

NorthEast Ohio Community

Alternative Program ■■■■■

Serving the courts of: Ashtabula, Geauga, Lake, Portage and Trumbull Counties

Jake E. Jones Sr. - Executive Director ♦ Kimberly Massary – Deputy Director ♦ Robert Blower – Business Director

Written summary of Federal Confidentiality laws and regulations for clients in Substance Use Disorders program

In accordance with 42 CFR (part 2), this agency complies with the following requirements:

- Program staff shall not convey to a person outside of the program that a client receives services from the program or disclose any information identifying a client as a substance use disordered client. Unless the client consents in writing for a release of information, disclosure is allowed by court order or the disclosure is made to a qualified personnel for a medical emergency, research, audit or program evaluation purpose.
- A violation of 42 CFR (part 2) by a part 2 program is a crime and suspected violations may be reported to the United States Attorney for the Judicial District in which the violation occurred. United States Attorney's office Northern District of Ohio (216) 622-3600
- Federal laws and regulations do not protect any threat to commit a crime, any information about a crime committed by a client either at the program or against any person who works for the program.
- Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under State law to appropriate State or Federal authorities.
- 42 CFR (part 2) can be found in whole at: <https://www.federalregister.gov/>

NorthEast Ohio Community

Alternative Program ■■■■■

Serving the courts of: Ashtabula, Geauga, Lake, Portage and Trumbull Counties

Jake E. Jones Sr. - Executive Director ♦ Kimberly Massary – Deputy Director ♦ Robert Blower – Business Director

Client Rights and Grievance Policy and Procedure

Persons who receive services for Substance Use Disorders at this program have the following rights:

- (1) The right to be treated with consideration and respect for personal dignity, autonomy and privacy.
- (2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment.
- (3) The right to receive services in the least restrictive, feasible environment.
- (4) The right to participate in any appropriate and available service that is consistent with an individual service 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.
- (5) The right to give informed consent to or to refuse any service, treatment or therapy, including medication absent an emergency.
- (6) The right to participate in the development, review and revision of one's own individualized treatment plan and receive a copy of it.
- (7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others.
- (8) The right to be informed and the right to refuse any unusual or hazardous treatment procedures.
- (9) The right to be advised and the right to refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs or other audio and visual technology.
- (10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations.
- (11) The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction.
- (12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary.
- (13) The right to be informed of the reason for denial of a service.

NorthEast Ohio Community

Alternative Program ■■■■■

Serving the courts of: Ashtabula, Geauga, Lake, Portage and Trumbull Counties

Jake E. Jones Sr. - Executive Director ♦ Kimberly Massary – Deputy Director ♦ Robert Blower – Business Director

- (14) The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, 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.
- (15) The right to know the cost of services.
- (16) The right to be verbally informed of all client rights, and to receive a written copy upon request.
- (17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations.
- (18) The right to file a grievance.
- (19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested.
- (20) The right to be informed of one's own condition.
- (21) The right to consult with an independent treatment specialist or legal counsel at one's own expense.

In addition to the rights listed above, no person will be denied admission to a program due to their use of prescribed psychotropic medications. This client rights and grievance procedure will be given to each client at admission, with documentation kept in the client's record, and the policy will be posted in a place accessible to clients. All staff involved with the Chemical Dependency Program will receive and review a copy of the client rights and grievance policy and documentation of staff's agreement to abide by the policy and procedure will be kept in their training files.

All grievances must be written, dated and signed by the resident filing the grievance and should include the date, approximate time, description of the incident and names of the individuals involved in the incident/situation being grieved. Grievances should be given to the Resident Supervisor on duty or the resident's Case Manager. Your Case Manager will assist you in filing a grievance upon your request. If another person completes the grievance form for you, an attestation will be completed. All grievances must include a copy of the grievance, documentation reflecting the process used and resolution/remedy of the grievance and documentation. Additionally, if applicable, documentation of extending the time period for resolving the grievance beyond twenty-one calendar days will be included.

NorthEast Ohio Community

Alternative Program ■■■■■

Serving the courts of: Ashtabula, Geauga, Lake, Portage and Trumbull Counties

Jake E. Jones Sr. - Executive Director ♦ Kimberly Massary – Deputy Director ♦ Robert Blower – Business Director

Within three (3) working days of receiving the grievance, the Deputy Director will provide the resident with a written acknowledgment that includes: [a] the date the grievance was received, [b] a summary of the grievance, [c] an overview of the grievance investigation process, [d] a timetable for completing the investigation and notification of the resolution, and [e] the treatment provider contact person(s) name, address and telephone number. Within 20 calendar days of receiving the grievance the program will make a resolution decision on the grievance. Any exceptions that cause this time period to be extended will be documented in the grievance file and written notification will be given to the client or persons filing grievance on the resident's behalf.

At any time, residents have a right to file a grievance with any of the organizations listed below:

Ohio Mental Health & Addiction Services
30 East Broad Street, Suite 724
Columbus, Ohio 43215
614-466-3445

Trumbull County Mental Health and Recovery Board
4076 Youngstown Rd., S.E., Suite 201
Warren, OH 44484
330-675-2765

Disability Rights Ohio
200 South Civic Center Drive #300
Columbus, Ohio 43215-5923
Phone: 614-466-7264

Office for Civil Rights
U.S. Dept. Health/Human Services
233 N. Michigan Ave., Suite, 240
Chicago, Ill. 606011-800-282-9181
Voice Phone (312) 866-2359; TDD (312) 353-5693

Office of Criminal Justice Services
400 East Town Street, Suite 300
Columbus, Ohio 43215
(614) 466-7782

Ohio Department of Health
246 North High Street
Columbus, Ohio 43215
(614) 466-3543

Ohio Civil Rights Commission
1111 East Broad Street, 3rd Floor
Columbus, Ohio 43205
(614) 466-2785

NorthEast Ohio Community

Alternative Program ■■■■■

Serving the courts of: Ashtabula, Geauga, Lake, Portage and Trumbull Counties

Jake E. Jones Sr. - Executive Director ♦ Kimberly Massary – Deputy Director ♦ Robert Blower – Business Director

411 Pine Avenue SE ♦ Warren, OH 44483 ♦ Phone: (330) 675-2669 ♦ Fax: (330) 675-2670

1955 Blasé Nemeth Road ♦ Painesville, OH 44077 ♦ Phone: (440) 350-2880 ♦ Fax: (440) 350-2899