

## HOUSE RULES FOR OUT OF HOME RESPITE

### Expectations for parents/caregivers:

1. Application, physical, and dental paperwork must be current and up to date or your son/daughter will not be accepted for a respite stay. This is a Group Home Foster Care for Children and CBRF regulation.
2. Prescription medication must be bubble packed, except for liquids. PRN medication need not be bubble packed.
3. Sick persons should not be sent to the Respite House and your son/daughter must be picked up if Respite Coordinator deems your son/daughter is too sick to remain at the house. Please refer to "Too Sick for Respite?" (Attachment #2, Page 8)
4. Adherence to drop off and pick up times is crucial due to staffing patterns. Contact the Respite Coordinator if other arrangements are necessary for an early drop off or late pick up time. We are pleased to work with our families when we know what the problem is.
5. If someone else will be picking up your son/daughter we will need your written permission for that person to pick up your son/daughter. We will also ask that person for identification.
6. Please contact the Respite Coordinator as soon as possible for your special requests, such as a vacation.
7. To ensure the return of all clothing articles please have them marked with a permanent or laundry marker.

### Participants conduct:

1. Smoking is not allowed in the Respite House or on its premises or in any agency vehicle, or employee vehicle transporting consumers.
2. No alcoholic beverages allowed in the Respite House, or on its premises, or on community outings.
3. Eating and drinking allowed in kitchen and dining areas only.
4. No eating or drinking allowed in any agency vehicles.
5. No running or rough play allowed in the Respite House.
6. Appropriate language only – no swearing
7. Phone may be used with supervisor's permission only.
  - a. Long distance calls may only be made collect or with calling card.
  - b. All calls must be recorded in logbook.
8. Visitors are allowed; however they must follow all house rules.
9. Curfew time is 10:00 p.m. Lights out time is 12:30 a.m.
10. Respite House doors will be locked at 10:00 p.m. and will open at 7:00 a.m.

A VERY SPECIAL PLACE, INC. RESPITE HOUSE IS A SMOKE FREE ENVIRONMENT.

## Too Sick for Respite?

A runny nose, or "leaky faucet," is the way many people respond to pollen, dust, chalk, or simply a change of season. If it isn't a common cold, then it's an allergy and allergies aren't contagious. Don't keep the participant home.

A bad cough or cold symptoms can indicate a severe cold, bronchitis, flu, or even pneumonia. Some people suffer one cold after another all winter long and a run-of-the-mill cold should not be a reason to miss respite. But if your child/ward is not acting "right," has difficulty breathing, is becoming dehydrated or has a fever, it could be serious. Check with your physician right away.

Diarrhea and vomiting make a person very uncomfortable, and being near a bathroom becomes a top priority. If your child/ward has repeated episodes of diarrhea and vomiting, accompanied by fever, a rash, or general weakness, consult a doctor and keep your child/ward out of respite until the illness passes. However, a single episode of diarrhea or even vomiting, unaccompanied by any other symptoms, may not be reason enough for the person to miss respite. BUT...please make sure we know how to reach you or another responsible adult during the respite stay, in case your child/ward needs emergency attention. *This is an important rule to follow whenever you send your child/ward to respite with any of the symptoms mentioned here.*

Fever (a temp above 100 degrees) is an important symptom; when it occurs along with a sore throat, an earache, nausea, listlessness, or a rash, your child/ward may be carrying something very contagious. Most physicians advise parents to keep the child/ward home during the course of a fever and for an additional 24 hours after the fever has passed.

Strep throat and scarlet fever are two highly contagious conditions caused by a streptococcal (bacterial) infection. They usually arrive with a sore throat and high fever. Some 12-48 hours after the onset of scarlet fever, a rash will also appear. A person with either strep throat or scarlet fever should be kept home and treated with antibiotics, as prescribed by a physician. After 24 hours on an antibiotic, a person is usually no longer contagious and may -- with a physician's permission -- attend respite.

Chicken pox, a viral disease, is very uncomfortable and extremely contagious. If your child /ward has a fever, is itching and begins to sprout pink or red spots (with "watery" centers) on the back, chest, and/or face, the chances are good it's chicken pox. Please let us know it's important that the Respite House knows this information. Keep your child/ward home for at least 7 days after onset of rash.

