

PROCEDURES FOR RECIPIENT PROTECTION:

- (1) **Insert Agency Name** believes in and will respect the dignity of all referrals to and recipients of its program services. **Insert Agency Name** has developed, maintains, and documents implementation of written policies and procedures which demonstrate how **Insert Agency Name** protects recipient welfare. The manner in which recipients are informed of these protections is both oral and written, and recipient rights and protections are enforced through **Insert Agency Name** policy which is established by an independent board of directors. The legal guardian of a minor, except where the minor is above the age of fourteen (14) and chooses not to involve parents consistent with state law, will be given a copy of the recipient's rights and a copy of the grievance policies. Documentation must exist, unless waived by a minor at or above the age of fourteen (14) that demonstrates that family members of a minor receive a copy of the recipient's rights, written information and grievance policies. **Insert Agency Name** will ensure all "written" notifications indicates that the recipient is entitled to receive information in their preferred language and a manner understood by the recipient. **Include the written policies and procedures on how this will be done.**
- (2) Upon admission, and as soon as clinically appropriate, recipients are informed on an individual basis of the services offered and fees for these services. This information is presented in the recipient's preferred language and in terms appropriate to the recipient's mental condition and ability to understand. Services and fees are provided as indicated within 24 hours of admission during the intake and orientation process. **Insert Agency Name** will provide the recipient or their lawful representative with written notification of any changes or limitations in services or fees when these changes occur. Recipients who are primarily responsible for payment of charges for services are informed in writing of their eligibility for reimbursement by third party payers for service rendered and assisted as needed with application.
- (3) **Insert Agency Name** will maintain and documents implementation of the following written policies and procedures:
 - (a) The methods utilized for implementation and protection of recipient rights, and includes at a minimum:
 1. Recipients of our services are informed of their rights upon admission in writing in the recipient's preferred language and in a manner they can understand. Recipients are reminded of their rights throughout the service delivery process as needed. **(You must detail how this is done, by who and how often)**
 2. During the intake process, **Insert Agency Name** provides the recipient with a copy of their rights. This is documented in an intake note and the recipient signs the document or signs in the electronic record indicating they received information about their rights as a

consumer of ADMH-certified services in writing and in a language and method they understand.

3. **Insert Agency Name** posts “Know Your Rights” in each living quarters, in offices and in recipient group rooms, hallways, etc.
- (4) **Insert Agency Name** policies and procedures regarding recipient’s rights, include at a minimum:
 - (a) Privacy shall be provided in accordance with the following: *Example for residential programs: Bathrooms and toilets shall have partitions and doors where needed. All bedrooms will have doors, which provide for increased privacy. Insert Agency Name staff shall respect the recipient’s right to privacy by knocking on the door of all recipient bedrooms and announcing themselves before entering. Each recipient is provided with adequate drawer and closet space for storage of personal property. Each recipient will be assigned a bedroom in which there are no more than two persons.*
 - (b) Confidentiality: *For example: The first service delivered is Insert Agency Name notification to the recipient of their right to confidentiality and privacy. Insert Agency Name informs the recipient that federal law prohibits disclosure without specific written consent and protects records related to alcohol and drug abuse treatment, HIV and other STD status, and describes the limited circumstances of disclosure and the efforts to protect recipient information. Insert Agency Name informs recipients that violation of confidentiality law and regulations is a crime. Insert Agency Name informs recipients that certain threats or the commission of a crime on the program’s premises or against program personnel is not protected, nor is suspected child abuse or neglect prohibited from reporting to the appropriate authorities. Insert Agency Name provides citations of applicable law provided by the ADMH upon request. Insert Agency Name provides confidentiality agreements and Consents to Release Confidential Information (authorizations to release protected information) to recipients both orally and written in a language and manner understood by the recipient. Insert Agency Name employees (you must identify who on your staff can release information) are authorized to disclose protected recipient information only upon obtaining a valid Consent to Release Confidential Information or when information can be released without consent: in case of child abuse/neglect, harm to self or others, etc. Only the minimum amount of confidential information will be disclosed pursuant to the purpose of the disclosure.*
 - (c) **Insert Agency Name** will inform recipient of the person(s) who has primary responsibility for the recipient’s treatment and clinical care at the time of intake/admission.
 - (d) **Insert Agency Name** informs recipients upon admission and throughout the service delivery process that they have the right to fully participate in all decisions related to treatment, aftercare and discharge planning provided by the agency.
 - (e) **Insert Agency Name** provides the recipient appropriate information to facilitate informed decision making and shared decision making.

