



COMMUNITY/OUTPATIENT CLIENT RIGHTS POLICY AND GRIEVANCE

150 Cross Street
Akron, OH 44311
330.253.9388

As a contract agency of the County of Summit Alcohol, Drug Addiction and Mental Health Services (ADM) Board through the Ohio Department of Mental Health and Addiction Services (OHMHAS), people who use or apply for or are treated through our services are protected through a set of rights and procedures through Ohio Administrative Code, 5122-26-18.

All employees of the agency are familiar with the specific client rights and grievance procedure and can explain the client rights to a person who receives services from this agency, however, there is a specific person called the Client Rights Advocate who oversees the complaint and grievance process. It is that person's responsibility to accept and oversee the process of any grievance filed by a client or other person or agency on behalf of a client.

At Community Support Services, Inc., the Client Rights Advocate is:

Bruce Winer
640 Wolf Ledges Parkway
Akron, OH 44311
Phone: 330.253.9388, ext. 461
Hours: 8:30 a.m. to 4:30 p.m., Monday through Friday

When an individual is a new client to the agency, their client rights will be explained to him or her. These rights will again be examined during the annual treatment plan review. The rights are also posted in a conspicuous, public area of each building operated by the agency and anyone may request a copy of these rights upon request.

In the case of services that are of an informational, referral, consultation, educational and prevention nature, as described in Chapter 5122-29 of the Administrative Code, persons receiving those services may have a copy and explanation of the client rights policy upon request.

In a crisis or emergency situation, the person using or applying for services shall be verbally advised of at least the immediate pertinent rights, 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 may be delayed to a subsequent meeting.

The following definitions may help in understanding the grievance process. These definitions are in addition to or supersede the **definitions** in rule 5122-24-01 of The Ohio Administrative Code.

1. **Client:** An individual applying for or receiving mental health services from a board or mental health agency.
2. **Client Rights Specialist:** The individual designated by a mental health agency or ADM board with responsibility for assuring compliance with the client rights and grievance procedure rule as implemented within each agency or board. For these purposes the individual holds the title of Client Rights Advocate.

3. Client Rights Assistant: The individual who receives the first level of complaints from the client at each major location of Community Support Services away from the 150 Cross Street site, e.g., 640 Wolf Ledges (Bruce Winer); Edgerton Group Home (Beverly Saunders), 117 Edgerton Rd.; Maggie Carroll Smith Group Home (Linda Marcinko), 1770 Second Street; Reymann House (Pat Henderson), 403 Canton Rd, Waterloo Safe Haven, Weisman Safe Haven or VA Safe Haven (Darrell Hill)
4. Contract Agency: A public or private service provider with which a community alcohol, drug addiction and mental health services board enters into a contract for the delivery of mental health and addiction services. A board which is itself providing services is subject to the same requirements and standards which are applicable to contract agencies, as specified in rule 5122:2-1-05 of the Administrative Code.
5. Grievance: A written complaint initiated either verbally or in writing by a client or by any other person or agency on behalf of a client regarding denial or abuse of any client's rights.
6. Reasonable: A standard for what is fair and appropriate under usual and ordinary circumstances.
7. Services: The complete array of professional interventions designed to help a person achieve improvements in mental health and/or substance abuse recovery such as counseling, individual or group therapy, education, case management/community psychiatric supportive treatment, assessment, diagnosis, treatment planning and goal setting, clinical review, psychopharmacology, discharge planning, professionally-led support, etc.

THE GRIEVANCE PROCEDURE

The grievance procedure of Community Support Services, Inc. applies to individuals receiving services as described in the Client Rights Policy. At any point if the griever needs assistance with their grievance, that assistance will be available to them. All staff can assist a person with the filing of a grievance if necessary.

There are a specific set of rights afforded to each person who participates in or applies for services at any contract agency of the County of Summit Alcohol, Drug Addiction and Mental Health Services (ADM) Board, through the Ohio Department of Mental Health and Addiction Services.