Conjunctivitis or pink eye is highly contagious and uncomfortable, so take heed when your child/ward complains of any eye or eyes burning, itching, and producing a whitish discharge. Minor cases (caused by a virus) and severe cases (caused by bacteria) require treatment with prescription eye drops. Best to keep your child/ward home for 24 hours after treatment has begun.

Ear infections, unless properly treated, can cause permanent hearing damage. Once a child/ward has started on antibiotics, is fever free, and comfortable, he or she may attend respite.

Fifth Disease is a viral illness characterized by a "slapped cheek" appearance of the face followed by a lacy-like rash of the body. The rash may come and go, depending on body temperature, activity level, etc. Fatigue and low-grade fever may be present before the rash onset, although 20% of those infected have no symptoms. The virus is spread through airborne droplets from the nose and throat of infected individuals, similar to transmission of a cold virus. Because children with Fifth Disease are only contagious while they have a fever. They should stay home from Respite until their fever subsides. You should consult their physician if they have been exposed.

Impetigo is a skin infection caused by the strep or staph bacteria. It begins as a cluster of small blisters, which rupture and drain a thin, yellow fluid. It is treated with an oral antibiotic or application of antibiotic ointment. The participant should remain at home until the lesions are crusted. Again, simple hand washing will do much to prevent infection. Treatment can be obtained from your physician.

Rashes have many different appearances. They can be localized or widespread, flat or raised, dry or draining. A person/ward that has a rash that is open or draining or who also has a fever should be seen by a physician. This person/ward should be kept home until the rash has dried. If the person has a rash that is localized and dry, has no fever, and is feeling well, it is okay to attend respite.

In summary, if your child/ward exhibits symptoms of illness which includes fever (100 degrees or higher), nausea, vomiting, diarrhea, sore throat, or undiagnosed skin rash, please keep him/her at home **until** well. This is for the welfare of your child/ward, as well as the other participants at respite.

A VERY SPECIAL PLACE, INC.  
1000 W. MAIN STREET  
LITTLE CHUTE, WI 54140-1549  
(920) – 687 - 6454

## Consumer Complaint Procedure

A Very Special Place, Inc. has established a formal complaint Procedure for its consumers.

The definition of a complaint is a grievance, difficulty, disagreement or dispute concerning Title VII –Civil Rights Act of 1964, Chapter 13 –Caregiver Misconduct, HFS 51.61-Mental Health Act, HFS 50.09 Uniform Licensure Act, HFS 94 Patient Rights and Patient Resolution of Grievances, HFS 88 Adult Family Homes and HFS 83 Community Based Residential Facilities. This does not limit the consumer's right to pursue the use of the legal system.

There are consumer complaint forms located at main office and at any of its facility listed below.

A Very Special Place, Inc.  
1000 W. Main Street  
Little Chute, WI 54140  
920-687-6454

or you may file a formal complaint with a state or federal agency.

A complaint can be filed by a consumer, his/her guardian, agent, designated representative, a A Very Special Place, Inc. staff member when acting on behalf of the consumer, a county case manager, the state board of aging and long term care, the Wisconsin Coalition for Advocacy, and any other organization providing advocacy assistance.

No person will be subjected to discipline or punishment solely for using the Consumer Complaint Procedure. Individuals involved will be reminded that retaliation is illegal and punishable and that any retaliatory action should be reported immediately.

A complaint can be filed verbally, over the phone, in writing or however is the normal means of communication for the individual. A complaint can be filed within in 45 days after the incident. Preferably the complaint should be completed immediately upon discovery of the incident. Upon learning of a complaint A Very Special Place, Inc. will take all steps necessary to protect the consumer from further harm.

Consumers may have translators, interpreters and/or readers and representatives assist them when filing or meeting with the agency regarding the complaint.

There is no limit to the number of complaints in which any person may submit. Complaints received will be processed on a first come first served basis, before any additional complaints by that person, except emergency complaints will be acted upon immediately. Complaints by one or several persons concerning the same issue or incident will be processed together at the same time.

The complaint can be resolved either informally or formally. The complainant can move between informal and formal at anytime.

## **PROCESSING COMPLAINTS**

A Very Special Place, Inc. will review and listen to the complainant and try to resolve immediately by changing procedures, environment, retraining staff on procedures and policies, etc.

