



PENINSULA RSN

ADMINISTRATION POLICIES AND PROCEDURES

Policy Name: CONSUMER RIGHTS AND CONSENT FOR TREATMENT

Policy Number: 2.12

Reference: WAC 388-865-0410, -0436 (Outpatient), 388-865-0550 through -0560 (Inpatient)

Effective Date: 8/2003

Revision Date(s): 4/2007

Approved by: PRSN Executive Board

CROSS REFERENCES

- Policy: Enrollee Rights
- Policy: Corrective Action Plan

PURPOSE

The Peninsula Regional Support Network (PRSN) shall ensure consumer rights and consent for treatment are uniformly provided throughout the provider network. The PRSN provides a standardized outpatient rights form that is optional for use by the core network providers.

PROCEDURE

Consumer Rights: The PRSN promotes customer satisfaction and requires through the network providers and subcontractors that all consumers be knowledgeable of and protected by certain rights:

1. Through informing consumers, prospective consumers and/or legally responsible others, in their primary language, of consumer rights at admission for community support or other intervention services
2. By posting a written statement of consumer rights in the required seven languages in public areas, and providing consumers with a written copy
3. By ensuring that all consumer statements of rights incorporate the following. You have the right to:

- a. Be treated with respect and dignity
 - b. Develop a plan of care and services which meets your unique needs
 - c. Refuse any proposed treatment, consistent with the requirements in the Involuntary Treatment Acts, chapters 71.05 and 71.34 RCW
 - d. Receive care which does not discriminate against you, and is sensitive to your gender, race, national origin, language, age, disability, and sexual orientation
 - e. Be free of any sexual exploitation or harassment
 - f. Review your case record and request corrections
 - g. Receive an explanation of all medications prescribed, including expected effect and possible side effects
 - h. Privacy and confidentiality, as described in relevant statutes and regulations (70.02, 71.05, 71.34 RCW and 388-865-0410)
 - i. Lodge a complaint with the Ombuds person, PRSN or provider if you believe your rights have been violated. If you lodge a complaint or grievance, you shall be free of any act of retaliation. The Ombuds person may, at your request, assist you in filing a grievance. The Ombuds phone number is 1-888-377-8174.
4. Ensure clients are aware of the right to a second opinion from a qualified mental health professional within the network, at no cost. The right to a second opinion is noted with a client signature on the Consent to Treatment or Client Rights form and notifications to individuals (Medicaid and non-Medicaid) regarding outpatient authorization decisions.
 5. By publishing brochures or other materials sufficient for consumer awareness of rights.
 6. The PRSN and network providers must comply with other federal and state laws, including:
 - Title IV of the Civil Rights Act of 1964
 - The Age Discrimination Act of 1975
 - The Rehabilitation Act of 1973
 - Title II and III of the Americans with Disabilities Act
 - and other laws regarding privacy and confidentiality

Consent to Treat Agreement: The PRSN promotes customer satisfaction by requiring providers to assure informed consent to treatment, and consumer access to a consumer's own records, as follows:

1. Obtain general consent to treatment of all consumers
2. Minors over twelve years of age may request and receive treatment without

parental consent

3. Grant requests to review a consumer's own records within fifteen days (as indicated in WAC 388-865-0435)
4. Reviewing the file to remove any material confidential to another person
5. Allowing the consumer sufficient time and privacy to review the record, and providing at consumer request a clinical staff member to answer questions
6. Permit persons requested by the consumer to also be present
7. Assess a reasonable and uniform charge for reproduction of the file, if so desired
8. Specifically obtain written informed consent of the consumer or legally responsible other before use of medication, use of unusual diagnostic or treatment procedure, use of audio or visual devices to record the consumer's behavior, and before the consumer is the subject of research
9. File written consent forms in the consumer's file

MONITORING

This policy is a mandate by statute.

1. This Policy will be monitored through use of PRSN:
 - Annual PRSN Provider and Subcontractor Administrative Review
 - Monthly Provider Chart Review
 - Exhibit N Reports and PRSN Grievance Tracking
 - Biennial Provider Quality Review Team On-site Reviews
2. If a provider performs below expected standards during any of the reviews listed above a Corrective Action will be required for PRSN approval. Reference PRSN Corrective Action Plan Policy.