CLIENT RIGHTS (Community)

1. **All who access mental health services are informed of these rights**
 - a. The right to be informed of the rights described in this rule prior to consent to proceed with services, and the right to request a written copy of these rights.
 - b. The right to receive information in language and terms appropriate for the person's understanding.
 - c. The right to be fully informed of the cost of services.
2. **Services are appropriate and respectful of personal liberty**

- a. The right to be treated with consideration, respect for personal dignity, autonomy and privacy and within the parameters of relevant sections of the Ohio Revised Code and the Ohio Administrative Code.
 - b. The right to receive humane services.
 - c. The right to participate in any appropriate and available service that is consistent with an individual service/treatment 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.
 - d. The right to reasonable assistance, in the least restrictive setting; and
 - e. The right to reasonable protection from, fiduciary, physical, sexual and emotional abuse, humiliation, inhumane treatment, assault or battery by any other person.
- 3. Development of Individualized Service Plans (ISP)**
- a. The right to a current ISP that addresses the needs and responsibilities of an individual that specifies the provision of appropriate and adequate services, as available, either directly or by referral; and
 - b. The right to actively participate in periodic ISP reviews with the staff including services necessary upon discharge.
- 4. Declining or Consenting to Services**
- a. The right to give full informed consent to any service including medication prior to commencement and the right to decline services including medication absent an emergency.
 - b. The right to be advised of and refuse observation by techniques such as one-way vision mirrors, tape recorders, televisions, movies or photographs, or other audio and visual technology. This right does not prohibit an agency from using close-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms: and
 - c. The right to decline any hazardous procedures.
- 5. Restraint or Seclusion**
- The right to be free from restraint or seclusion unless there is imminent risk of physical harm to self or others.
- 6. The right to reasonable **privacy and freedom** from excessive intrusion by visitors, guests and non-agency surveyors, contractors, construction crews or others.**
- 7. Confidentiality**
- a. The right to confidentiality unless a release or exchange of information is authorized and the right to request to restrict treatment information being shared; and

- b. The right to be informed of the circumstances under which an agency is authorized or intends to release, or has released, confidential information without written consent for the purposes of continuity of care as permitted by division (A)(7) of section 5122.31 of the Ohio Revised Code.

8. Grievances

The right to have the grievance procedure explained orally and in writing, the right to file a grievance, with assistance if requested; and the right to have a grievance reviewed through a grievance process, including the right to appeal a decision.

9. Non-Discrimination

The right to receive services and participate in activities free of discrimination on the basis of race, ethnicity, age, color, 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.

10. No Reprisal for Exercising Rights

The right to exercise rights without reprisal in any form including the ability to continue services with uncompromised access. No right extends so far as to supersede health and safety considerations.

11. Outside Opinions

The right to have the opportunity to consult with independent specialists or legal counsel at one's own expense.

12. No Conflicts of Interest

No agency employee may be a person's guardian or representative if the person is currently receiving services from Community Support Services, Inc.

13. Access to Records

The right to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual client for clear treatment reasons in the client's treatment plan. If access is restricted, the treatment plan shall also include a goal to remove the restriction.

14. Discontinuation of Service

The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event.

15. Denial of Service

The right to receive an explanation of the reasons for denial of service.

TO FILE A GRIEVANCE

1. The individual wishing to file a grievance should contact the Client Rights Advocate or any other staff person to assist him or her in writing the grievance. Forms are available in the lobbies of 150 Cross Street and 640 Wolf Ledges facilities and in the Client Rights Assistants offices at the Edgerton Group Home, Maggie Carroll Smith Group Home, Reymann Group Home, and the Safe Havens Facilities.

The Client Rights Advocate for Community Support Services, Inc. is:

Bruce Winer
640 Wolf Ledges
Akron, OH 44311
Phone: 330.253.9388, ext. 461
Hours: 8:30 a.m. to 4:30 p.m., Monday through Friday

Every effort will be made toward prompt accessibility of the Client Rights Advocate.

