

INDIVIDUAL RIGHTS AND NOTIFICATIONS

I. PURPOSE

The purpose of this policy is to outline the rights guaranteed to each person served receiving services and establish a process that ensures that each person served and/or legal representative is informed of all pertinent information regarding service delivery.

II. POLICY

West Central Industries will respect and protect the rights of person served receiving services to the maximum degree possible. Each person served shall be guaranteed all rights set forth in the persons served *Individual Rights* in addition to all civil rights afforded by law. All persons served will be provided with necessary assistance, support, or advocacy to exercise their rights to the fullest of their capabilities.

III. PROCEDURE

- A. WCI staff will read, become familiar with, and implement person's served rights as stated in the persons served *Individual Rights*.
- B. The Director of Waivered Services/Director of Placement and Extended Employment Services or Employment Advisor/Designated Coordinator will ensure that the person's served rights are explained to the person served and/or legal representative within 5 working days of service initiation. The person served and/or legal representative are to receive a copy of the person's served *Individual Rights* and copies of policies and procedures affecting a person's served rights will also be provided on the day services were initiated and the Director of Waivered Services/Director of Placement and Extended Employment Services or Employment Advisor/Designated Coordinator will ensure that there is documentation of their receipt of the person's served *Individual Rights*.
- C. Reasonable accommodations will be made by the Director of Waivered Services/Director of Placement and Extended Employment Services or Employment Advisor/Designated Coordinator to provide this information in other formats as needed to facilitate understanding of the rights by the person served and/or legal representative.
- D. Person's served rights will be reviewed by the Director of Waivered Services/ Director of Placement and Extended Employment Services or Employment Advisor/Designated Coordinator with the person served and/or legal representative at least annually and in a manner which they can understand. If determined by the support team that a more frequent review of the *Individual Rights* would be beneficial, the Director of Waivered Services/Director of Extended Employment Services or Employment Advisor/Designated Coordinator will complete the review at the agreed upon frequency.
- E. Restriction of a person's served rights is allowed only if determined necessary to ensure the health, safety, and well-being of the person. Any restriction of these rights must be documented in their *Support Plan* and will include the following information:
 1. Justification for the restriction based on assessment of the person's served vulnerability related to exercising the right without restriction.
 2. Objective measures set as conditions for ending the restriction.
 3. A schedule for reviewing the need for the restriction based on the conditions for ending the restriction. This review will occur at least every quarter for persons served who do not have a legal representative and at least annually for those persons served who do have a legal representative. The review will occur ongoing at this frequency from the date of initial approval.

4. Signed and dated approval for the restriction from the person served and/or legal representative. A restriction may only be implemented when the required approval has been obtained and it may be withdrawn at any time. If the approval is withdrawn, the right must be immediately and fully restored.
- F. Copies of revised policies and procedures and an explanation of the revisions that affect person's served service-related or protection-related rights and the maltreatment reporting policies and procedures will be provided to the person served and/or legal representative and case manager 30 days prior to implementing the revised policy and procedure, unless there is reasonable cause. The reason for not providing the notice at least 30 days before implementing the revisions will be documented.

Annually, all persons served and/or legal representatives and case managers will be notified of any revised policies and procedures affecting individuals' service-related or protection-related rights. Upon request, the person served and/or legal representative and case manager will be provided copies of revised policies and procedures.