



# Comprehensive Psychiatry Group

## **PATIENT RIGHTS & GRIEVANCES**

### **POLICY**

Ohio law provides specific safeguards of patient's rights while they are receiving psychiatric treatment.

### **PROCEDURE**

Patients of Comprehensive Psychiatry Group have the following legal rights:

- A. The right to be treated with consideration and respect for personal dignity, autonomy and privacy.
- B. The right to treatment, including the right to:
  1. A humane setting which is the least restrictive feasible as defined in the treatment plan.
  2. Be informed of one's own condition, of proposed or current services, treatment or therapies and of the alternatives
  3. Consent to or refuse any service, treatment or therapy upon full explanation of the expected consequences of such consent or refusal. A parent or legal guardian may consent to or refuse any service, treatment or therapy on behalf of a minor patient.
  4. A current, written, individualized treatment plan that addresses one's own mental health, physical health, social and economic needs and that specifies the provision of appropriate and adequate services, as available, either directly or by referral.
  5. Active and informed participation in the establishment, periodic review, and reassessment of the treatment plan.
  6. Be screened for pain.
  7. Freedom from unnecessary or excessive medication.
  8. Freedom from unnecessary restraint or seclusion.
  9. Participate in any appropriate and available hospital service, regardless of refusal of one or more other services, treatments, or therapies or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the patient's participation in other services. This shall be explained to the patient and written in the patient's current treatment plan.
  10. Be informed of and refuse any unusual or hazardous treatment procedures.
  11. Be advised of and refuse observation by techniques such as one-way vision mirrors, tape recorders, televisions, movies or photographs.
  12. Have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense.
  13. Confidentiality of communications and of all personally identifying information within the limitations and requirements for disclosure of various funding and/or certifying sources,

state or federal statutes, unless release of information is specifically authorized by the patient or legal guardian of a minor patient or court-appointed guardian of the person of an adult patient.

14. The right to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual patient for clear treatment reasons in the patient's treatment plan. "Clear treatment reasons" shall be understood to mean only severe emotional damage to the client such that dangerous or self-injurious behavior is an eminent risk. The person restricting the information shall explain to the patient and other persons authorized by the patient the factual information about the individual patient that necessitates the restriction. The restriction must be renewed at least annually to retain validity. Any person authorized by the patient has unrestricted access to all information. Patients shall be informed in writing of hospital policies and procedures for viewing or obtaining copies of personal records.
  15. Be informed in advance of the reason(s) for discontinuance of service provisions, and to be involved in planning for the consequences of that event.
  16. Receive an explanation of the reasons for denial of service.
  17. Not be discriminated against in the provision of service on the basis of religion, race, color, creed, sex, national origin, age, lifestyle, physical or mental handicap, developmental disability, or inability to pay.
  18. Know the cost of the services.
  19. Be fully informed of all rights.
  20. Exercise any and all rights without reprisal in any form including continued and uncompromised access to service.
  21. File a grievance.
  22. Have oral and written instructions for filing a grievance.
- C. Law guarantees civil rights. Patients are considered legally competent to retain those rights, benefits and privileges unless there has been a court decision of incompetence for that purpose in a separate judicial proceeding. These rights include, but are not limited to.
1. Not to be deprived of public or private employment solely by reason of having received services, voluntary or involuntary, for a mental disability.
  2. To retain all rights not specifically denied under the Ohio Revised Code.
- D. Other rights include, but are not limited to the right to:
1. Social interaction with member of either sex, subject to adequate supervision, unless such interaction is specifically withheld under the patient's treatment plan.
  2. Reasonable privacy including periods and places of privacy.
  3. Confidentiality in accordance with state law.
  4. Have personal possessions preserved and safeguarded.
  5. Use personal funds for personal benefits.
  6. Be informed of the reasons for admission, discharge procedures and to be involved in post-discharge plans.
  7. Free exercise of religious worship including the right to services and sacred texts that are within the reasonable capacity of the institution to supply, provided that no person will be coerced into engaging in any religious activities.
  8. Refuse to perform labor, which involved the operation, support or maintenance of the institution. (Additionally, privileges or release from the institution shall not be conditional upon such labor. Patients are, however, expected to perform therapeutic tasks if those

tasks are an integrated part of the treatment plan. Patients are also expected to perform tasks of a personal housekeeping nature).

9. Pursue a writ of habeas corpus.
10. The right to express your concern or grievance and to be heard in a non-judgmental, compassionate manner. The recommended process for doing so is as follows:
  - a) Speak directly to your service provider at CPG about your concern or grievance
  - b) If you have done so and are not satisfied, or you are not comfortable doing so, you may ask to speak to the CPG Grievance Officer, Jana Kanos MSW, LISW-s. You will also have the opportunity to document your concern or grievance on the Patient Concern / Complaint Form and submit this to Jana if you are not comfortable speaking directly to her. A written response from the Grievance Officer will be given to the patient within five business days.
  - c) In case the patient / family are not satisfied with the outcome of a grievance, they can contact the county agency or the Joint Commission for further resolution. The local county agency is the Mahoning County Mental Health & Recovery Board and can be contacted at the following address: 222 West Federal Plaza, Suite 201, Youngstown, OH 44503. Their phone number is (330) 746-2959 and their fax number is (330) 746-1052. To address your concern or grievance with The Joint Commission, the preferred method for submitting a concern is through their online submission form as it allows for more direct, timely receipt and review of your concerns. You can access this online form at [www.jointcommission.org](http://www.jointcommission.org). Alternately, you can mail your concern to the Office of Quality and Patient Safety, The Joint Commission One Renaissance Boulevard Oakbrook Terrace, Illinois 60181.