- (f) **Insert Agency Name** provides its services in a manner responsive to and respectful of the recipient's strengths, needs, abilities and preferences, including their preference of language.
- (g) **Insert Agency Name** ensures the development of an individualized unique service/treatment plan formulated in partnership with the program's staff, and to receive services based upon that plan. This is done during individual sessions.
- (h) **Insert Agency Name** will make available an adequate number of competent, qualified, and experienced professional clinical staff to ensure appropriate implementation of the recipient's individualized service/treatment plan.
- (i) **Insert Agency Name** provides services in accordance with accepted clinical practice within the least restrictive and most integrated setting appropriate for the delivery of services.
- (j) **Insert Agency Name** informs recipients during intake and throughout the service delivery process regarding possible significant adverse events due to delivery of recommended services, and informs recipients of any known, appropriate and available alternative services or treatment providers.
- (k) **Insert Agency Name** respects and complies with, to the extent reasonable and possible, each recipient's expressed preference regarding the selection of service provider(s).
- (l) **Insert Agency Name** ensures all services are delivered absent abuse or neglect, which includes but is not limited to physical abuse, sexual abuse, harassment, intimidation, physical punishment, psychological abuse (including humiliation), threats, exploitation, coercion, and any form of fiduciary abuse. **Insert Agency Name** staff undergoes and documents annual training on abuse and neglect issues as well as how to deliver services absent abuse and neglect.
- (m) **Insert Agency Name** ensures to the extent possible that recipients are protected from harm, including any form of abuse, neglect or mistreatment.
- (n) **Insert Agency Name** allows recipients to report without fear of reprisal, any instances of perceived abuse, neglect or exploitation.
- (o) Recipients of **Insert Agency Name** services provide input into the agency's service delivery processes orally, through recipient satisfaction surveys and other avenues provided by governing body.
- (p) **Insert Agency Name** allows access upon request to all information in the recipients mental health, substance abuse, medical, and financial records consistent with applicable laws and regulations. **Your P&P will outline how recipients will access their records/information – what is the procedure? how you will notify recipients of this right.**

- (q) **Insert Agency Name** allows recipients to manage their own personal funds. **Insert Agency Name** staff **(you must identify who this staff person is)** will assist recipients in budgeting personal finances upon request by the recipient. (if it applies)
- (r) To access funds when the provider is payee. **Need P&P on how recipient will access funds when the provider is the payee.**
- (s) All recipients are informed of and provided written instructions to access **Insert Agency Name** grievance and complaint procedures – **You must identify in P&P what your agency's grievance and complaint procedures are and how you will inform recipients of the procedure.**
- (t) During intake and orientation, recipients are informed of the financial aspects of treatment. **For example: Insert Agency Name Sliding Scale Fee Schedule, which contains a zero-dollar amount, and completes a financial needs assessment which includes income verification, when applicable. The business office manager and recipient review the financial agreement between Insert Agency Name and each recipient, which when agreed upon is signed by both the recipient and business office manager. Once completed, this financial agreement is placed in the recipient's record.**
- (u) To be informed of the need for parental or guardian consent for treatment, if applicable. If applicable, explain in procedure. It is the policy of **Insert Agency Name** to inform of the need for parental or guardian consent for treatment.
- (v) To a written statement of services to be provided. During intake and orientation, **Insert Agency Name** provides, in writing, for recipients a description of services that may be provide.
- (w) To give informed consent prior to being involved in research or experimental projects. **Insert Agency Name** will obtain informed consent governing the use of human subjects for research from recipients prior to any recipient being enrolled in a research or experimental protocol. Recipients may decline participation in any research or experimental protocol without fear of discriminatory treatment or reprisal. In the event informed consent for the purposes of research or any experimental protocol is obtained, it must address in writing the use of human subjects in the criminal justice system, a potentially coercive condition, including the known and suspected risks versus benefits of participation, which shall specifically address that no enticements, real or implied, have been offered in exchange for participation in the research or experimental protocol.
- (x) To have access to and privacy of mail, telephone communications, and visitors for recipients in residential or inpatient settings. **Insert Agency Name** allows all recipients access to and privacy of mail unless determined by the clinical staff that contact with a specific person does not promote the recipient's well-being. This is documented in the recipient's individual file. **Insert Agency Name** provides telephone service. **Insert Agency Name** allows recipients to have visitors. Visitors meet with recipients who are admitted in **(Where do they meet)** and for **(how long)**.