2. With full knowledge of the availability of grievance procedures and client rights, a client may request a staff member, such as his or her counselor or CPST worker, to assist in documentation of an issue of concern.
3. If the complaint can be managed by the Client Rights Assistant within two (2) working days, the complaint action stops and the client is notified of that resolution.
4. The Client Rights Advocate receives a copy of all client complaints and their resolutions.
5. When the complaint is not manageable by the assistant, or the complaint alleges violation of an item included in the Client Rights and Grievance Procedures, a formal grievance is filed with the Client Rights Advocate.
6. The Client Rights Advocate will attempt to resolve the grievance on behalf of the client, within three (3) working days.
7. When the Client Rights Advocate, or the client, feels that a further type of intervention is necessary, the Client Rights Advocate and the Program Director of the area being grieved will then investigate the situation and attempt to resolve the grievance within five (5) working days of the filing of the grievance.
8. At the end of the five (5) day period, the resolution of the grievance must be communicated in writing to the griever, by the Client Rights Advocate.
9. If the grievance is not resolved satisfactorily, the griever may request that the written grievance be submitted within three (3) working days to the Chief Executive Officer of Community Support Services, Inc.
10. The Chief Executive Officer, as an impartial observer, will meet with the client in an attempt to resolve the grievance. If the grievance is resolved at this point, the client receives a written copy of the resolution.
11. If the client is still not satisfied, the Chief Executive Officer will convene a hearing about the complaint. The complainant may request agency or legal representation at this hearing and

may bring witnesses. The Chief Executive Officer, or Client Rights Advocate, and either one Client Rights Assistant, the Vice President of Rehabilitation Services or the County of Summit Alcohol, Drug Addiction and Mental Health Services Board Client Rights Coordinator will comprise the hearing committee. If the complainant is someone other than the client, any client specifically involved in the grievance process must sign a release. At the end of the hearing, the Client Rights Advocate will respond in writing to the client.

12. At whatever point the grievance is resolved, the Client Rights Advocate will respond in writing to the client about the resolution of the grievance. The final response must occur within twenty (20) working days of the initial filing of the grievance.
13. At any point in the proceedings, the client may ask to meet with those involved in the resolution of the grievance.
14. If at any point, the griever is not satisfied, he or she has the option to register a complaint with:

RESOURCE LIST

<p>Client Rights Coordinator County of Summit Alcohol, Drug Addiction and Mental Health Services Board 1867 W. Market Street, Suite B2 Akron, OH 44313 330-762-3500 or 330-564-4053 FAX: 330-252-3024 Ohio Relay: 1-800-750-0750 arndtj@admboard.org</p>	<p>Ohio Chemical Dependency Professionals Board Riffe Center 77 S. High St. 16th Floor Columbus, OH 43215 614-387-1110 FAX: 614-387-1109 www.ocdp.ohio.gov</p>
<p><u>Disability Rights Ohio</u> 50 W. Broad St., Suite 1400 Columbus, OH 43215-5923 614-466-7264 1-800-282-9181 (Ohio only) FAX: 614-644-1888 TTY: 614-728-2553 TTY: 1-800-858-3542 www.olrs.ohio.gov</p>	<p><u>Ohio Counselor, Social Work and Marriage and Family Therapist Board</u> 50 W. Broad St. Suite 1075 Columbus, OH 43215-5919 614-466-0912 FAX: 614-728-7790 www.cswmft.ohio.gov</p>
<p>Ohio Civil Rights Commission Akron Regional Office 161 S. High St., Suite 205 Akron, OH 44308-1602 330-643-3100 Toll Free: 1-888-278-7101 330-643-1488 (TTY) www.crc.ohio.gov</p>	<p><u>Ohio Medical Board</u> 30 E. Broad St., 3rd Floor Columbus, OH 43215-6127 614-466-3934 800-554-7717 FAX: 614-728-5946 Complaint forms: 800-554-7717 Licensure verification: 800357-7720 www.med.ohio.gov</p>

