

**PHOENIX RISING BEHAVIORAL HEALTHCARE AND RECOVERY, INC.  
POLICIES AND PROCEDURES MANUAL**

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[X] POLICY AREA: Rights, Responsibilities and Ethics

[ ] PROCEDURE TITLE: Client Rights Policy

SECTION: Client Rights 1.0

APPROVED BY: Board of Trustees

EFFECTIVE DATE: July 25, 2005

REVISED: March 21, 2006

REVISED: November 10, 2015

REVIEWED: December 17, 2021

REVISED: December 6, 2022

REVISED: March 7<sup>th</sup>, 2024

REVISED: February 19<sup>th</sup>, 2025

THIS DOCUMENT SUPERCEDES ALL PREVIOUS ISSUANCES WITH REGARD TO THIS SUBJECT

AUTHORIZED BY: \_\_\_\_\_ DATE \_\_\_\_\_

Lisa K. Grubbs, CEO

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**STATEMENT:**

It is the policy of Phoenix Rising Behavioral Healthcare and Recovery Inc, (Phoenix Rising) to provide all clients with the *Clients Rights and Notice of Privacy Handbook*. This handbook will aid in the proper procedures regarding grievances, the availability of the Clients Rights Officer. Additionally, this handbook describes how the Clients Rights Officer can assist the client in the understanding of his/her rights and the utilization of the grievance procedures. Information includes but is not limited to the following:

**CLIENTS 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 and inhumane treatment.**
3. **The right to service in a humane setting which is the least restrictive feasible as defined in the treatment plan.**
4. **The right to be informed of one’s own condition, of proposed or current services, treatment or therapies, and of the alternatives.**

5. **The right to participate in any appropriate and available services that is consistent with an individual action plan (IAP), regardless of the refusal of any other service. A parent or legal guardian may consent to or refuse any service, treatment, or therapy on behalf of a minor client.**
6. **The right to give informed consent to or to refuse any service, treatment or therapy including medication absent an emergency.**
7. **The right to a current, written, individualized service plan that addresses one's own mental health, physical health, social and economic needs, and that specifies the provision of appropriate and adequate services, as available either directly or by referral.**
8. **The right to active and informed participation in the establishment, periodic review, and reassessment of the service plan, and receive a copy of it.**
9. **The right to freedom from unnecessary or excessive medication.**
10. **The right to freedom from unnecessary restraint or seclusion unless there is immediate risk of physical harm to self or others.**
11. **The right to participate in any appropriate and available agency service, regardless of refusal of one or more other services, treatments, or therapies, or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the client's participation in other services. This necessity shall be explained to the client and written in the client's current service plan.**
12. **The right to be informed of and refuse any unusual or hazardous treatment procedures.**
13. **The right to be advised of and refuse observation by techniques such as one-way vision mirrors, tape recorders, televisions, movies or photographs or other audio and visual technology. This right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas.**
14. **The client's right to have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense.**
15. **The right to confidentiality of communications and of all personally identifying information within the limitations and requirements for disclosure of various funding and/or certifying sources, state or federal statutes, unless release of information is specifically authorized by the client or parent or legal guardian**

of a minor client or court-appointed guardian of the person of an adult client in accordance with rule 5122:2-3-11 of the Administrative Code.

16. The rights to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual client for clear treatment reasons in the client's treatment plan. 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.
17. The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event.
18. 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.
19. The right to receive an explanation of the reasons for denial of services.
20. The right not to be discriminated against in the provision of service on the basis of religion, race, color, creed, preferred gender, gender identity or expression, sexual orientation, sex, national origin, age, socioeconomic status, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws.
21. The right to know the cost of services.
22. The right to be fully informed of all rights, and to receive a written copy upon request.
23. The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations.
24. The right to file a grievance.
25. The right to have oral and written instructions for filing a grievance, and to assistance in filing a grievance if requested.
26. The right to protection against discrimination as stated in the Americans with Disabilities Act of 1990 (Public Law 101-336)

## What is the Client's Grievance Procedure?

A grievance procedure is a formal way to report your concerns if you believe anyone on the treatment team or staff has interfered with your rights or has denied you any of the rights that you should have as a client.

We, at Phoenix Rising Behavioral Healthcare and Recovery, Inc., will make every effort to resolve your grievance. To file a complaint against any member of the staff you will need to do so with the Client's Rights Officer (CRO). This individual has been appointed by the Chief Executive Officer (CEO) to assist you during the grievance procedure. The CRO will accept any grievance filed by or on behalf of any client. The CRO will assist in the grievance.

All grievances will be documented on the standard Grievance form attainable through the CRO and or any other staff member. Please include the date, time, names of the person(s) involved regarding the incident that is being reported and a description of the situation. The form must contain the signature and date of the person filing the grievance.