Info resolution can be found A Very Special Place, Inc. will ask if they want to proceed with an informal process or with a formal process. If it is an emergency meaning, "The consumer is in eminent danger" it will be a formal investigation.

Again a complainant can move from formal process to informal or informal to formal at anytime. If moving from formal to informal the investigation process will stop and will not resume unless it is needed or the complainant requests to move back to the formal process.

If the complainant is in eminent danger, the individual(s) listed in the complaint will be removed from working with the individual until the investigation is completed, if needed the complainant will be removed as a last resort.

## **TRAINING ON THE COMPLAINT PROCEDURE**

Staff will be trained on the Consumer Complaint Procedure upon hire. It is included in the training that staff must attend at the start of their employment and it will be reviewed periodically during staff meetings and other trainings or in-services.

Consumers will be given a copy of the Complaint Procedure upon entering into the agency to receive services from A Very Special Place, Inc.

## **FORMAL OR INTERNAL INVESTIGATIONS**

These must be reported to the County Case Manager within 24 hours. A Critical Incident Report must be filled out and submitted.

Once the Executive Director, has received the complaint, she will assign a Client Rights Specialist. If it is a Respite complaint it will be given to the Client Rights Specialist that oversees the Independent Living Program. If it is an Independent Living Complaint it will be given to the Client Rights Specialist that oversees Respite.

The Client Rights Specialist will then read the complaint. He/She will begin a diary to document what they are doing throughout the investigation and when.

The Client Rights Specialist will interview individuals involved in the incident in the following order:

1. Consumer, if the complainant is not the consumer then the Complainant.
2. The consumer if they are able to communicate and understand what happened if they were not the complainant.
3. The individual(s) who is accused.
4. Any Witnesses
5. Supervisor of the accused

The Client Rights Specialist will review any documented information such as the consumers history, incident reports, plans of care, charting notes, etc. The environment will also be looked at with diagrams being drawn if needed.

The investigation must be completed within 5 days from receiving the complaint. Time limits in the Complaint Procedure may be lengthened or shortened with steps even eliminated by mutual consent.

Once the investigation is completed and written it will be given to the Executive Director for review. The report will include any recommendations to resolve the complaint not limited to but including the training and retraining of staff on procedures, the reviewing and training or retraining of staff on policies, the safety and welfare of the consumer in relation to self-determination, any changes or suggestions for changing the environment. This can include a time line for completing any changes. Any unresolved disputes will be put in writing and a time line will be established to complete and resolve the disputes and what format will be used.

After the Executive Director has read the report and has noted if he/she agrees or disagrees it will be sent to the agency's attorney. When the agency attorney has reviewed it and approves it, a will be sent to the County Case Manager, the original will be kept in the consumer's file and a copy will be kept in the accused individual(s) file(s).

If the complaint cannot be resolved or they do not agree with the resolution either party may appeal to the Program Director of the 51.42 or 51.437 Department of the Community Programs through which the consumer receives services. The appeal must be done within 14 days after the Client Rights Specialist's report is received. Either party must request the Client Rights Specialist to forward the complaint to the Board Program Director. The Program Director will hold a hearing, at which each side may testify, call and cross-examine witnesses. This hearing may be waived if all parties agree to do so. Within 15 days of the hearing, a written decision shall be issued by the Program Director. Action on the decision will be taken within 5 days.

If the complaint cannot be resolved through the use of the Board Program Director, either party may appeal to the administrator of the Division of Community Programs. This must be done within 5 days of the receipt of the Program Director's Decision, by requesting that the Program Director forward the complaint to the Administrator, who shall issue an answer within 7 days.