- (y) **Insert Agency Name** allows recipients access to their attorneys and to attend court as summoned without restriction.
- (z) **Insert Agency Name** enforces recipient's rights through the court or through appropriate administrative proceedings. **Insert Agency Name** does not prevent any recipient from attending court appearances or from meetings with legal counsel.
- (aa) To be informed of commitment status, if any. **Insert Agency Name** does or does not admit recipients under a mental health civil commitment. **Insert Agency Name** when will recipient be informed. Consumers who are legally committed shall have the right to be informed of commitment status, requirements of the commitment and length of the commitment.
- (bb) If committed, to be included in the community with appropriate and adequate supports on completion of or in conjunction with the terms of commitment. **P&P address How will this be done?**
- (cc) To be accorded human respect and dignity on an individual basis in a consistently humane fashion. **For example: Insert Agency Name** will respect and treat all individuals in a humane manner, with dignity. **Insert Agency Name Name** conducts annual training on cultural sensitivity and on respecting basic human rights. Additional training is done as needed.
- (dd) To refuse services without reprisal except as permitted by law. **Example P&P:** Recipients who refuse services will suffer no reprisal, except as required by law. **Insert Agency Name** may, at the discretion of the clinical team, report any refusal of treatment to the referral source or the court having primary jurisdiction over the recipient by special notification or in the recipient's discharge summary with appropriate consent/release.
- (ee) To be informed of the means for accessing advocates, an ombudsman, or rights protection services.. **For example: Insert Agency Name** informs all recipients the methods of accessing advocates, an ombudsman, or rights protection services. **Insert Agency Name** displays posters with ADMH advocacy information in all living quarters, group room, and main office. Recipients are given a copy of their rights during the intake process.
- (ff) To be free from seclusion, restraint, drugs, or other interventions administered for purposes of punishment, discipline, or staff convenience. **For example: Insert Agency Name** does not utilize seclusion or restraints. If these are necessary or may imminently become necessary, law enforcement will be contacted.
- (gg) To a well-balanced diet that meets his/her daily nutritional and special dietary needs if in inpatient or residential. **Insert Agency Name** will provide – detail in P&P how you will provide well-balance diet that meets recipients daily nutritional and special dietary needs if you provide residential services.

- (hh) To assistance in accessing medical and dental care, including vision and hearing services if in residential or inpatient. *For example: **Insert Agency Name** offers assistance in accessing medical and dental care, including vision and hearing services. The recipient's case manager, primary therapist, or other designated staff will assist recipients in accessing these services.*
- (ii) To access and utilization of appropriately prescribed medication. **Insert Agency Name** allows recipients access to and the utilization of appropriately prescribed medication.
- (5) **Insert Agency Name** affords all recipients the right of privacy relative to their treatment and care, unless contraindicated by clinical determination made by professional staff for therapeutic or security purposes. **Insert Agency Name** will ensure:
- (a) All emergency determinations limiting privacy will be reviewed and documented frequently
- (b) Each program respects recipients' privacy during toileting, bathing, and personal hygiene activities. **Insert Agency Name** will respect recipient's privacy during toileting, bathing, dressing and personal hygiene activities. *Include here how this will be done at your agency.*
- (c) Each program allows recipients to converse privately with others and to have private access to telephone and visitors at reasonable hours. *P&P should detail the rules regarding visitation and visitors and phone, for example – days, times, location, etc.*
- (d) Searches of a recipient or his/her living area and personal possessions are only conducted when it is documented that the program director deems such to be necessary for the safety and security of the recipient, others, and/or the physical environment. The recipient and a witness must be present during a search unless there is documentation why the recipient could not be present. *Make sure P&P outlines why search was needed, how any search is to be conducted, by who, who documents in recipient record, etc.*
- (e) Each program has procedures established for conducting searches, which observe and adhere to the recipient's right to be accorded human respect and dignity on an individual basis in a consistently humane manner. *Make sure P&P outlines why search was needed, how any search is to be conducted, by who, who documents in recipient record, etc.*
- (f) In residential programs, written policies and procedures require that staff alert recipients prior to entering recipient living areas. *Include here your agency's P&P on how staff will alert recipient's they are entering the recipient's living areas. For example, staff will announce they are on the hall, staff will knock on recipient's door letting them know they are about to enter the recipient's room. Staff will announce their name prior to entering to ensure recipient is adequately dressed, etc.*
- (g) Written and informed consent must be signed by the lawful representative of a recipient less than 14 years of age before photographs are taken and the photograph is to be returned to the lawful representative upon request when the recipient is discharged. *If your agency*