<p>Ohio Department of Mental Health and Addiction Services Client Advocacy Coordinator 30 E. Broad St., 8th Floor Columbus, OH 43215-3430 614-466-2596/614-644-5297 877-275-6364 (for consumers and families) FAX: 614-466-1571 TTY: 614-752-9696 Txt: 614-752-9696 www.mh.state.oh.us</p>	<p><u>Ohio Board of Psychology</u> 77 S. High St., Suite 1830 Columbus, OH 43215-6108 614-466-8808 FAX: 614-728-7081 Toll Free: 877-779-7446 www.psychology.ohio.gov</p>
<p>Ohio Attorney General's Office Medicaid Fraud Unit 150 East Gay St., 17th Floor Columbus, OH 43215 614-466-0722 800-282-0515 TTY: 614-466-1393 FAX: 614-644-9973 www.ohioattorneygeneral.gov</p>	<p><u>Americans With Disabilities Act (ADA Ohio)</u> 700 Morse Rd. Suite 220 Columbus, OH 43214 614-844-5410 FAX: 614-844-5537 www.ada-ohio.org</p>
<p>Ohio Board of Nursing 17 S. High St. Suite 400 Columbus, OH 43215-7410 614-466-3947 FAX: 614-466-0388 www.nursing.ohio.gov</p>	<p>Equal Employment Opportunity Commission Cleveland District Office A.J. Celebrezze Federal Building 1240 E. 9th Street, Suite 3001 Cleveland, OH 44199 800-669-4000 TTY: 800-669-6820 FAX 216-522-7395 www.eeoc.gov</p>
<p>Client Assistance Program for Vocational Rehabilitation C/O Ohio Legal Rights 50 W. Broad St., Suite 1400 Columbus, OH 43215-5923 614-466-7264 800-282-9181 TTY: 614-728-2553 TTY: 800-858-3542 FAX: 614-644-1888 www.olrs.ohio.gov</p>	<p><u>Office of the Americans With Disabilities U.S. Department of Justice</u> 950 Pennsylvania Ave. N.W. Civil Rights Division Disability Rights Section - NYA Washington, D.C. 20530-0001 ADA Info Line 800-514-0301 (V) 800-514-0383 (TDD) FAX:202-307-1197 www.ada.gov</p>
<p>Ohio Department of Job & Family Services Ombudsman 30 E. Broad St., 32nd Floor Columbus, OH 43215 614-466-2100 1-877-852-0010 www.jfs.oh.gov</p>	<p>Ohio Governor's Council on People With Disabilities 150 E. Campus View Blvd. Columbus, OH 43235-4604 614-438-1393 ext. 1393 (Voice/TTD) 800-282-4536 Ext. 1393 FAX: 614-985-8967 www.gcpd.ohio.gov</p>

<p>Ohio Department of Health Division of Performance Improvement 246 N. High St. 7th floor Columbus, OH 43215 614-752-5112 FAX: 614-644-8526 TTY: 614-728-9169 www.odh.ohio.gov</p>	<p><u>US Department of Health and Human Services</u> <u>Office for Civil Rights Regional Office</u> 233 N. Michigan Ave., Suite 240 Chicago, IL 60601 312-886-2359 TDD: 312-353-5693 FAX: 312-886-1807 www.hhs.gov/ocr</p>
<p>NAMI Ohio 747 East Broad St. Columbus, OH 43205 614-224-2700 800-686-2646 TTY: 614-224-1498 Toll Free TTY: 866-924-1478 FAX: 614-224-5400 www.namiohio.org</p>	

15. If the grievor contacts one of the outside entities above, all relevant information about the grievance shall be provided, upon request, to one or more of those organizations.
16. Written copies of the grievance procedure are located in the lobbies of 150 Cross Street and 640 Wolf Ledges, and in the staff offices at Edgerton, Maggie Carroll Smith, Reymann House, and the Waterloo, Weisman and VA Safe Havens. A written copy of the grievance procedure is available to anyone upon request by contacting the Client Rights Advocate.
17. When the Client Rights Advocate is the subject of the grievance, please contact Denise Cunningham, Clinical Supervisor.
18. Each staff person, including administrative, clerical and support staff has a clearly understood, specified, continuing responsibility to immediately advise any client or any other person who is articulating a concern, complaint or grievance, about the name and availability of the agency's Client Rights Advocate and the complainant's right to file a grievance.
19. The agency Chief Executive Officer shall authorize the Client Rights Advocate to take all necessary steps to assure compliance with the grievance procedure.