

Person Name	Program Name
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This packet contains information regarding your rights while receiving services and supports from this program and information of where you can go if you have questions or need additional information related to your rights.

- I received the following information within 24 hours of admission to this program:
 1. A copy of my rights under the law, **Minnesota Statutes 245I.12**
 2. An explanation of what my rights are and that I am free to exercise my rights; and that this program must help me exercise my rights and help protect my rights.

Date services were started _____ Date I received this information _____

- This information was provided to me in a way that I understand. If I needed the information in another format or language, it was given to me in that format or language.
- I understand that I may contact the agencies below if I need help to exercise or protect my rights:

Office of the Ombudsman for Mental Health and Developmental Disabilities
 332 Minnesota Street
 Suite W1410, First National Bank Building
 St. Paul, Minnesota 55101-2117
 Phone: 651-757-1800 or 800-657-3506
 Fax: 651-797-1950
 Website: <https://mn.gov/omhdd/>

Minnesota Disability Law Center Minneapolis
 430 1st Ave N, Suite 300
 Minneapolis, MN 55401
 Phone: 1-800-292-4150
 Email: mndlc@mylegalaid.org
 Website: www.mndlc.org

Minnesota Disability Law Center- Duluth
 306 W. Superior Street # 403
 Alworth Building
 Duluth, MN 55802
 Phone: 218-722-5625

- I want _____ [insert name of my authorized representative / legal representative / family member] to help me exercise my rights. The program has this person’s contact information in my record.

By signing this document, I am agreeing that I have read and understand the boxes I checked above.

Client or Legal Representative – Signature

Client or Legal Representative – Please Print

Date

245I.12 Client Rights

Information about rights: The license holder must ensure that all clients have the rights as listed in the Health Care Bill of Rights in section 144.651, and as outlined below. The license holder must give a copy of the client's rights according to this section to each client on the day of the client's admission, and document that this occurred. The license holder must post a copy of the client rights in an area visible or accessible to all clients. If the license holder restricts a client's right, the license holder must document in the client's IAPP, a mental health professional's approval of the restriction and the reasons for the restriction.

Courteous treatment: Clients have the right to be treated with courtesy and respect for their individuality by employees of or person providing service in a health care facility.

Appropriate health care: Clients shall have the right to appropriate medical and personal care based on individual needs. Appropriate care for clients means care designed to enable clients to achieve their highest level of physical and mental functioning. This right is limited where the service is not reimbursable by public or private resources.

Physician's, advanced practice registered nurses, or physician assistant's identity: Clients shall have or be given, in writing, the name, business address, telephone number, and specialty, if any, of the physician, advanced practice registered nurse, or physician assistant responsible for coordination of their care.

Relationship with other health services: Clients who receive services from an outside provider are entitled, upon request, to be told the identity of the provider. Clients shall be informed, in writing, of any health care services which are provided by individuals, corporations, or organizations other than their facility. Information shall include the name of the outside provider, the address, and a description of the service which may be rendered.

Information about treatment: Clients shall be given by their physicians, advanced practice registered nurses, or physician assistants complete and current information concerning their diagnosis, treatment, alternatives, risks, and prognosis as required by the physician's, advanced practice registered nurses, or physician assistant's legal duty to disclose. This information shall be in terms and language the client can reasonably be expected to understand. Clients may be accompanied by a family member or other chosen representative, or both. This information shall include the likely medical or major psychological results of the treatment and its alternatives. Clients have the right to refuse this information.

Participation in planning treatment; notification of family members: Clients shall have the right to actively participate in the development of their treatment plan and formal care conferences, including the opportunity to discuss treatment alternatives, and the right to include a family member or other chosen representative as identified.

Continuity of Care: Clients shall have the right to be cared for with reasonable regularity and continuity of staff assignment as far as facility policy allows.

Right to Refuse Care: Competent clients shall be permitted to refuse treatment. The license holder shall inform clients of the likely impact of refusing treatment, medications, or dietary restrictions. The license holder must document this in the client's individual file. In cases where a client is incapable of understanding the consequences of the refusal, but has not been adjudicated incompetent, or when legal requirements limit the right to refuse treatment, the conditions and circumstances shall be fully documented in the client's file.

Experimental research: Written, informed consent must be obtained prior to a client's participation in experimental research. Clients have the right to refuse participation. Both consent and refusal shall be documented in the individual care record.

Freedom from maltreatment and restraints: Clients shall be free from maltreatment as defined in the Vulnerable Adults Protection Act. "Maltreatment" means conduct described in section 626.5572, subdivision 15, or the intentional and nontherapeutic infliction of physical pain or injury, or any persistent course of conduct intended to produce mental or emotional distress. Every client shall also be free from nontherapeutic chemical and physical restraints, except in fully documented emergencies, or as authorized in writing after examination by a client's physician, advanced practice registered nurse, or physician assistant for a specified and limited period of time, and only when necessary to protect the resident from self-injury or injury to others.