does not serve recipients less than 14 years of age, then just state you do not serve any less than 14 years of age. If your agency does serve recipients less than 14 years of age, have P&P on how consent will be gotten and how photo will be returned.

(6) Confidentiality and Privacy. ***Insert Agency Name*** developed, maintains, and documents implementation of written procedures that govern confidentiality and privacy of recipient information that include, at a minimum, the following:

- (a) Policies and procedures will comply with all state and federal laws and regulations relative to confidentiality and privacy of recipient information, including but not limited to, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996 (HIPPA), 45C.F.R. Pts. 160 & 164.
- (b) ***Insert Agency Name*** ensures that access to clinical records are restricted to individuals, entities, and instances permitted by applicable state and federal laws and regulations. ***P&Ps should detail what is permitted per state and federal laws for services the agency provides.***
- (c) No recipient's record(s) is released to other individuals or agencies without the written, informed consent of the recipient except for requests in accordance with state and federal laws and regulations (e.g. emergencies) and so documented. ***Insert Agency Name*** ensures no recipient's record(s) are released to other individuals or agencies without the written, informed consent of the recipient. ***P&Ps should detail the who, what, when, how this is done by your agency staff. What is allowable under laws.***
- (d) Each program is responsible for the safekeeping of each recipient's records and for securing it against loss, destruction, or use by unauthorized persons. ***For example: Insert Agency Name*** assumes responsibility for the safekeeping of each recipient's record by securing it against loss, destruction, or use by unauthorized persons. ***Insert Agency Name*** has both paper records and electronic health records. ***Insert Agency Name*** stores all paper records in a locked room where only ***Insert Agency Name*** identified personnel has access. These paper records are kept in filing cabinets which have double locks. ***Insert Agency Name*** electronic health records are maintained and stored in electronic format - ***need to detail how this is kept secured per above.***
- (7) Each program has established procedures regarding the content of a recipient's records and procedures for release or disclosure of parts thereof, in accordance with state and federal laws and regulations. ***P&Ps will detail the procedures regarding the content of recipient's records and the agency's procedures for release or disclosure – the who, what, when, how, etc.***
- (a) Upon request by a recipient/lawful representative for access to the contents of his/her records, the program makes a clinical assessment to determine whether such access would or would not be detrimental to the recipient's health or present a threat of physical harm to a third party. Additional requests may be made at any time. ***You P&Ps will outline how***

recipients will have access to their record and who will determine if access would or would not.

