

# **SOUTHERN HIGHLANDS COMMUNITY MENTAL HEALTH CENTER**

## **POLICY AND PROCEDURE MANUAL**

**Date of Issue: 4/19/17**

**Section Number 605**

**Date Revised: 2/7/18**

### **Policy 605 – OBMAT Patient Rights**

The SHCMHC OBMAT program will utilize policies and procedures which ensure the following rights to patients:

- To be informed, both verbally and in writing, of program rules and regulations and patients' rights and responsibilities. The right and responsibilities shall be posted prominently and reviewed with the patient at admission, at the end of a stabilization period, at the time of an annual treatment review and at any time changes in the rights and responsibilities occur.
- To receive treatment provided in a fair and impartial manner regardless of race, sex, age, sexual orientation or religion.
- To receive an individualized plan of care or treatment plan developed according to guidelines established by a nationally recognized authority and approved by the secretary. The individualized plan of care or treatment plan shall include a recovery model, shall be reviewed periodically by the program physician and counselor at OBMAT programs, and shall be maintained in the patient's chart.
- To receive medications required by the individualized plan of care or treatment plan on a schedule developed in accordance with applicable federal requirements and approved guidelines and protocols that is the most accommodating and least intrusive and disruptive method of treatment for most patients.
- To be informed that random drug testing of all patients shall be conducted during the course of treatment as required in this rule, and that any refusal to participate in a random drug test shall be considered a positive test. The patient shall be informed of the consequences of having a positive drug screen result.
- To be entitled to participate in the SHCMHC OBMAT program that provides an adequate number of competent, qualified and experienced professional staff to implement and supervise the individualized plan of care or treatment plan.
- To be informed about potential interactions with and adverse reactions to other substances, including alcohol, other prescribed medications, over-the-counter pharmacological agents, other medical procedures, and food.
- To be informed about the financial aspects of treatment, including the consequences of nonpayment of required fees.
- To be given a copy of the initial assessment, written acceptance into the program; or, in the case of denial of admission a referral to an appropriate treatment program based upon the results of the initial assessment.
- To ensure confidentiality in accordance with federal regulations, 42 C.F.R. Part 2, and the Health Insurance Portability and Accountability Act of 1996, as amended.

- To be informed of the extent of confidentiality, including the conditions under which information can be released without consent, the use of identifying information for the purpose of program evaluation, billing and statutory requirements for reporting abuse.
- To give informed consent prior to being involved in research projects and the right to retain a copy of the informed consent form.
- To receive full disclosure of information about treatment and medication, including accommodation for those who do not speak English, or who are otherwise unable to read an informed consent form.
- To be entitled to protection from other patients' disruptive actions or behavior. The program shall attempt to determine the cause of that behavior so that an appropriate referral to an alternative method of care can be made.

The SHCMHC OBMAT program shall have patient grievance procedures which shall be displayed in the patient care area in a conspicuous place, such as the patient lobby and/or group room, and easily available to patients. They should include program rules, consequences of noncompliance and procedures for filing a complaint or grievance. The procedures shall inform the patients of the following.

- The right of a patient to express verbally or in writing his or her dissatisfaction with or complaints about treatment received.
- The right of a patient to initiate grievance procedures without fear of reprisal.
- The right of a patient to be informed of the grievance procedure in a manner that can be understood by the patient.
- The right of a patient to receive a decision in writing with the reasoning articulated.

To file a grievance, please see the Program Administrator.

The SHCMHC OBMAT program shall consider administrative withdrawal and shall be used only as a sanction of last resort. Consumers may receive an administrative discharge from the SHCMHC OBMAT program for a violation of any of the following:

- Behaviors that are considered disruptive to the OBMAT program.
- Violation of the OBMAT Drug Testing Policy.
- Non-compliance with required individual and/or group therapy.

It is the responsibility of the program to make every attempt before a patient is discharged to accommodate the patient's desire to be referred to an alternative treatment program as appropriate.