

Your Rights

As a client of Pawnee Mental Health Services you are entitled to specific rights regarding your treatment:

1. The right of the client to always be treated with dignity and respect, and be free from verbal or physical abuse, neglect, exploitation and restraint/seclusion used as a means of coercion, discipline, convenience or retaliation.
2. The right of the client to receive treatment services free of discrimination based on the client's race, religion, ethnic origin, age, disabling or medical condition and ability to pay for services.
3. The right of the client not to be subjected to the use of any type of treatment, technique, intervention, or practice, including the use of restraint or seclusion, done solely as a means of coercion, discipline, retaliation, or for convenience of any Pawnee staff, or interns.
4. The right of the client to receive treatment in the least restrictive, most appropriate manner that is consistent with the client's clinical condition and legal status.
5. the right of the client to an explanation of one's own information regarding medical and psychiatric conditions, prescribed medications including the potential benefits and any known side effects or other risks associated with all medications that are prescribed for the client, whether medication compliance is a condition of treatment, and any discharge plans for medication.
6. The right of the client to an explanation of the potential benefits and any known adverse consequences or risks associated with any type of treatment that is not referred to above, or is included in the client's treatment plan.
7. The right of the client to be provided with information about other clinically appropriate medications and alternative treatments, even if these medications or treatments are not the recommended choice of that client's treating professional.
8. The right of a client, voluntarily receiving treatment, to refuse any treatments or medications to which that clients has not consented unless such treatment is necessary to save the client's life or physical health.
9. The right of a client, involuntarily receiving treatment pursuant to any court order, to be informed that there may be consequences to the client if he or she fails or refuses to comply with the provisions of the treatment plan or to take any prescribed medication.
10. The right of the client (or the client's guardian, if applicable) to consent in writing, refuse to consent, or withdraw consent to take any experimental medication or to participate in any experimental treatment, clinical trial, or research project without affecting the services available to the client.
11. The right of the client to actively participate in the development of an individualized treatment plan, including the right to request changes in the treatment services being provided to the client or to request that other staff members be assigned to provide these services to the client.
12. The right to request a review of their treatment plan or make changes to their treatment plan at any time.

13. The right of the client to receive treatment or other services from Pawnee in conjunction with treatment or other services obtained from other mental health professionals or providers who are not affiliated with or employed by Pawnee, subject only to any written conditions that Pawnee may establish only to ensure coordination of treatment of any services;
14. The right to be free from coercion in engaging in or refraining from individual religious or spiritual activity, practice or belief.
15. The right of the client to be accompanied or represented by an individual of the client's own choice during all contacts with the Pawnee. This includes the right to receive assistance from a family member, designated representative, or other individual in understanding, protecting, or exercising the client's rights.
 - This right will be subject to denial only upon determination by treatment staff that the accompaniment or representation would:
 - compromise either the client's right to confidentiality, or would significantly interfere with the client's treatment, or that of other individuals, or would further be disruptive to Pawnee operations.
16. The right of the client to see, review, and/or obtain a copy of the client's record at their own expense, unless the executive director (or his/her designee) has determined that portions of the record should not be disclosed
 - This determination shall be accompanied by a written statement placed within the clinical record required by K.A.R. 30-60-46, explaining why disclosure of that portion of the record at this time would be injurious to the welfare of that client or to others closely associated with that client.
17. The right of the client to have staff refrain from disclosing to anyone the fact that the client has previously received or is currently receiving any type of mental health or alcohol and drug treatment, or from disclosing or delivering to anyone any information or material that the client has disclosed or provided to any staff member of Pawnee during any process of diagnosis and/or treatment.
 - a. This right shall be automatically claimed by Pawnee on behalf of the client by Pawnee staff unless the client expressly waives the privilege, in writing, or unless staff are required to do so by law or a proper court order;
 - b. Clients have the right not to be fingerprinted, photographed or recorded without consent, except for:
 - i. Photographing for identification and administrative purposes as provided by RO3-602 or,
 - ii. Video recordings used for security purposes that are maintained only on a temporary basis.
18. The right of the client to exercise the client's rights by substitute means, including the use of advance directives, a living will, a durable power of attorney for health care decisions, or through springing powers provided for within a guardianship.
19. The right of the client with a qualifying disability to be accompanied by a service dog on agency premises. No extra charge is levied because of the service dog's presence, however, the service dog user is liable for any damage to the premises that the dog might cause.
20. The right to be able to request a different treatment provider, within the limits of Pawnee's ability to provide an alternative.

21. The right to be informed at the time of admission and before receiving treatment services (except for a treatment service provided to a client experiencing a crisis situation) of the fees the client will be required to pay and refund policies and procedures. The client has the right to request and receive an explanation of their bills and charges for services.
22. The right to receive treatment recommendations and referrals, if applicable, when the client is to be discharged or transferred.
23. The right to know the name and credentials of their treatment providers.
24. The right of the client to at any time make a complaint in accordance with KAR 30-60-51 concerning a violation of any of the rights listed in this regulation or concerning any other matter, and the right to be informed of the procedures and process for making a complaint, as well as to receive a response to a grievance in a timely and impartial manner. Clients have the right to be free from retaliation for submitting a grievance to Pawnee administration, SRS, or other entity.

If Pawnee Mental Health Services provided residential or inpatient Alcohol and Drug treatment the following additional client rights would apply:

- Participants would be provided with a safe, sanitary and humane living environment that provides privacy and promotes dignity.
- Participants would experience confidential, uncensored, private communication that includes letters, telephone calls and personal visits with an attorney, personal physician, clergy, department of SRS staff or other individual unless restriction of such communication is clinically indicated and is documented in the client record.
- Participants would be free to engage in or refrain from individual religious or spiritual practice or belief.

Distribution, Education of Client Rights Procedure:

1. All clients, and if applicable, the client's parent, guardian or designated representative, will be given a copy and verbal explanation of:
 - a. their client rights,
 - b. grievance policy and procedure
 - c. confidentiality policy, and
 - d. treatment service feesupon admission to Pawnee and annually thereafter if applicable.
2. During the initial interview, admissions staff and/or the treatment provider will provide a verbal and written explanation to the client/family member/guardian of his/her rights and take whatever steps necessary (i.e. interpreter, extra time in session, large print admission packets, etc.) to assist the client in understanding his/her rights. Time will be devoted to answering any questions the client may have about his/her rights.
3. Admissions staff and/or the treatment provider will document the client's refusal to sign/date these documents, as warranted.

4. Clients, or if applicable, the client's parent, guardian, or designated representative will be asked to indicate by his/her initial, signature and date on the "Client rights checklist" that he/she has received an explanation and copy of his/her rights which will be filed in his/her clinical chart.
5. New staff and interns will receive specific training upon orientation to the agency about client rights.
6. All Pawnee staff are expected to acknowledge and adhere to each of these client rights.