- (b) ***Insert Agency Name*** appeals procedure regarding denial of the disclosure of the content in a recipient's record include: ***Insert Agency Name*** response to: Subpoenas – Recipients are not to be identified as residents or participants in the program; Court orders – court orders are mailed to the individual recipient from their referral source and given to the recipient; Search warrants are denied. The persons requesting to search are warned that 42 C.F.R. Part 2 is in effect and recipients are protected. Arrest warrants that are presented are denied. No information is offered and the persons are warned that 42 C.F.R. Part 2 is in effect and recipients are protected. If an individual or entity calls asking for a recipients, staff checks the recipients EMR record to ensure there is a release to that specific individual or entity. If the recipient has not signed a release to that individual or entity asking information about said recipient, ***Insert Agency Name*** staff responds simply with “I cannot confirm or deny anything about said person”.
- (8) Upon admission, ***Insert Agency Name*** provides every recipient with information regarding our grievance procedure, including phone numbers and instructions for how to use the grievance process effectively to resolve any complaint against our agency or staff. The written information provided to recipients also lists the contact information for the Office of Advocacy and Rights Protection. Our staff also carefully reviews this with newly admitted recipients during their intake and orientation, which typically takes place within 24 hours of admission and in all cases within 48 hours of admission. All information regarding recipient rights and responsibilities, including procedures to follow to initiate, review and resolve allegations of violations of recipient rights.
- (a) Each program obtains from the recipient a written verification of receipt of statement of rights and grievance procedure information.
- Example:*** Recipients sign their electronic health record to acknowledge that they have received information regarding violations of their rights, including how to access our grievance procedures and how to contact the Office of Advocacy and Rights Protection. By signing, recipients further affirm that they were afforded the opportunity to ask questions and that they received answers in the language they prefer and that they understand these answers.
- (b) At a minimum, the complaint/grievance procedures shall include:
1. The name and telephone number of a designated local contact within the program. The designated person shall be able to inform recipients of the means of filing grievances and of accessing advocates, ombudsmen, or right protection services within or outside the program. ***Example:*** At ***Insert Agency Name*** this is the Clinical Director, unless the complaint is against the Clinical Director. In that event, the contact for the Executive Director is also provided. The staff holding these positions are able to inform the recipient of the means of filing grievances and of accessing advocates, ombudsmen, or right protection services within or outside the program.
 2. Rights information is posted in commonly used public areas of outpatient and residential facilities where recipients receive services.

3. Such notices shall include the 800 numbers of the DMH Advocacy Program, Federal Protection and Advocacy System, and local Department of Human Resources.

4. Programs assure recipient access to advocates and the grievance/complaint process occurs without reprisal.

Example: Insert Agency Name posts “Know Your Rights” flyers, provided by the ADMH Advocacy Office in each living quarters, the main office and common areas such as recipient group rooms. These posted notices include the 800-toll-free phone number to the ADMH Office of Advocacy and Rights Protection. Contact information for the Federally Mandated Protection and Advocacy System and the Houston County Dept of Human Resources is obtained from the Executive Director.

(9) Recipients admitted to **Insert Agency Name** programs manage their own personal finances, unless the recipient has a payee. **Insert Agency Name** does not generally involve itself in issues related to recipients and payees.

(a) **Insert Agency Name** admissions are not contingent upon payee status. Admission is not denied based on inability to pay. Services are not denied based on inability to pay. No intake or admission fee is charged to a recipient who is pregnant at the time of intake.

(b) Consumer manages his/her personal financial accounts unless an assessment demonstrates they need assistance. Any limitations placed on a consumer’s right to manage his or her personal funds is time limited and can only be made after the following procedures are observed:

1. After a specific assessment of the consumer’s ability to manage funds;
2. After the consumer has been fully informed of the limitation;
3. Consideration of the consumer’s Individual Treatment Plan and/or Service Plan as it relates to personal finances.

(c) The provider must establish a written, Board approved policy addressing:

1. The procedures for recipients to gain access to their personal funds when the provider is the representative payee or otherwise the custodian of the recipients’ personal funds.

2. Any limitations on the manner and frequency in which funds can be accessed.

3. Any limitations on the amount of funds that can be kept in the recipient’s personal possession in a residential program.

4. Requirements for the provider on the management, at least quarterly accounting of all expenditures, and reporting of recipient personal funds when the provider is the representative payee or custodian of personal funds.

5. Requirements for obtaining the consent of the recipient or lawful representative for the provider to manage recipient’s personal funds when the provider is not the representative payee.

