

YOUR RIGHTS AND RESPONSIBILITIES

When you receive services at West Counseling, PLLC, you have certain rights and responsibilities. This booklet will tell you about your rights, responsibilities and what to do if you have questions or problems.

CONSUMER RIGHTS

A right is something the law says you are allowed to do. It is important to us to make sure that you are aware of your rights and that your rights are being respected. Below is a list of your rights as a consumer of West Counseling, PLLC.

Our policy is to assure the rights of each consumer served. As a consumer of West Counseling, PLLC you have the:

- ✓ Right to be treated well and have your privacy respected, and freedom from mental and physical abuse, neglect and exploitation;
- ✓ Right to live as normally as possible while receiving care and treatment;
- ✓ Right to culturally competent treatment, including access to medical care and habilitation, regardless of age or degree of mental health or substance abuse services needed;
- ✓ Right to a personalized and culturally appropriate service plan that focuses on your goals, needs and abilities, strengths, preferences, and cultural background and needs—see page 15 for more information;
- ✓ Right to have this plan in place within 30 days of admission to West Counseling, PLLC;
- ✓ Right to exercise the civil rights available to all citizens unless these rights have been limited by a court of law;
- ✓ Right to confidentiality. This means that no one has access to your identity or health information without your written permission, except in special situations that are defined in the Notice of Privacy Practices;
- ✓ Right to services that are best suited for your age, level of need, and cultural background;
- ✓ Right to be completely informed in advance of the potential risks and benefits of different service choices;
- ✓ Right to be free from unnecessary medication, punishment and abuse;
- ✓ Right to be free from physical restraint and seclusion (except as followed by policy/procedure);
- ✓ Right to consent to or refuse any service you have been offered unless: (a) in an emergency situation (b) if service was ordered by the court or (c) you are under 18 years old, and your legally responsible person gives permission, even if you object.

ADVANCED DIRECTIVES

You have the right to advanced directives in your health care and treatment.

Advanced directives allow you to plan ahead for your own care in the event a time comes when you cannot speak for yourself. This is one way that you can make sure that your providers know what you want to happen.

There are 3 different types of advanced directives:

- ✓ **Living Will** – All competent adults have the right to make decisions in advance about issues such as life support when it is clear that death is imminent or a state of coma becomes permanent. With a living will in place, the legally responsible party can make sure that the person's wishes are honored.
- ✓ **Health Care Power of Attorney** – Also known as a durable power of attorney for health care, this document can be helpful when the person is unable to make medical decisions for him/herself. It may also be referred to as a health care proxy or a medical power of attorney. It names someone who represents the

person's wishes. Unlike the living will, which usually is limited to terminally ill patients, this document applies whenever the person is unable to make medical decisions.

- ✓ **Advance Instruction for Mental Health Treatment** – [NC General Statute 122C-72 (1)] *Advance instruction for mental health treatment or advance instruction means a written instrument signed in the presence of two qualified witnesses who believe the person to be of sound mind at the time of the signing, and acknowledge that before a notary public. In this document, the person gives instructions, information, and preferences regarding mental health treatment.*

You have the right to share your current advanced directives with your West Counseling, PLLC providers or to request assistance or referral so that you can develop advanced directives for your care.

CONSUMER RESPONSIBILITIES

A responsibility is something that you agree to do to the best of your ability. Some of your important responsibilities include, but are not necessarily limited to the following:

- ✓ Respecting the rights and property of other consumers and WEST COUNSELING, PLLC staff;
- ✓ Working toward your goals on your service plan;
- ✓ Communicating and cooperating with WEST COUNSELING, PLLC staff by giving us all the facts that are important to your care, including information about other doctors you are seeing;
- ✓ Keeping all scheduled appointments;
- ✓ Paying for services according to your own financial plan or insurance company;
- ✓ Informing staff of any medical conditions or communicable diseases;
- ✓ Requesting a copy of your service plan through your primary clinician, if you so desire;
- ✓ Requesting a discharge plan by the program you are attending, if you so desire.
- ✓ Use of Tobacco Products: The use of tobacco products is strictly prohibited inside West Counseling, PLLC facilities. Upon request, consumers will be informed of designated outdoor smoking areas.
- ✓ Weapons on Premises: West Counseling, PLLC prohibits the possession of ANY weapons on West Counseling, PLLC premises. If weapons are found in the possession of consumers, proper law enforcement authorities may be notified.

