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### **YOUR RIGHTS AS A RESIDENT OF AN EVALUATION AND TREATMENT (E&T) PROGRAM**

At Comprehensive Healthcare we want to empower all individuals to play an active role in caring for their behavioral health. Part of this process involves individuals understanding their rights when accessing care.

As a client of Comprehensive Healthcare you have the right to:

1. Be treated with dignity, compassion, respect.
2. Receive services without regard to race, creed, national origin, religion, language, gender, gender identity or expression, sexual orientation, age, disability, or ability to pay.
3. Receive care in a safe, comfortable, accessible, and clean environment.
4. To have available treatment options and alternatives explained to you.
5. Participate in the development of your individualized plan of care and receive a copy of the plan if desired.
6. Be involved in all aspects of your care including refusing care and treatment and resolving questions or concerns regarding your care.
7. Have family or other natural supports provide input into care decisions (in compliance with your existing legal directives or existing court-issued legal orders).
8. Privacy (staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises or to address risk of harm to the individual or others).
9. Receive care in a manner that fits with your values, customs, and beliefs.
10. Practice the religion of choice as long as the practice does not infringe on the rights and treatment of others or the treatment service. Individual participants have the right to refuse participation in any religious practice.
11. Be reasonably accommodated in case of sensory or physical disability, limited ability to communicate, limited-English proficiency, and cultural differences.
12. Be free of any sexual harassment, abuse, or neglect.
13. Be free of exploitation, including sexual, physical and financial exploitation.
14. Have all clinical and personal information treated in accord with state and federal confidentiality and privacy regulations.
15. Request the name, title, and qualifications of the individuals providing you care.
16. Seek a second opinion from another provider within your health plan coverage.
17. Develop and present a medical or behavioral advance health directive to guide your care and treatment should you become unable to make decisions due to injury or incapacity.
18. Review your electronic health record in the presence of a Comprehensive Healthcare representative and be given an opportunity to request amendments or corrections.
19. Ask for and receive a copy of your health record.
20. Request and receive information regarding your insurance plan/managed care organization’s policies, benefits, services, rights, responsibilities, and grievance process.
21. Receive a copy of these rights at any time during your treatment.

As a resident of a licensed Evaluation and Treatment (E&T) program you have the right to:

1. To receive appropriate care, using the least restrictive alternatives.
2. Receive an explanation of all medications prescribed, including expected effect and possible side effects.
3. Participate or abstain from participation in social and religious activities.
4. To not be denied communications with significant others in emergency situations.
5. Be free from invasion of privacy; provided that reasonable means may be used to detect or prevent items that may be harmful or injurious to you or others, from being possessed or used on the premises.
6. Be free of abuse, including being deprived of food, clothes, or other basic necessities.
7. To have all personal belongings inventoried upon admission.
8. Wear your own clothes and to keep and use your own personal possessions, except when restricting access to your possessions is essential to protect your safety or the safety of other residents or staff.
9. Keep and be allowed to spend a reasonable sum of your own money for canteen expenses and small purchases (where available).
10. Have access to individual storage space for your private use.
11. Have visitors at reasonable times.
12. Have reasonable access to a telephone, both to make and receive confidential calls.
13. Have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mail.
14. Have the right to individualized care and adequate treatment.
15. Discuss treatment plans and decisions with professional persons.
16. Not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed.
17. To dispose of your property and sign contracts unless you have been adjudicated an incompetent in a court proceeding directed to that particular issue.
18. Not to have psychosurgery performed on him or her under any circumstances.
19. Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320 (adults) or RCW 71.34.750 (youth) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to established standards and procedures (RCW 71.05.217 [1.j]).\*
20. Review, or have your personal representative, designee, or parent or guardian review, your files in accordance with chapter 70.02 RCW.
21. Refuse to perform services for the benefit of the facility unless you agree, and it is documented in your individual service plan and in accordance with applicable laws.
22. To be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience or retaliation except as specified in WAC 246-337-110. The use of restraint and/or seclusion in the will be limited to only those situations where:
	1. Non-physical intervention has been ineffective in enabling a resident to regain a state of behavioral control; or
	2. There is imminent risk of physical harm to the resident, staff, or others.
23. To file a complaint with the Department of Health, with or without the notifying the RTF of the complaint, without interference, discrimination, reprisal.

In addition, if you are **INVOLUNTARILY** detained to an E&T program, you have the right to:

1. Be presumed incompetent. Competency may not be determined or withdrawn except under the provisions of RCW chapters 10.77 or 11.88.
2. Be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide behavioral health services.
3. Be advised that unless you are released or voluntarily admit yourself for treatment within one hundred twenty hours of the initial detention, a judicial hearing must be held in a superior court within one hundred twenty hours to determine whether there is probable cause to detain you for up to an additional fourteen days based on an allegation that because of a behavioral health disorder the you present a likelihood of serious harm or are gravely disabled. If a probable cause hearing is held you have the right to:
4. Communicate immediately with an attorney; to have an attorney appointed if you are indigent.
5. Be told the name and address of the attorney that has been designated.
6. Remain silent, and to know that any statement you make may be used against you during the proceedings.
7. Present evidence on your behalf
8. Cross-examine witnesses who testify against you.
9. Be proceeded against by the rules of evidence.
10. Have the court appoint a reasonably available independent professional person to examine you and testify in the hearing, at public expense unless you are able to bear the cost.
11. View and copy all petitions and reports in the court file.
12. Refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

All residents have the right to submit a report to the Washington State Healthcare Authority (HCA), Department of Health (DOH), or the Joint Commission (TJC) should you feel your rights have been violated or if you want file a complaint for any reason. If you would like help to report a complaint or grievance, Comprehensive Healthcare’s Client Advocate is available to assist you. Or you may contact the Washington State Office of Behavioral Health Advocacy (OBHA).

* Client Advocate: (800) 490-1166 or ClientAdvocate@comphc.org
* OBHA: (360) 292-5038 or info@obhadvocacy.org
* HCA /DOH: (360) 236-4700 or hsqacomplaintintake@doh.wa.gov
* TJC Safety Reporting site: <http://bit.ly/42tihu1>