6. Any expenditure must be exclusively for the recipient's use or benefit.
- (d) Funds in excess of what is needed to maintain the recipient's personal fund account will be placed in an interest bearing account accrued to the recipient's account.
- (10) Recipients are informed of the need for parental or guardian consent for treatment, if appropriate.
- (11) **Insert Agency Name** will provide any recipients/lawful representative who is asked to participate in a research or experimental project full information regarding procedures to be followed before consent is sought. The information presented shall follow the General Requirements for Informed Consent as cited in the Code of Federal Regulations 45 CFR 46.116, Department of Health and Human Services, National Institute of Health, Office for Protection from Research Risks: "Protection of Human Subjects".
- (a) **Insert Agency Name** will obtain the written, informed consent of the recipient/lawful representative for participation in research or experimental procedures. Once the written, informed consent is obtained, a copy will be placed in each individual recipient's record.
- (b) **Insert Agency Name** will allow recipients/lawful representative's to withdrawal or withhold consent at any time.
- (c) **Insert Agency Name** will ensure if a recipients /lawful representatives withdrawal of consent to participate in an experimental or research project will not be used in a coercive or retaliatory manner against the recipient.
- (12) **Insert Agency Name** will without regard to competency or legal restrictions ensure all recipients will receive treatment and care in an environment which is safe, humane, and free from physical, verbal, or sexual abuse, neglect, exploitation, or mistreatment.
- (a) **Insert Agency Name** will actively investigate and maintains investigation documentation for any suspected abuse and/or neglect of recipient(s).
- (b) In the event **Insert Agency Name** uncovers acts or alleged acts of neglect or abuse, applicable under federal, state or local law, these acts are reported to the Department of Mental Health and other appropriate authorities in addition to any investigation, determination or subsequent disciplinary action taken against an employee or recipient by **Insert Agency Name**
- (c) **Insert Agency Name** will provide each staff upon employment or promptly thereafter a written policy statement regarding abuse and neglect. The policy they received is their copy to keep. The statement is also prominently displayed and available in the policy and procedure manual. Staff sign they have received and understood the policy statement regarding abuse and neglect, which is placed in each individual employee record. Annual training is completed on this topic as well.

- (d) **Insert Agency Name** will employ sufficient number of qualified staff in accordance with ADMH approved program descriptions to protect recipients from abuse and neglect.
- (e) Each program will inform the lawful representative of a recipient less than fourteen (14) years of age of all special incidents verbally and in writing as documented in the recipients file with the time and number called and the letter is sent the next business day after the incident.
- (13) **Insert Agency Name** affords recipients privacy in receiving visitors, receiving and sending communications by sealed mail, direct contact and telephone communications with persons both inside and outside the facility, unless contraindicated for individualized therapeutic or security reasons. If it is contraindicated for individualized therapeutic or security reasons, this will be explained to the recipient and then documented in their individualized recipient record.
 - (a) **Insert Agency Name** allows each recipient visitation and opportunity for private conversation with members of their family, friends, and significant others.
 - (b) **Insert Agency Name** will have adaptive telecommunication devices for recipients who are deaf or hard of hearing to be able to place and receive telephone calls. Either ADMH or AIDB (Alabama Institute for Deaf and Blind) will be contacted in order to have the proper equipment and necessary assistant services.
 - (c) **Insert Agency Name** allows recipients to send and receive mail without hindrance, unless the treatment team deems it's contraindicated for individualized therapeutic or security reasons. **Insert Agency Name** does have the recipient to open any packages in front of staff to ensure there is nothing being shipped, such as alcohol, drugs, weapons, or any other unsafe, illicit, or illegal material. This will be explained to the recipient and then documented in their individualized recipient record.
 - (d) **Insert Agency Name** allows recipients appropriate opportunities for interactions with members of the opposite sex. **Insert Agency Name** does not allow fraternizing between recipients, staff. **Insert Agency Name** does understand specific interaction may be prohibited by state and local laws.
 - (e) **Insert Agency Name** does not place any restrictions on the recipient which would prohibit them from communicating with advocacy official, legal counsel, family or significant others, personal physician, unless legally restricted.
- (14) Attorneys and/or court representatives are allowed to visit privately and communicate with recipients at reasonable times.
 - (a) Every recipient is free to access courts, attorneys, and administrative procedures or to participate in those activities generally requiring legal representation, without fear or reprisal, interference, or coercion unless otherwise restricted by a court order.

