



New Hope of Indiana, Inc.

Bill of Rights
For Individuals served by NHI

New Hope of Indiana, Inc. (NH) maintains policies, procedures and ongoing programs to assure all individuals served are provided humane care and protection from harm. NH policies, procedures and ongoing programs assure that the following rights of each individual are protected by all personnel.

Each individual will be provided sufficient objective information to enable them or their guardian to make informed decisions. EACH individual has the right to be fully informed, verbally, in writing and in the individual's usual mode of communication of all rights, rules and regulations governing his or her conduct and responsibilities and is to be given in writing as well as being verbally informed of additions or changes in related rules, policies, or procedures. Each individual has the right to have access or referral to legal entities for appropriate representation, self-help support services or advocacy support services. These rights will be read, explained and reviewed with each person individually when services commence and on an annual basis. Each individual has the right to adequate, meaningful and appropriate care in a safe, secure and supportive environment within the capacity of the program.

EACH individual has the right to be fully informed of service/concurrent services available, composition of the service delivery team within the program and of related charges, including any charges for services not covered under Titles XVII or XIX of the Social Security Act, or not covered by the basic per diem rate. NH shall inform the individual, verbally and in writing, at least thirty days in advance of the effective date of any changes in the rates or services that these rates cover.

EACH individual has the right of choice to participate in the planning of his or her medical treatment, choose the attending physician and other providers of services, to refuse treatment including medication, except for providers of occupational therapy services, physical therapy services, music therapy services and speech-language therapy services, to be informed of the medical consequences (risks of treatment, benefits, alternatives, right to refuse and consequences of treatment), or such refusal and have such data recorded in his or her medical record. NH requires that at regular intervals as specified in the individual's ISP the individual will be informed of his/her right to refuse treatment. The individual has the right to be fully informed, by a physician, of his or her health status/medical condition, unless medically contraindicated by such and so documented in his or her medical record. NH requires that at regular intervals as specified in the individual's ISP the individual will be informed of his/her medical condition.

The individual may participate or refuse to participate in experimental research, and there must be written acknowledgement of informed consent prior to participation in research activities or implementation of programs or practices that could abridge or involve risks to the individual's protection or rights; furthermore the individual has the right and NH requires that at regular intervals as specified in the individual's ISP the individual will be informed of his/her developmental and behavioral status. In the event a highly restrictive procedure is included in a behavioral plan, a written informed consent from the individual or the individual's legal representative /team will be included in the behavior support plan. Except for providers of occupational therapy services, physical therapy services, music therapy services and speech-

language therapy services, the individual has the right to be free from unnecessary medications and restraints and will have a written protocol for reducing the individual's dependence on medications and restraints.

The individual has the right to provide written consent by the individual or the individual's legal representative prior to implementation of any program which would incorporate the use of a restrictive technique.

EACH individual is encouraged and assisted to exercise his or her constitutional and statutory rights. Individuals will be informed on an ongoing basis by the provider of such rights which include, voting, laws, etc.

EACH individual is encouraged and assisted to exercise rights as a recipient of services and as a citizen and may voice grievances and recommend changes in policies and services to program staff and/or to outside representatives of his or her choice. The individuals shall have the right to form and participate in a client council to discuss alleged grievances, program operations, infringement of rights or other problems, participate in the resolution thereof. Privacy at such meetings shall be afforded unless a member of the staff is invited by the council to be present. Furthermore, the individual has the right to be free from restraint, interference coercion, discrimination or threat of reprisal for exercising his/her rights.

EACH individual has the right, upon reaching the age of eighteen, or when legal guardianship is discontinued, to be counseled as to his or her constitutional and statutory rights.

EACH individual has the right to manage his or her personal financial affairs. Should the provider accept the individual's written delegation of this responsibility, the provider shall establish a system for protecting an individual's funds and property from misuse or misappropriation. The individuals shall have immediate access to personal financial records upon request. The provider will return to the individual upon written request all or any part of the individual's funds given to the program for safekeeping.

EACH individual has the right to be free from exploitation, verbal, mental, physical and sexual abuse, neglect or mistreatment, humiliation, retaliation and be free from chemical and physical restraints except as authorized in writing by the individual's physician and appropriate personnel, for a specified period of time and documented in the individual's record. Whenever possible, New Hope will be sensitive to a client's preference for same-sex care in private situations involving personal care.

EACH individual has the right to confidential treatment of personal medical records, including information contained in any automatic data bank, and may approve or refuse their release to any individual outside the agency. NH will receive written consent from an individual, or the individual's legal representative, if applicable, before releasing information from the individual's records unless the person requesting release of the records is authorized by law to receive the records without consent. The individual's records shall be made immediately available to him/her for inspection and he/she may receive a copy within a reasonable time at his/her expense.

EACH individual has the opportunity for personal privacy including the right to be treated with consideration, respect and full recognition of his or her dignity and individuality, including physical and emotional privacy in treatment, living arrangements and in caring for his or her

personal needs. Each individual has the right to appeal to the Human Rights Committee regarding issues or alleged denial of constitutional and statutory rights.

EACH individual has the right to refuse to perform services for the program that are not included for therapeutic purposes in the plan of care.

EACH individual has the right to provide work or chores benefiting others without pay unless; the provider has obtained a certificate from the United States Department of Labor authorizing the employment of a worker with a disability at special minimum wage rates; the services are being performed by an individual in the individual's own residence as a normal and customary part of housekeeping and maintenance duties or an individual desires to perform volunteer work in the community.

EACH individual has the right to refuse to provide services for New Hope of Indiana, Inc. NH will establish a system to ensure that an individual is not compelled to perform services for NH and if an individual works voluntarily for NH, the individual will be compensated at the prevailing wage for the job commensurate with the individual's abilities unless the provisions stated above are met.

NH will establish a system to ensure that each individual has the right and opportunity to private and unrestricted communication, association with and to meet privately with his or her family, physician, attorney and any other person of the individual's choosing. The individual has the right to send and receive personal mail unopened, unless the administration has been otherwise instructed in writing by the individual or legal guardian, and so documented in the individual's record.

EACH individual has the right to have reasonable access to a telephone for private and public communication for incoming and outgoing local and long-distance calls at the individual's expense.

EACH individual has the right to have access to any room in his/her residence and NH will not maintain an office in his/her residence from which he/she is excluded from entering or from using any or all equipment in the office.

EACH individual has the right to not have business operations not related to the individual's services conducted in the individual's residence.

NH will establish a system to ensure that each individual has the opportunity and right to meet with, and participate in activities of social, religious, and community groups at his or her discretion unless medically or therapeutically contraindicated as documented in the individual's record by the physician and/or interdisciplinary team.

NH will establish a system to ensure that each individual has the right to retain and use personal clothing and possessions in accordance with program policy, unless to do so would infringe upon rights of other individuals, and unless contraindicated by the program professionals directly responsible for the individual's care and so documented in the individual's record.

EACH individual has the right to his or her privacy and if married, is assured privacy for his or her spouse. If both are recipients of services, they have the right to share living space unless medically contraindicated as documented by the attending physician in the medical records.

EACH individual has the right to continuity of care and may be transferred or discharged if the program is no longer able to meet the individual's needs, per policy 2.00 Guidelines for Admission, Continued Placement and Discharge. Discharge planning will occur in accordance with this policy.

All rights and responsibilities of the individual disband to the individual's next of kin, guardian, or sponsoring agency (ies) where the individual is adjudicated incompetent pursuant to law or is incapable of understanding these rights due to impairment specified in the individual's record by a physician or Qualified Mental Retardation Professional.