The Grievance procedure is as follows:

1. Complete the Grievance form and request to speak to the CRO to go over the documentation. If assistance is needed to complete the form one of our staff will comply with your request. Should you authorize, the formal grievance will be sent to the Supervisor of the staff member and to the President of Phoenix Rising Behavioral Healthcare and Recovery.
2. A written acknowledgement of the receipt of grievance will be provided to each grievant within 3 business days from the receipt of the grievance. This will include but is not limited to, the following
  - a. Date grievance was received
  - b. Summary of grievance;
  - c. Overview of grievance investigation process;
  - d. Timetable for completion of investigation and notification of resolution; and,
  - e. Treatment provider contact name, address and telephone number
3. The CRO will arrange to speak with and gather all pertinent facts regarding the reported grievance. Upon gathering all facts, the CRO will contact the person(s) who filed the grievance within 3 business days. This meeting either a telephone call or office visit (your choice) will involve the following discussion. 1.) Review of your grievance, 2.) Review of CRO findings, 3.) Collaborative dialogue in an

attempt to resolve the grievance. 4.) The resolution decision will be made within 20 business days. Any extenuating circumstances that this time period will need to be extended will be documented in the grievance file and written notification will be given to the client.

4. If you are not satisfied with the resolution a meeting with the Chief Executive Officer will be scheduled within 5 business days. Should you not feel satisfied upon meeting with the CEO a list of options outside of Phoenix Rising, are included in this booklet.
5. If the CRO is the subject of the complaint or unavailable then the CEO shall act as the Officer. In respect to the meeting with the Executive Director a representative from the Board of Trustees shall act as the mediator.
6. If an emergency/crisis occurs the client shall be advised verbally of their rights, regarding the right to accept or refuse the offered treatment and the consequences of accepting or refusal of said treatment. The CRO will document the verbal instructions made to the client.
7. All recipients of "Community Services" will have a copy of the Client's Rights/Notice of Privacy Handbook readily available.
8. All records of Grievances will be located in the office of the CRO and will be placed in a secured (locked) cabinet.
9. The board of Phoenix Rising, OhioMHAS and any other funding board shall receive reports of all grievances and will receive an annual report of all grievances and the status of the resolutions.

It is also important for you to know that at any time you may bypass out grievance procedure and contact the following list of agencies to pursue your grievance. If you grieved with Phoenix Rising CRO, disagree and you were not satisfied we can send your information to your agency of choice listed below, this will require a Release of Information.

Mental Health and Recovery Services Board  
121 Cleveland Ave SW  
Canton, Ohio 44702-1075  
330-455-6644

Ohio Department of Mental Health and Addiction Services  
30 East Broad St 36<sup>th</sup> Floor

Columbus, Ohio 43266-0414  
614-466-2596

Legal Rights Services  
50 W. Broad St #1400  
Columbus, Ohio 43215  
614-466-7264

Attorney General, State of Ohio  
30 East Broad St  
14<sup>th</sup> Floor  
Columbus, Ohio 43215  
614-466-4986

Governor's Office of Advocacy for People with Disabilities  
400 E Campus View Blvd  
Columbus, Ohio 43215  
614-466-9956  
Department of Job and Family Services  
Office of Civil Rights  
Region V  
233 North Michigan Ave Suite 1300  
Chicago, Illinois 60601  
312-353-5160

Counselor, Social Worker and Marriage and Family Therapist Board  
77 South High St, 24<sup>th</sup> Floor, room 2468  
Columbus, Ohio 43215-6171  
614-466-0912

State Medical Board  
30 E. Broad St  
Columbus, Ohio 43215  
614-466-3934

Nursing Education and Nurse Registration Board  
17 S High St, Suite 660  
Columbus, Ohio 43215-7410  
614-466-3947

State Board of Psychology  
77 S High St #1830  
Columbus, Ohio 43215  
614-466-8808

Joint Commission  
One Renaissance Blvd.  
Oakbrook Terrace, IL 60161  
1-800-994-6610  
website: jointcommission.org

**PHOENIX RISING BEHAVIORAL HEALTHCARE AND RECOVERY, INC.**  
**CLIENT RIGHTS OFFICER**

*The Clients Rights Officer is Laura Elliott-Heckaman, Director of Quality Improvement who can be reached 8:00 A.M. to 5:00 P.M. Monday-Thursday and 8:00 A.M. to 2:00 P.M. on Fridays by calling 330- 493-4553 ext. 124. The CRO can be available on site at the agency's main location: 624 Market Ave N Canton Ohio 44702 to meet with a person requesting to file or filing a grievance.*