If the complaint cannot be resolved through the Division of Community Programs either party can file a grievance with the State Grievance Examiner within 14 days after receiving the Administrators decision. Either party may send the grievance to:

State Grievance Examiner  
Division of Mental Health & Substance Abuse Services  
Department of Health Services  
1 West Wilson Street Room 850  
P O Box 7851  
Madison WI 53707-7851

If after receiving the State Grievance Examiner's decision and either party does not agree with the decision, within 14 days they can request a final state review by the Administrator of the Division of Supportive Living or designee. They send their request directly to:

DSL Administrator  
P O Box 7851  
Madison WI 53707-7851

You may file a Service Delivery Complaint with the following agency:

Derailment of Health and Family Services  
Affirmative Action and Civil Rights Compliance  
One West Wilson Street, Room 561  
P O Box 7850  
Madison WI 53707-7850

You also have the right to file Service Delivery Complaint with the following federal agencies:

US Department Health and Human  
Services Office of Civil Rights, Region V  
233 N. Michigan Suite 240  
Chicago IL 60601  
312- 886-2359  
312-353-5693 (TDD)

U.S. Department of Justice.  
Civil Rights Division  
10th & Pennsylvania Ave., NW  
Washington D C 20530  
202-514-0301  
800-800-3302 (TDD)

Parent, guardian, lawyer or a judge must be with you.

- D. If you are 14 years old or older: You may allow others to see your records, even if your parent or guardian does not want you to give this permission.

#### VI. OTHER LEGAL RIGHTS

- A. You may file complaints. The complaint process and rules are noted in the other rights pamphlet you were given along with this one.
- B. You may go to court about your rights.
- C. Except as noted in this pamphlet, you have the same rights as an adult patient

#### VII. DISCHARGE RIGHTS

- A. Staff will explain to you your discharge rights.
- B. If you are less than 14 years of age, your parent or guardian may ask, in writing, for your discharge. If you came from a juvenile correctional facility, you may have to return there. Staff can help you get a court to decide if you should stay or be discharged.
- C. If you are 14 years old or older you and your parent or guardian may ask, in writing, that you be discharged or returned to a juvenile correctional facility. Or, if you refuse to request discharge or transfer, your parent/guardian can ask on your behalf. Staff can help you get a court to decide if you should stay or be discharged.
- D. Court ordered stay. You may have to stay if the facility asks a court to keep you here. You will have a lawyer if you go to court. Your lawyer will explain your rights to you. The court may also appoint a guardian ad litem for you.

- E. If you are about to become 14 years old. If staff feel that you need more treatment, they must ask one of your parents or your guardian and you to agree, in writing, for you to stay here. If you refuse, then your parent/guardian can consent on your behalf. The facility could also ask a court to keep you here. If neither of these happens by your 14th birthday, the facility must discharge you.

#### VIII. TREATMENT FOR ALCOHOL AND OTHER DRUG ABUSE (AODA)

- A. If you are 12 years old or older, OR if you are less than 12 years old and your parent or guardian cannot be found, you can receive limited outpatient AODA treatment without your parent or guardian's consent.

- B. Regardless of age, you can be assessed, receive counseling and receive inpatient detoxification services for up to 72 hours (3 days). Your parent or guardian will be notified of these services as soon as practicable."
- C. No matter how old you are, if your parent or guardian consents to it, you cannot refuse inpatient AODA treatment
- D. No matter how old you are, if you are here involuntarily for assessment or treatment of alcohol or other drug use, you cannot be discharged unless your parent or guardian agrees to it.

#### IX. PATIENT RIGHTS HELP

If you want to know more about your rights or feel your rights have been violated, you may do any of the following:

- A. Contact the patient rights staff if you have any questions. Their contact

information should be provided to you by the facility.

- B. File a complaint. Patient rights staff will look into your complaints. They will keep your complaints private (confidential); however, they may need to ask staff about the situation.
- C. Call Disability Rights Wisconsin (DRW). They are advocates and lawyers who can help you with patient rights issues. Their telephone number is (608) 267-0214 or 1(800)928-8778.
- D. Go to court, either by yourself or with a lawyer.
- X. OTHER LEGAL HELP

If you need help with discharge requests or other legal issues, contact your lawyer. If you do not have a lawyer, ask a staff member how to get in touch with:

- A. Public Defender's Office. Lawyers from this office represent people in civil commitments, juvenile court and criminal cases.
- B. Disability Rights Wisconsin (608-2-67-0214 or 1-800-928-8778) can also help explain your rights to a court review and possible discharge from an inpatient facility.
- C. You should ask staff if any other assistance is available to you.

