

Participant Rights

300.09 Participant Rights

Rule Requirement	Y-N-N/A	Comments
16.04.17.300.09 AGENCY POLICIES AND PROCEDURES. 300 A policy and procedure manual must be developed by the agency to effectively implement its objectives. It must be approved by the governing authority. The manual must, at a minimum, include policies and procedures reflecting the following: 09 Participant Rights. Each agency must develop and implement written policies that include a clear definition of personal, civil, and human rights. Upon initiation of services, the agency must provide each participant and guardian, if applicable, with written and verbal information outlining participant rights. This information must be in easily understood terms. The policy and procedure must include the following rights:		
16.04.17.300.09.a Humane care and treatment;		
16.04.17.300.09.b Not be put in isolation;		
16.04.17.300.09.c Be free of restraints, unless necessary for the safety of that person or for the safety of others;		
16.04.17.300.09.d Be free of mental and physical abuse;		
16.04.17.300.09.e Voice grievances and recommend changes in policies or services being offered;		
16.04.17.300.09.f Have the opportunity to participate in social, religious, and community activities of his choice;		
16.04.17.300.09.g Wear his own clothing and retain and use personal possessions;		
16.04.17.300.09.h Be informed of his habilitative condition, services available at the agency;		
16.04.17.300.09.i Reasonable access to all records concerning himself;		
16.04.17.300.09.j Choose or refuse services;		
16.04.17.300.09.k Exercise all civil rights, unless limited by prior court order;		
16.04.17.300.09.l Privacy and confidentiality;		
16.04.17.300.09.m Receive courteous treatment;		
16.04.17.300.09.n Receive a response from the agency to any request made within (14) business days;		

16.04.17.300.09.o Receive services that enhance the participant's personal competencies and, whenever possible, promote inclusion in the community;		
16.04.17.300.09.p Refuse to perform services for the agency. If the participant is hired to perform services for the agency, the wage paid must be consistent with state and federal law;		
16.04.17.300.09.q Review the results of the most recent survey conducted by the Department and the accompanying plan of correction;		
16.04.17.300.09.r All other rights established by law;		
16.04.17.300.09.s Be protected from harm;		
16.04.17.300.09.t Choose one's roommate;		
16.04.17.300.09.u Reside in the environment or setting that is least restrictive of personal liberties in which appropriate treatment can be provided;		
16.04.17.300.09.v Communicate by sealed mail, telephone, or otherwise with persons inside or outside of their residence, to have access to reasonable amounts of letter writing material and postage and to have access to private areas to make telephone calls and receive visitors;		
16.04.17.300.09.w Receive visitors at all reasonable times and to associate freely with persons of his own choice;		
16.04.17.300.09.x Keep and be allowed to spend a reasonable sum of his own money for personal expenses and small purchases, and have access to individual storage space for his or her own use; and		
16.04.17.300.09.y Unless limited to prior court order, exercise all civil rights, including the right to dispose of property, execute instruments, make purchases, enter into contractual arrangements, and vote.		