

WASATCH BEHAVIORIAL HEALTH
SPECIAL SERVICE DISTRICT

CLIENT RIGHTS – C – 3.05

Purpose:

To act in accordance with all applicable Federal and State laws, and Wasatch Behavioral Health (WBH) provider contracts pertaining to client rights, by ensuring its staff, volunteers, and outside contracted providers adhere to required statutory and contractual requirements.

Policy:

- A. WBH shall establish and maintain a client rights and grievance system. Clients shall be informed of (1) their rights as a client, and (2) the grievance system, which accords a client the right to (a) appeal decisions by WBH that are adverse to their treatment and (b) to grieve any perceived unfairness they encounter while receiving services.

- B. WBH shall inform clients, on admission, of their rights and responsibilities and prominently display their rights in locations accessible to the public in all its facilities. WBH shall allow clients to freely exercise their rights, and ensure the exercise thereof is not adversely affected during treatment; this includes being accorded dignity and respect at all times by employees, volunteers, and outside contracted providers.

- C. WBH shall comply with any other applicable state laws, and Federal laws (such as title VI of the Civil Rights Act of 1964 as implemented by regulations at 45 CFR part 80; the Age Discrimination Act of 1975 as implemented by regulations at 45 CFR part 91; the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972 (regarding education programs and activities), Titles II and III of the Americans with Disabilities Act; and section 157 of the Patient Protection and Affordable Care Act.

- D. All enrollees have the right to freely exercise all their rights without fear of repercussions adversely affecting the way they are treated by staff and providers. Any retaliation on the staffs' or providers' part could result in sanctions up to and including termination.

Procedure:

- 1. During admission to services, all clients shall receive information on their right and responsibilities to privacy in accordance with the privacy requirements in HIPAA/42 CFR part 2 and 45 CFR parts 160 and 164(Attachment A) including their right to appeal a decision made by WBH that is adverse to their treatment, and to grieve any unfairness they encounter while receiving services.

- 2. Clients with language barriers and those unable to read, shall receive their rights and responsibilities information in an English or Spanish written and/or audio format as needed.

3. Copies of the Client Rights and Responsibilities statement shall be posted in the main hallways or at the entrance of all its facilities. The 24-hour phone number for WBH emergency services shall be printed on the glass at the entrance of all facilities.

Right to Change and/or Terminate Policy:

Reasonable efforts shall be made to keep employees informed of any changes in the policy; however, WBH reserves the right, in its sole discretion, to amend, replace, and/or terminate this policy at any time.

Attachment A – Client Rights

As a Medicaid client at Wasatch Behavioral Health (WBH) you have the right to:

- Get behavioral health care regardless of your race, color, national origin, disability (mental or physical), sex, religion, or age. If you have been treated unfairly or discriminated against for any reason, please call any of the numbers listed below:
 - Wasatch Behavioral Health Customer Service Representative at 801-373-4760 or toll free 1-866-366-7987.
 - Medicaid's Constituent Services at 1-877-291-5583.
 - The Federal Office for Civil Rights at 1-303-844-2024, e-mail contact: ocrmail@hhs.gov. Web site: www.hhs.gov/ocr.
- Get information on the Prepaid Mental Health Plan in a way that is easily understood.
- Be treated with respect and dignity.
- Have your privacy protected.
- Get information on other types of treatment in a way that is easily understood.
- Take part in decisions about your behavioral health care, including the right to refuse treatment.
- Be free from restraint or seclusion if it is used to coerce (force), discipline, or is used as a reaction (to retaliate), or for convenience, as specified in federal regulations on the use of restraint and seclusion.
- Get a copy of your behavioral health record. You can also ask that it be amended or corrected, when allowed by federal law.
- Get behavioral health covered services in the amount you need and when you need them.
- Get a second opinion at no cost to you.
- Use your rights at any time and not be treated badly if you do.

Medicaid and Non-Medicaid Client Responsibilities

- Keep scheduled appointments.
- Cancel appointments 24 hours in advance.
- Be on time for your appointments.
- Participate with your treatment team in your treatment plan and care.
- Tell the secretary and your Medicaid case worker of changes in your address, phone number, or insurance.
- Tell medical staff all medications you are taking, including medical and behavioral health prescriptions, over-the-counter medications, herbs, etc.
- Complete any surveys Wasatch Behavioral Health gives you.
- Respect the property, comfort, and confidentiality of clients and staff.
- Notify your treatment provider when you want to stop getting services.

None Medicaid Client Rights

As a Non-Medicaid client at Wasatch Behavioral Health (WBH) you have the right to:

- Receive medically necessary behavioral health care in WBH programs, services and activities regardless of your race, color, national origin, disability (mental or physical), sex, religion, or age with priority given to those with the greatest need. If you feel you have been treated unfairly or discriminated against for any reason, you may contact the Center Customer Service Representative at (801) 373-4760.
- Be treated with respect and dignity
- Participate in the selection of your provider
- Have your privacy protected
- To receive emergency behavioral health services 24 hours/day, 7 days/week
- To complete an advance directive telling WBH in writing your treatment choices in the event you are not able to make decisions for yourself.
- Receive information on all treatment options
- Take part in treatment decisions regarding your behavioral health care, including the right to refuse treatment
- Be free from restraint or seclusion if it is used to coerce (force), discipline, or used as a reaction (to retaliate), or for convenience, as specified in federal regulations on the use of restraint and seclusion
- Review and receive a copy of your medical record, and when appropriate, ask that it be amended or corrected if the privacy rule in 45 CFR parts 160 and 164, subparts A and E, applies, as specified in 45 CFR part 164, subpart E, sections 164.524 and 526
- Receive behavioral health services according to Wasatch Behavioral Health's access and quality standards.