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**PURPOSE:**

To set forth the agency’s policy regarding client rights and the procedure for filing a client grievance. The rights of the persons served are available at all times for review and clarification.

**POLICY:**

It shall be the agency’s policy to adhere to all federal, state and accrediting body’s standards regarding client rights while receiving services at the agency. Each program and all staff shall adhere to the agency’s established client grievance procedure as outlined below. Whenever possible, clients and staff will be encouraged to resolve issues in an informal manner, through discussion between the two parties. No formal documentation will be made at that time.

Definitions:

“Client advocate” means the individual designated by a provider with responsibility for assuring compliance with the client rights and grievance procedure rule as implemented within each provider or board and shall have the same meaning as client rights officer or client rights specialist.


“Grievance” means a written complaint initiated either verbally or in writing by a client or by any other person or provider on behalf of a client regarding denial or abuse of any client’s rights. This is also known as a formal complaint. This action will not result in retaliation or barriers to services.

“Reasonable” means a standard for what is fair and appropriate under usual and ordinary circumstances.


**CLIENT RIGHTS**

Except for clients receiving forensic evaluation service from a certified forensic center, each client has all of the following rights:


- (1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;**
- (2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment;**
- (3) The right to receive services in the least restrictive, feasible environment;**

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- (4) **The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person’s participation;**
- (5) **The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency;**
- (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 to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;**
- (8) **The right to be informed and the right to refuse any unusual or hazardous treatment procedures;**
- (9) **The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology. This right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;**
- (10) **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;**
- (11) **The right to have access to one’s own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;**
- (12) **The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;**
- (13) **The right to be informed of the reason for denial of a service;**


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- (14) **The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;**
- (15) **The right to know the cost of services;**
- (16) **The right to be verbally informed of all client rights, and to receive a written copy upon request;**
- (17) **The right to exercise one’s own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;**
- (18) **The right to file a grievance;**
- (19) **The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;**
- (20) **The right to be informed of one’s own condition; and**
- (21) **The right to consult with an independent treatment specialist or legal counsel at one’s own expense.**
- (22) **The right to freedom from financial or other exploitation, retaliation, and humiliation.**
- (23) **The right of access to information pertinent to the person served in sufficient time to facilitate the person’s decision making.**
- (24) **The right to informed consent or refusal or expression of choice and withdrawal of consent regarding service delivery, release of information, concurrent services, composition of the service delivery team, and involvement in research projects, if applicable.**
- (25) **The right of access or referral to legal entities for appropriate representation, self-help support services, and advocacy support services.**
- (26) **The right of adherence to research guidelines and ethics when persons served are involved, if applicable.**
- (27) **The right of investigation and resolution of alleged infringement of rights.**

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**Each client receiving a forensic evaluation service from a certified forensic center has these rights:**

- (1) The right to be treated with consideration and respect for personal dignity;**
- (2) The right to be evaluated in a physical environment affording as much privacy as feasible;**
- (3) The right to service in a humane setting which is the least restrictive feasible if such setting is under the control of the forensic center;**
- (4) The right to be informed of the purpose and procedures of the evaluation service;**
- (5) The right to consent to or refuse the forensic evaluation services and to be informed of the probable consequences of refusal;**
- (6) The right to freedom from unnecessary restraint or seclusion if such restraint or seclusion is within the control of the forensic center;**
- (7) The right to be advised of and refuse observation by techniques such as on-way vision mirrors, tape recordings, televisions, movies, or photographs, or other audio and visual technology, unless ordered by the court, in which case the client must be informed of such technique. The right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms;**
- (8) The right not to be discriminated against in the provision of service on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;**
- (9) The right to be fully informed of all rights;**
- (10) The right to exercise any and all rights without reprisal in any form;**
- (11) The right to file a grievance; and,**
- (12) The right to have oral and written instructions for filing a grievance including an explanation that the filing of a grievance is exclusively and administrative proceeding within the mental health system and will not affect or delay the outcome of the criminal charges.**


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### **CLIENT GRIEVANCE PROCEDURE**

- (1) This procedure outlines the responsibilities of each party. All grievances must be submitted to the Client Rights Officer who will be available to assist a client in filing a grievance.

Client Rights Officer: Michelle Kniceley, Compliance Assistant  
Location: Catalyst Life Services  
741 Scholl Rd.  
Mansfield, OH 44907  
Hours: Monday through Friday, 8am to 5pm.  
Phone: 419-774-6768 (message line)  
419-756-1717

- (2) The grievance must be put into writing; the grievance may be made verbally and the Client Rights Officer shall be responsible for preparing a written text of the grievance;
- (3) The written grievance must be dated and signed by the client, the individual filing the grievance on behalf of the client, or have an attestation by the Client Rights Officer that the written grievance is a true and accurate representation of the client's grievance;
- (4) The grievance is required to include, if available, the date, approximate time, description of the incident and names of individuals involved in the incident or situation being grieved;
- (5) A written acknowledgment of receipt of the grievance will be provided to each grievant. Such acknowledgment shall be provided within three business days from receipt of the grievance. The written acknowledgment shall include, but not be limited to, the following:
- (a) Date grievance was received;
  - (b) Summary of grievance;
  - (c) Overview of grievance investigation process;
  - (d) Timetable for completion of investigation and notification of resolution; and
  - (d) Treatment provider contact name, address, and telephone number.
- (6) Efforts by the client rights officer will be made to resolve the complaint. The timeframe to begin the investigation process shall be within 3 business days of the receipt of the written grievance. This may include review of the client's electronic health record, meetings with those involved, and review of agency policies and procedures. Levels of review include initial steps by the client rights officer to seek out more information and consultation with the Performance Improvement Director and the CEO.

