

## **RESIDENTIAL CLIENT RIGHTS POLICY AND GRIEVANCE PROCEDURE**

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### **5122-30-22 (D) Residential Rights**

1. **Each consumer residing in Edgerton, Maggie Carroll Smith, and Reymann group homes is informed of these rights**
  - a. The right to receive humane services in a comfortable, welcoming, stable and supportive environment; and
  - b. The right to retain personal property and possessions, including a reasonable sum of money, consistent with the person's health, safety, service plan and developmental age;
  - c. The right to reside in a residential facility, as available and appropriate to the type of care or services that the facility is licensed to provide, regardless of previous residency, unless there is a valid and specific necessity which precludes such residency. This necessity shall be documented and explained to the prospective resident.
  - d. The right to receive thirty days prior notice for termination of residency in type 2 and 3 residential facilities except in an emergency; and
  - e. The right to vacate the facility at any time, except that the responsibility to pay for incurred costs of room and board shall continue unless appropriate notification has been provided to the facility concerning the termination of the residential agreement.

### **2. Development of Service Plans**

The right to formulate advance directives, submit them to residential staff and rely on practitioners to follow them when within the parameters of the law.

### **3. Labor of Residents**

The right not to be compelled to perform labor which involves the operation, support, or maintenance of the facility for which the facility is under contract with an outside organization. Privileges or release from the facility shall not be conditional upon the performance of such labor. (Residents still may have daily chores).

### **4. Decline or Consent to Services**

- a. The right to consent to or refuse the provision of any individual personal care activity and/or mental health services in a type 1 and type 2 facility;
- b. The right to refuse consent for major aversive intervention as defined in Ohio Revised Code 5122-26-16 governing seclusion and restraint.
- c. The right to decline medication, except in a type 1 facility which employs staff authorized by the Ohio Revised Code to administer medication and when there is imminent risk of physical harm to self or others.

**5. Privacy, Dignity, Worship and Social Interaction**

The right to enjoy freedom of thought, conscience, and religion; including religious worship within the facility, and services or sacred texts that are within the reasonable capacity of the facility to supply, provided that no resident shall be coerced into engaging in any religious activities.

**6. Private Conversation and Access to Phone, Mail and Visitors – Adults**

- a. The right of an adult to reasonable privacy and the freedom to meet with visitors, guests or inspectors and make and or receive phone calls;
- b. The right of an adult to write or receive uncensored, unopened correspondence subject to the facility's rules regarding contraband.

**7. Private Conversation and Access to Phone, Mail and Visitors – Minors**

- a. The right of a minor in a type 1 or type 2 facility to meet with surveyors, and the right to communicate with family, guardian, custodian, friends and significant others outside the facility in accordance with the minor's individualized service plan.
- b. The right of a minor in a type 1 or type 2 facility to send or receive mail subject to the facility's rules regarding contraband and directives from the parent or legal custodian, when such rules and directives do not conflict with federal postal regulations.

**8. Private Conversation and Access to Phone, Mail and Visitors – All**

- a. The right to communicate freely with and be visited at reasonable times by private counsel or personnel of the legal rights service and, unless prior court restriction has been obtained, to communicate freely with and be visited at reasonable times by a personal physician or psychologist;
- b. The right to communicate freely with others, unless specifically restricted in the resident of a type 1 facility's treatment plan for reasons that advance the person's goals, including, without limitation, the following:
  - (i) The right to receive visitors at reasonable times
  - (ii) The right to have reasonable access to telephones to make and receive confidential calls, including a reasonable number of free calls if unable to pay for them and assistance in calling if requested and needed and:
- c. The right to have ready access to letter writing materials, including a reasonable number of stamps without cost if unable to pay for them, and to mail and receive unopened correspondence and assistance in writing if requested and needed subject to the facility's rules regarding contraband.

**9. Notification to Family or Physician:**

The right to have a physician, family member, or representative of the resident's choice notified promptly upon admission to a facility.

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## TO FILE A GRIEVANCE

1. The grievor contacts 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 and in the Client Rights Assistants' offices at the Edgerton Group Home (Beverly Saunders), Maggie Carroll Smith Group Home (Linda Marcinko) and Reymann Group Home (Pat Henderson).