Your Client Rights Specialist:  
For Minors: Mary Morse (262) 548-8694  
For Adults: Carrie Gast (920) 360-9612

STATE OF WISCONSIN  
DEPARTMENT OF HEALTH SERVICES  
Division of Mental Health and  
Substance Abuse Services  
P-20470A (12/2008)  
www.dhs.wisconsin.gov

## State of Wisconsin

# RIGHTS OF MINORS In Inpatient Community Mental Health Facilities

*What every young patient needs to know to be aware of his/her legal rights.*



I. ADMISSION OF MINORS TO INPATIENT MENTAL HEALTH FACILITIES

An Admission -From the community.

1. If you are less than 14 years of age. A parent or your guardian must agree, in writing, to you being here. Your home county must also agree to you being here. If you do not want to stay here, you may ask a court to decide if you have to stay. The court will get you a lawyer.
2. If you are 14 years old or older. You and your parent or guardian must agree to you being here. However, if you refuse, your parent or guardian can consent for you. Your home county must also agree to you being here if they are paying for it
3. A court must also agree that you should remain here for treatment.
4. You could also ask a court to let you stay here, even if your parent or guardian will not agree or cannot be found.

B. Your admission rights.

1. After a review, a court will decide if you should remain here.
2. You must be given a copy of the court papers. You will also be told your rights in court which include:  
You have a right to a court hearing if you request it or if you are 14 or older and you refused to consent to your admission.  
To approve your admission, a court must find that your treatment is appropriate and this is the least restrictive setting for you.

You may call a family member.

You may get a free lawyer if you cannot afford one.

You can have an independent evaluation.

You may contact the mental health advocacy group-Disability Rights Wisconsin. (See last page for contact information.)

You may keep silent when court-appointed examiners interview you. Anything you say may be used against you in court.

3. Your lawyer will tell you your rights and about the court process. Sometimes the court may also appoint another lawyer, called a guardian ad litem, to advise the court about your best interest.
- C. Rights, Rules and Responsibilities-You will be told the unit rules. You will also be told about your responsibilities.

II. TREATMENT RIGHTS

- A. You must be provided proper treatment and education while at the facility.
- B. If you are 14 years old or older, you can refuse treatment unless a court orders it.
- C. You must be told about your treatment and care.
- D. You have a right to and are encouraged to participate in the planning of your treatment and care.
- E. Your relatives must be informed of any costs they may have to pay for you being here.

III. PERSONAL RIGHTS

- A. You must be treated with dignity and respect.
- B. Your surroundings must be safe and clean.
- C. Reasonable decisions must be made about your treatment and care.
- D. You should be on the least secure unit necessary. You may not be transferred to a more secure unit without a good treatment or safety reason.
- E. You may not be restrained or placed in a locked room (seclusion) unless it is an emergency.
- F. You may decide if you want to participate in religious services.
- G. You cannot be made to work, except to clean up after yourself in your room or in common areas. If you do any other work, you must be paid
- H. You cannot be treated differently because of your race, national origin, sex, religion, disability or sexual orientation.

IV. COMMUNICATION AND PRIVACY RIGHTS

- A. You may use the telephone daily.\*
- B. You may see or refuse to see visitors daily.\*
- C. You must have privacy when you are in the bathroom.\*
- D. You may wear your own clothing.\*
- E. You may keep and use your own belongings.\*

\* Note: The communication listed above may be limited or denied for treatment or safety reasons.

- F. You may send and receive unopened mail. Staff may check your mail for items that are not allowed on the unit. Staff may check your mail only if you are watching.
- G. You may call or write to public officials.
- H. You cannot be filmed or taped unless you agree to it.
- I. You may use your own money, within limits, as you choose.

Staff may limit or deny some of your rights for treatment or safety reasons. (See the rights with \* after them.) Your wishes and the wishes of your parents or guardian will be considered. If any of your rights are limited or denied, you may ask to talk with staff to explain. If you disagree with the explanation, you may also file a complaint.

Tobacco products and sexual material (pornography): It is against the law for minors (under 18) to have tobacco-co products or pornography. If you are found with these, they will be taken and thrown away.