- (15) Promptly upon admission, each program or facility provides each legally committed recipient a concise written statement describing his/her commitment status, the requirements of the commitment, and the length of the commitment.
- (a) Information regarding recipient rights complaint and appeal procedures relative to legal commitment is made available to recipients in their preferred language and in terms appropriate for them to understand.
- (16) Recipients legally committed to mental health services do not lose any rights to be included in the community with appropriate and adequate supports on completion of or in conjunction with the terms of commitment except as provided in the commitment order.
- (a) Prior to termination of the commitment order, the program develops, with the active participation of the recipient, a transition plan which includes referral to community support services necessary to ensure the recipient's successful transition.
- (17) Insert Agency Name allows recipients to refuse treatment, without fear of reprisal, except when refusals are not permitted under applicable law. Insert Agency Name documents recipient's refusal of treatment in their individual record.
- (18) Insert Agency Name Without fear of restraint, coercion, interference, discrimination, reprisal, or threat of discharge, recipients and others acting on their behalf are free to access available protection and advocacy services.
- (19) Recipients are advised whenever special equipment, such as two way mirrors or cameras, is used. A written, informed consent must be signed by the recipient, when used in non emergency situations. Exceptional circumstance may exist when ADMH ODS provides services to recipients who are language dysfluent and incapable of giving informed consent.
- (20) Insert Agency Name will respect each recipient's personal liberty with services provided in the least restrictive environment necessary. Liberty and/or rights will not be abridged without notification to recipient and Insert Agency Name compliance with due process.
- (21) Insert Agency Name recipients that receive substance abuse services have the same general rights as other citizens of Alabama. Insert Agency Name will assure that such rights are not abridged by the provider's policies, procedure, or practices. These rights include but are not limited to the following: (a) To exercise rights as a citizen of the United States and the State of Alabama; (b) to be served through general services available to all citizens; (c) to choose to live, work, be educated, and recreate with persons who do not have disabilities; (d) to be presumed competent until a court of competent jurisdiction, abiding by statutory and constitutional provisions, determines otherwise; (e) to vote and otherwise participate in the political process; (f) to free exercise of religion; (g) to own and possess real and personal property (nothing in this section shall affect existing laws pertaining to conveyance of personal property); (h) to make contracts; (i) to obtain a driver's license on the same basis as other citizens; (j) to social interaction with members of either sex; (k) to marry or divorce; (l) to be paid the value of work performed; (m) to exercise rights without reprisal.

- (22) **Insert Agency Name** provides recipients with safe and humane physical and psychological environment(s) in accordance with applicable federal and state laws and DMH standards of certification and licensure. **Insert Agency Name** provides safety precautions to promote the individual welfare of all recipients. **Insert Agency Name** will provide, at a minimum: (a) comfortable living and sleeping areas; (b) clean and private bathroom facilities; (c) attractive and adequately furnished visiting and living rooms; (d) clean and comfortable dining facilities; (e) facilities and equipment for laundering services; (f) safe and sturdy furnishings in good repair; (g) adequate provisions for smoking and non-smoking preference; (h) adequate and decorative room décor; (i) space and material for leisure time and recreational activities; (j) ensure regular housekeeping and maintenance to assure safe and clean conditions throughout the facility; (k) unless contradicted for therapeutic security purposes, recipients are allowed regular access to the outdoors.
- (23) **Insert Agency Name** ensures the recipients personal health and hygiene needs are recognized and addressed in a safe and humane manner. **Example:** If a recipient needs any hygiene product that **Insert Agency Name** does not have available, **Insert Agency Name** will reach out to certain donating entities for assistance.
- (24) **Insert Agency Name** will in addition to treatment for mental or substance abuse use disorder, makes sure every recipient is provided prompt assistance in accessing medical or dental treatment.
- (a) Recipients are either provided or referred to other health and/or dental services as deemed necessary by qualified staff.
- (b) **Insert Agency Name** does not prohibit a recipient from accessing dental or medical services of his/her choice. **Insert Agency Name** is not obligated or responsible to provide any payment for medical or dental services for the recipient.