When you are admitted into our programs you may be given a list of more responsibilities. These will be explained to you during intake and you will be asked to sign them. This will be filed in your medical record.

SUSPENSION AND EXPULSION

You have the right to receive services without the threat or fear of unwarranted suspension or expulsion from any facility/service operated by West Counseling, PLLC. When you receive services from any program within West

Counseling, PLLC you will receive information on situations that may warrant suspension or expulsion from services. You will be asked to sign that you have received this information.

If you are suspended or expelled from services you will receive, in writing, the reasons why; each infraction or incident that led up to the suspension/expulsion to include the date, time, circumstances and severity of the incident; what changes have been made to your services to try and avoid the suspension/expulsion, the date and time that your services will terminate; the time and conditions for resuming services, if this is possible, and alternative services that staff feel may meet your needs. If you are taking medications, staff will help you make arrangements to continue receiving this medication.

SERVICE/SERVICE PLANS

You will have the opportunity to participate in planning services that you will be involved in. Your input will be an important part of this process. The service plan will be developed when you begin services and will be reviewed annually and can be revised at any time. This culturally appropriate plan will include goals that you and your team have decided on and outlines the services that you will receive that year. You have the right to request a copy of this plan at any time by contacting your therapist.

FOLLOW UP FOR MANDATED REFERRALS

In the case of a mandated referral, and only with your signed consent to release information, West Counseling, PLLC personnel will follow-up with your referral source to communicate information about your:

- * Appointment times
- * Service recommendations
- * Attendance and participation in services
- * Progress in services
- * Date of discharge

CONCERNS, COMPLAINTS, AND GRIEVANCE PROCESS

We want to know...

If you have a question, concern, suggestion, or complaint, please feel free to tell us. You may call, write, complete a satisfaction survey or follow the complaint and grievance process in this brochure. Our staff is committed to addressing your concerns.

Tell Us...

Tell someone as soon as possible. The first person to tell is your therapist, but any staff person will help you. Staff and managers will listen to you and will try to solve the problem. If you are not satisfied, you can appeal to the next level manager.

CONCERNS AND COMPLAINTS

Tell your therapist...

If you have a complaint or concern we encourage you to discuss this with the therapist responsible for your care. You must let this person know you are accessing the Formal Complaint/Grievance Procedure, if you wish to follow this process. The complaint or concern does not have to be written. The clinician responsible for your care will talk

with you about your concern or complaint. He or she will give you a response no later than five (5) working days of the meeting or telephone conference. If your complaint is about this person, begin with the next step.

Appeal to the management...

If you are not satisfied with the results of the complaint to your assigned therapist, you may appeal your complaint to the manager. This must be done within ten (10) days of receiving the response from the therapist or case manager responsible for your care. You may do this by notifying the therapist and she or he will notify the management that you want to appeal further. Again, your complaint does not have to be in writing.

Discuss your concerns with manager.

The manager will meet with you and consider your complaint or concern within seven (7) working days. He or she will respond to you no later than five (5) working days.

Time Frames

All complaints, grievances will be responded to within 7-10 days total time via a written response or a direct face to face meeting. The time frames given are maximum time limits intended to allow for absences of key staff at any point during the complaint/grievance process. Our staff is committed to a timely response to your questions, concerns, or grievance. Every effort will be made to address your concern as quickly as possible.

**DISABILITY RIGHTS
NORTH CAROLINA**

If at any time you feel that you cannot get the information or help you need in our facility, you can get help with your rights by calling the Disability Rights North Carolina at 1-800-821-6922 or 1-877-235-4210.