V. RECORD ACCESS AND PRIVACY

- A. Staff must keep your treatment information private (confidential).
- B. If you want to see your records, ask a staff member.
  1. You may always see your records on physical health or medications.
  2. Staff may limit how much you may see of your other records. They must give you reasons for any limits.
- C. If you are less than 14 years of age. When you see your records, a parent, guardian, lawyer or staff member must be with you. You may also see your court records. A



## **CLIENT RIGHTS and the GRIEVANCE PROCEDURE For INPATIENT and RESIDENTIAL SERVICES**

### **FOR CLIENTS RECEIVING SERVICES IN WISCONSIN FOR MENTAL ILLNESS, ALCOHOL OR OTHER DRUG ABUSE OR DEVELOPMENTAL DISABILITIES**

When you receive inpatient or residential services for mental illness, alcoholism, drug abuse or a developmental disability, you have the following rights under Wisconsin Statute 51.61(1), 51.30, Wisconsin Administrative Code DHS 92, DHS 94, and DHS 124 and 42 CFR 482.13. If you require additional information regarding these rights please see a staff member of the facility or program providing your services and it will be provided to you.

#### **PERSONAL RIGHTS**

- You must be treated with dignity and respect, free from any verbal, physical, emotional, sexual abuse or harassment.
- You have the right to have staff make fair and reasonable decisions about your treatment and care.
- You have the right to participate in religious services and social, recreational and community activities away from the living unit to the extent possible.
- You may not be made to work except for personal housekeeping chores. If you agree to do other work, you must be paid, with certain minor exceptions.
- You may make your own decisions about things like getting married, voting and Writing a will, if you are over the age of 18, and have not been found legally incompetent.
- You may not be treated unfairly because of your race, national origin, sex, age, religion, disability, sexual orientation, source of funding or marital status.
- Your surroundings must be kept safe and clean.
- You must be given the chance to exercise and go outside for fresh air regularly and frequently, except for health and security concerns.
- You have the right to receive treatment in a safe, psychologically and physically humane environment.
- You may contact a family member or representative and your personal physician to notify them of your admission to the hospital, or have a staff member do so on your behalf. You may refuse to have others contacted.

#### **TREATMENT AND RELATED RIGHTS**

- You must be provided prompt and adequate treatment, rehabilitation and educational services appropriate for your condition, within the limits of available funding.
- You must be allowed to participate in your treatment and care, including treatment planning.
- You must be informed of your treatment and care, including alternatives to and possible side effects of treatment, including medications, including who is responsible and the possible consequences of refusing treatment.
- No treatment or medication may be given to you without your written, informed consent, unless it is needed in an emergency to prevent serious physical harm to you or others, or a doctor orders it. (If you have a guardian, however, your guardian may consent to treatment and medications on your behalf.)
- You have the right to have the consequences of refusing treatment explained to you.
- You may not be subject to electro-convulsive therapy or any chastic treatment measures such as psychosurgery or experimental research without your written informed consent.
- You must be informed in writing of any costs of your care and treatment for which you or your relatives may have to pay. You have a right to examine your hospital bill and receive an explanation of the bill, regardless of some of payment. Every patient shall receive, upon request, information relating to financial assistance available through the hospital.
- You must be treated in the least restrictive manner and setting necessary to achieve the purposes of admission to the facility, within the limits of available funding.

- You may not be restrained or placed in a locked room (seclusion) unless in an emergency when it is necessary to prevent physical harm to you or to others. [There was a deletion at the end of this.]
- You have a right to be informed about your illness, cause of treatment and prognosis for recovery and to have your legally authorized representative or any other person you have authorized in writing obtain this information as well.
- You have a right to consult Advance Directives

### **COMMUNICATION AND PRIVACY RIGHTS**

- You may call or write to public officials or your lawyer.
- Except in some situations, you may not be filmed, taped or photographed unless you agree to it.
- You may use your own money as you choose, within some limits.
- You may send and receive private mail. (Staff may not read your mail unless you or your guardian asks them to do so). Staff may check your mail for contraband. They may only do so if you are watching.
- You may use a telephone daily.\*
- You may see visitors daily.\*
- You may designate who may visit.\*
- You must have privacy when you are in the bathroom and while receiving care for personal needs.\*
- You may wear your own clothing.\*
- You must be given the opportunity to wash your clothes.\*
- You may use and wear your own personal articles.\*
- You must have access to a reasonable amount of secure storage space.\*

\*Some of your rights may be limited or denied for treatment, safety or other reasons. (See the rights with an \* after them). Your wishes and the wishes of your guardian should be considered. If any of your rights are limited or denied, you must be informed of the reasons for doing so. You may ask to talk with staff about it. You may also file a grievance about any limits on your rights.

