWDD Regional Office, Region 2 249 Glenwood Road, Binghamton, NY 13905 (607-217-6616) Monday – Friday

c. Mental Hygiene Legal Service – 186 US Oval, Plattsburgh, NY 12903 (315-393-3130) Monday – Friday

d. Commissioner of OPWDD - 44 Holland Ave., Albany, NY 12229 (866-946-9733) Monday – Friday

e. Justice Center - 409 State St., Schenectady, NY 12305 (855-373-2122) 24 hours, 7 days

7. Any limitations of privilege, rights or responsibilities will be on an individual basis, for a specific period of time, and for clinical purposes only. Clinical justification of such limitations will be documented on the person's individualized service plan, and accompanied by a written plan to eliminate the need for limitations. The individual and his/her parent, guardian, or correspondent will be notified of such limitations.

8. There will be documentation in each individual's record that if (s)he is capable of acknowledging receipt of notification of rights, (s)he has done so; if not, family / advocate's receipt of notification of rights.

9. There will be verification that affirmative steps have been taken, through training and documentation, to make persons at Mountain Lake Services aware of their rights to the extent that the person is capable of understanding them.

10. There will be verification through training and documentation that all staff including volunteers shall be advised of the rights of persons in the facility.

ACKNOWLEDGEMENT

I have provided this information to the above named person, or their designated consent giver. Their signature below confirms their receipt of these policies and procedures.

Signature: _____

Date: _____