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 Officer.

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 Client Rights 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 responsible for the service being grieved will 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 grievor, by the Client Rights Advocate.
9. If the grievance is not resolved satisfactorily, the grievor 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  
January 24, 2012**

<p>Client Rights Coordinator County of Summit Alcohol, Drug Addiction and Mental Health Services Board 100 W. Cedar St. Suite 300 Akron, OH 44307 330-762-3500 or 330-564-4053 FAX: 330-252-3024 Ohio Relay: 1-800-750-0750</p>	<p><b>Ohio Chemical Dependency Professionals Board</b> Riffe Center 77 S. High St. 16<sup>th</sup> Floor Columbus, OH 43215 614-387-1110 FAX: 614-387-1109 www.ocdp.ohio.gov</p>
<p><b>Disability Rights Ohio</b> 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.disabilityrightsohio.org</p>	<p><b>Ohio Counselor, Social Work and Marriage and Family Therapist Board</b> 50 W. Broad St. Suite 1075 Columbus, OH 43215-5919 614-466-0912 FAX: 614-728-7790 www.cswmft.ohio.gov</p>
<p><b>Ohio Department of Alcohol &amp; Drug Addiction Services</b> 30 W. Spring St. 6th Floor Columbus, OH 43215-2241 614-466-3445 TDD: 614- 644-9140 FAX:614-752-8645 www.odadas.state.oh.us</p>	<p><b>Ohio Medical Board</b> 30 E. Broad St., 3<sup>rd</sup> 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><b>Ohio Department of Mental Health</b>  Client Advocacy Coordinator  30 E. Broad St., 8<sup>th</sup> Floor  Columbus, OH 43215-3430  614-466-2596  877-275-6364 (for consumers and families)  FAX: 614-466-1571  TTY: 614-752-9696  www.mh.state.oh.us</p>	<p><b>Ohio Civil Rights Commission  Akron Regional Office</b>  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><b>Ohio Attorney General's Office</b>  Medicaid Fraud Unit  150 East Gay St., 17<sup>th</sup> Floor  Columbus, OH 43215  614-466-0722  800-282-0515  TTY: 614-466-1393  FAX: 614-644-9973  www.ohioattorneygeneral.gov</p>	<p><b>Ohio Board of Psychology</b>  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><b>Ohio Board of Nursing</b>  17 S. High St. Suite 400  Columbus, OH 43215-7410  614-466-3947  FAX: 614-466-0388  www.nursing.ohio.gov</p>	<p><b>Americans With Disabilities Act (ADA  Ohio)</b>  700 Morse Rd. Suite 220  Columbus, OH 43214  614-844-5410  FAX: 614-844-5537  www.ada-ohio.org</p>
<p><b>Client Assistance Program for Vocational  Rehabilitation</b>  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><b>Equal Employment Opportunity  Commission</b>  Cleveland District Office  A.J. Celebrezze Federal Building  1240 E. 9<sup>th</sup> Street, Suite 3001  Cleveland, OH 44199  800-669-4000  TTY: 800-669-6820  FAX 216-522-7395  www.eeoc.gov</p>
<p><b>Ohio Department of Jobs &amp; Family Services</b>  Ombudsman  30 E. Broad St., 32<sup>nd</sup> Floor  Columbus, OH 43215  614-466-2100  1-877-852-0010  www.jfs.oh.gov</p>	<p><b>Office of the Americans With Disabilities  U.S. Department of Justice</b>  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><b>Ohio Governor’s Council on People With Disabilities</b>  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><b>US Department of Health and Human Services</b>  <b>Office for Civil Rights Regional Office</b>  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><b>Ohio Department of Health</b>  Division of Performance Improvement  246 N. High St. 7<sup>th</sup> floor  Columbus, OH 43215  614-752-5112  FAX: 614-644-8526  TTY: 614-728-9169  www.odh.ohio.gov</p>	<p><b>NAMI Ohio</b>  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, and Reymann group homes. 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 James Roberts, Clinical Team Leader.
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.