### **RECORD PRIVACY AND ACCESS**

Under Wisconsin Statute sec. 51.30 and DHS 92, Wisconsin Administrative Code:

- Your treatment information must be kept private (confidential), unless the law permits disclosure.
- Your records may not be released without your consent, unless the law specifically allows for it.
- You may ask to see your records. You must be shown any records about your physical health or medications. Staff may limit how much you may see of the rest of your records while you are receiving services. You must be informed of the reasons for any such limits. You may challenge those reasons through the grievance process.
- After discharge, you may see your entire record, if you ask to do so. You may be charged for written copies.
- If you believe something in your records is wrong, you may challenge its accuracy. If staff will not change the part of your record you have challenged, you may put your own version in the record.

### **RIGHT OF ACCESS TO COURTS**

- You may, instead of filing a grievance or at the end of the grievance process, or any time during it, choose to take the matter to court to sue for damages or other relief if you believe your rights have been violated.
- If you have been placed against your will, you may ask for a review of your commitment or placement order.

### **GRIEVANCE RESOLUTION STAGES**

#### **Informal Resolution Process (Optional)**

- An informal resolution may be possible, and you are encouraged to first talk with staff about your concerns. If it is possible, the client rights specialist or another staff member may utilize dispute mediation or conflict resolution processes to address your concerns. However, you do not have to do this before filing a formal grievance with your service provider.

## Level I-Grievance Investigation

- If you want to file a grievance, you should do so within 45 days of the time you become aware of the problem. An extension of time beyond the 45-day time limit may be granted for good cause. This time limit does not apply to your rights under DHS 124.01-42CFR 482.13. You may file your grievance verbally or in writing. If you file verbally, you must specify that you would like it to be treated as a formal grievance.
- You may file as many grievances as you want. However, they will usually only be investigated one at a time. You may be asked to rank them in order of importance.
- A Client Rights Specialist will investigate your grievance and attempt to resolve it.
- Unless the grievance is resolved, the Specialist will write a report within 30 days from the date you filed the formal grievance. You will get a copy of the report. [There appears to be two bullets deleted after this one.]

## Level II - Program Manager's Review

- The manager of the facility or the program providing your services will review the Specialist's report. If you and that manager are in agreement with the results of the report, any recommendations in it shall be put into effect. If there are disagreements, the manager shall issue a written decision within 10 days.
- You will be informed of how to appeal the program manager's decision if you disagree with it. You will have 14 days to appeal

## County Level Review

- If a community agency is paying for your services, there is an extra step available in the grievance process. You may appeal the Level II decision to the County Agency Director. The County Agency Director must issue a written decision within 30 days, with a possible extension of another 30 days.

## Level III- State Grievance Examiner

- If your grievance went through the Community Level Review and you are dissatisfied with the decision, then you may appeal it to the State Grievance Examiner. You have 14 days to appeal.
- If you are paying for your services yourself, or through insurance, then you may appeal the Level II decision directly to the State Grievance Examiner, skipping the County Level Review. You have 14 days to appeal
- The address is: State Grievance Examiner, Division of Mental Health and Substance Abuse Services, PO Box 7851, Madison, WI 53707-7851.

## Level IV- Final State Review

- Anyone directly affected by the Level III decision may request a final state review by the Administrator of the Division of Mental Health and Substance Abuse Services (DMHSAS) or designee. Any appeal to Level IV must be sent to the DIV/HSAS Administrator, PO Box 7851 Madison, WI 53707-7851, within 14 days.

You may talk with staff or contact your CLIENT RIGHTS SPECIALIST, whose name is shown below, if you would like to file a grievance or learn more about the grievance procedure used by the program from which you are receiving services.

Your Client Rights Specialist is:

You may also communicate your concerns directly to the Wisconsin Division of Quality Assurance, PO Box 2969, Madison, WI 53701-2969. Telephone number: 608-266-8481

If Medicare is paying for your services, you may also request review of your medical treatment by the peer review organization called Metastar at 2909 Landmark Place, Madison, WI 53713