Treatment privacy: Clients shall have the right to respectfulness and privacy as it relates to their medical and personal care program. Case discussion, consultation, examination, and treatment are confidential and shall be conducted discreetly. Privacy shall be respected during toileting, bathing, and other activities of personal hygiene, except as needed for patient or resident safety or assistance.

Confidentiality of records: The license holder shall provide for the confidential treatment of the clients' records. A client may approve or refuse the release of information to any individual outside the facility. Clients shall be notified when personal records are requested by any individual outside the facility.

Disclosure of services available: Clients shall be informed, prior to or at the time of admission and during their stay, of services which are included in the facility's basic per diem or daily room rate and that other services are available at additional charges. Facilities shall make every effort to assist clients in obtaining information regarding whether the Medicare or medical assistance program will pay for any or all of the aforementioned services.

Responsive service: Clients shall have the right to a prompt and reasonable response to their questions and requests.

Personal privacy: Clients shall have the right to every consideration of their privacy, individuality, and cultural identity as related to their social, religious, and psychological well-being. Facility staff shall respect the privacy of a client's room by knocking on the door and seeking consent before entering, except in an emergency or where clearly inadvisable.

Grievances: Clients shall be encouraged and assisted, throughout their stay in a facility or their course of treatment, to understand and exercise their rights. Clients may voice grievances and recommend changes in policies and services to facility staff and others of their choice, free from restraint, interference, coercion, discrimination, or reprisal, including threat of discharge. Notice of the grievance procedure of the facility or program shall be posted in a conspicuous place.

Communication privacy: Clients may associate and communicate privately with persons of their choice and enter and, except as provided by the Minnesota Commitment Act, leave the facility as they choose. Clients shall have access, at their expense, to writing instruments, stationery, and postage. Personal mail shall be sent without interference and received unopened unless medically or programmatically contraindicated and documented in the medical record. There shall be access to a telephone where clients can make and receive calls as well as speak privately. Facilities which are unable to provide a private area shall make reasonable arrangements to accommodate the privacy of clients' calls. Upon admission to a facility where federal law prohibits unauthorized disclosure of client identifying information to callers and visitors, the client, or the legal guardian or conservator of the client, shall be given the opportunity to authorize disclosure of the client's presence in the facility to callers and visitors who may seek to communicate with the patient or resident.

Personal property: Clients shall be permitted to retain and use their personal clothing and possessions as space permits, unless to do so would infringe upon rights of other clients, and unless it is medically or programmatically contraindicated for medical, safety, or programmatic reasons and this is documented. The license holder must either maintain a central locked depository or provide individual locked storage areas in which clients may store their valuables.

Services for the facility. Patients and residents shall not perform labor or services for the facility unless those activities are included for therapeutic purposes and appropriately goal-related in their individual medical record.

Choice of supplier: Clients may purchase or rent goods or services not included in the per diem rate from a supplier of their choice unless otherwise provided by law. The supplier shall ensure that these purchases are sufficient to meet the medical or treatment needs of the clients.

Financial affairs: Competent clients may manage their personal financial affairs, or shall be given at least a quarterly accounting of financial transactions on their behalf if they delegate this responsibility in accordance with the laws of Minnesota to the facility for any period of time.

Right to associate: Clients may meet with and receive visitors and participate in activities of commercial, religious, political, as defined in section 203B.11 and community groups without interference at their discretion if the activities do not infringe on the right to privacy of other residents or are not programmatically contraindicated.

Client/Advisory Council: Clients and their families shall have the right to organize, maintain, and participate in client advisory and family councils. Each facility shall provide assistance and space for meetings. Council meetings shall be afforded privacy, with staff or visitors attending only upon the council's invitation. A staff person shall be designated the responsibility of providing this assistance and responding to written requests which result from council meetings. Client and family councils shall be encouraged to make recommendations regarding facility policies.

Married residents: Residents, if married, shall be assured privacy for visits by their spouses and, if both spouses are residents of the facility, they shall be permitted to share a room, unless medically contraindicated and documented by their physicians in the medical records.

Protection and advocacy services: Clients shall have the right of reasonable access at reasonable times to any available rights protection services and advocacy services so that the client may receive assistance in understanding, exercising, and protecting the rights described in this section and in other law. This right shall include the opportunity for private communication between the client and a representative of the rights protection service or advocacy service.

Photograph or audio or video recording: Clients have the right to the right to be informed prior to a photograph or audio or video recording being made of the client. The client has the right to refuse to allow any recording or photograph of the client that is not for the purposes of identification or supervision by the license holder. Consent must be documented in writing and be present in the client's file.

Freedom from discrimination: Clients have the right to be free from discrimination based on age, race, color, creed, religion, national origin, sex, gender identity, marital status, disability, sexual orientation, and status with regard to public assistance. Providers must abide by all applicable State and Federal laws including the requirements of the MINNESOTA HUMAN RIGHTS ACT, *M.S. Chapter 363A*.