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(7) Timeframes for the investigation shall be adequate for prompt consideration and result in timely decisions for the person served. The organization will make a resolution decision on the grievance within twenty business days of receipt of the grievance. Any extenuating circumstances indicating that this time period will need to be extended must be documented in the grievance file and written notification given to the client;

(8) The client has the option to request a staff member or another individual to act as an advocate or provide other assistance. The client may file a grievance with outside organizations, that include, but are not limited to, the following:

Mental Health & Recovery Services  
Board of Richland County  
87 East First Street, Suite L  
Mansfield, OH 44902  
(419) 774-5811

Ohio Department of Mental Health  
and Addiction Services  
30 East Broad Street, 36<sup>th</sup> Floor  
Columbus, OH 43215-3430  
(614) 466-2596

Disability Rights of Ohio  
200 S. Civic Dr., #300  
Columbus, OH 43215  
(800) 282-9181

US Department of Health and Human  
Services  
Office for Civil Rights  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
(800)-368-1019  
TDD: 1-800-537-7697


Other counties served by the Forensic Department where a grievance may be filed include:

Mental Health & Recovery Services  
Board of Ashland County  
1605 County Road 1095  
Ashland, OH 44805  
(419) 281-3139

Crawford-Marion Board of ADAMHS  
142 S. Prospect St.,  
Marion, OH 43302  
(740) 387-8531

Mental Health & Recovery Services  
Board of Allen, Auglaize, and  
Hardin Counties  
528 W. Market St.  
Lima, OH 45801  
(419) 222-5120

Mental Health & Recovery Services  
Board for Licking and Knox Counties  
1435-B West Main Street  
Newark, OH 43055  
(740) 522-1234

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Huron County Mental Health & Addiction Services Board  
2 Oak St.  
Norwalk, OH 44857  
(419) 681-6268


Mental Health & Recovery Services Board of Lorain County  
1173 Northridge Road E.  
Lorain, OH 44055  
(440) 223-2020

Delaware-Morrow Mental Health & Recovery Services Board  
40 North Sandusky Street, Suite 301  
Delaware, OH 43015  
(740) 368-1740

Mental Health & Recovery Services Board of Seneca-Sandusky-Wyandot  
1200 N. State Rte. 53  
Tiffin, OH 44883  
(419) 448-0640

Mental Health & Recovery Services Board of Wayne and Holmes Counties  
1985 Eagle Pass  
Wooster, OH 44691  
(330) 264-2527 – Wayne  
(330) 674-5772 - Holmes

- (9) Catalyst Life Services reserves the right to refer clients to an outside organization of their choice if there is a conflict or if the client is not in agreement or satisfied with the resolution.
- (8) The agency will maintain for at least two years from resolution, records of client grievances that include, at a minimum, the following:
  - (a) Copy of the grievance;
  - (b) Documentation reflecting the process used and resolution/remedy of the grievance; and,
  - (c) Documentation, if applicable, of extenuating circumstances for extending the time period for resolving the grievance beyond twenty business days.
- (9) The client rights policy and grievance procedure shall be readily available to the persons served and posted in each location in which services are provided, unless the certified agency location is not under the control of the provider, i.e., a shared location such as a school, jail, etc. and it is not feasible for the provider to do so.
- (10) The client rights policy and grievance procedure shall be posted in a conspicuous location that is accessible to the persons served, their family or significant others and the public. All staff have access to the grievance form on the agency intranet in the forms section. Clients may request a form at any time.

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- (11) When a location is not under the control of the provider, and it is not feasible for the provider to post the client rights policy and grievance procedure, the provider shall assure that copies are available at each location for each person that may request a written copy.
- (12) The provider shall explain and maintain documentation in the ICR of explanation of rights to each person served prior to or when beginning assessment or treatment services.
- (13) In a crisis or emergency situation, or when a client does not present for services in person such as through a hotline; the provider may verbally advise the client of at least the immediately pertinent rights only, such as the right to consent to or to refuse the offered treatment and the consequences of that agreement or refusal. Full verbal explanation of the client rights policy shall be provided at the first subsequent meeting.
- (14) Clients or recipients of information and referral service, consultation service, mental health education service, and prevention service may have a copy and explanation of the client rights policy upon request.
- (15) Explanations of rights shall be in a way that is understandable, prior to the beginning of service delivery or at initiation of service delivery and at least annually for persons served in a program longer than one year.
- (16) All staff shall be required to follow the client rights policy and client grievance procedure. There shall be documentation in each employee's personnel file, including contract staff, volunteers and student interns that each staff member has received a copy of the client rights policy and the client grievance procedure and has agreed to abide by them.