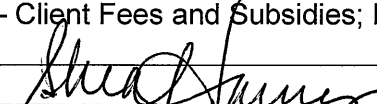


## Executive Policy

<b>Subject:</b> Client Rights	<b>Policy No.:</b> 1.1.3
<b>Adopted:</b> July 2024	<b>Supersedes:</b> 3-15
<b>Related Policies:</b> Executive Policy 1.4.1 – Client Fees and Subsidies; Executive Policy 1.1.15 – Client Grievances; Program Manuals	
<b>Executive Director Signature:</b> 	

**Purpose:** It is the policy of ComWell that individuals will not be discriminated against based upon race, color, sex (gender identity, sexual orientation, pregnancy), national origin, disability, religion, age, ethnic background, national origin, genetic information, military status, armed forces service medal veterans, personal or social beliefs, marital status, ancestry, or HIV status. Individuals who receive services at ComWell are afforded respect for personal dignity, confidentiality, privacy, and rights as individuals. The rights and dignity of clients are respected throughout the organization. This policy shall provide the general standards regarding client rights as well as the regulatory requirements involving those rights.

**Guidelines/Procedures:** The following guidelines or procedures shall be implemented to ensure client rights.

- I. Protection of rights and ethical obligations
  - A. All individuals shall be informed of their rights and responsibilities, shall be provided ethical and equitable treatment, and provided sufficient information to make an informed choice about using ComWell and its services.
  - B. During an individual's initial contact, all individuals served shall receive in writing, and be helped to understand, information about their rights and responsibilities. The information should be available in the major languages of the defined service population. It should be communicated effectively and appropriately to persons with special needs and should be posted in the waiting area of each service location or residential facility. This should include the following information:
    1. Basic expectations for use of ComWell's services. Including the responsibility to provide information needed to receive services;
    2. Hours in which services are available;
    3. Rules, behavioral expectations and other factors that could result in discharge or termination;
    4. The right of the person served to receive service in a manner that is non-coercive and protects the person's right to self-determination;
    5. The right of the person served, families, and/or legal guardians to participate in decisions regarding the services provided; and
    6. Basic information on how to lodge complaints, grievances, or appeals.
  - C. Individuals have the right to ethical and equitable treatment. This may include the provision of effective, equitable, understandable, and respectful services that are responsive to diverse cultural beliefs and practices and free of stigma and discrimination. Examples include the freedom to express and practice religious and spiritual beliefs, preferred languages and other communication needs. Ethical and equitable treatment includes:
    1. The right to receive services in a non-discriminatory manner;

2. The consistent enforcement of program rules and expectations;
  3. The right to receive inclusive services that are respectful of, and responsive to, cultural and linguistic diversity.
  4. Services provided to children and adolescents are evidence based, family-centered, youth-guided and developmentally appropriate.
  5. Services should be responsive to the race, ethnicity, sexual orientation, and gender identity of the person receiving services and should be culturally and ethically appropriate.
- D. Prior to receiving services, each individual shall provide consent and have the right to the following:
1. Participate in all service decisions;
  2. Be informed of the benefits, risks, side effects, and alternatives to planned services;
  3. Be offered the most appropriate and least restrictive or intrusive service alternative to meet the individual or family's needs.
  4. Receive services in a manner that is free from harassment or coercion and protects the person's right to self-determination;
  5. Refuse any service, treatment, or medication, unless mandated by law or court order; and
  6. Be informed about consequences of such refusal, which may include discharge from services.
- II. Client Complaints and Grievances
- A. ComWell maintains a formal mechanism through which applicants, clients, and other stakeholders can express and resolve grievances, including denial of service.
1. This information can be found in Executive Policy 1.1.15 – Client Grievances.
- III. Services to Minors - *(See Program Manuals for Specific Information and Program Rules)*
- A. Generally, minors are served with the consent from a parent or guardian.
- B. According to Illinois statutes, minors receiving substance use services may not need the consent of a parent or guardian to receive services.
- C. *(Based on Illinois Statute – Mental Health and Developmental Disabilities Code 405 ILCS 5/Ch. 3-550)* Illinois statutes allow any minor 12 years of age or older to request and receive counseling services or psychotherapy on an outpatient basis without the consent of the minor's parents, guardian or loco parentis unless the counselor or therapist in consultation with the Mental Health Clinical Manager or Director of Behavioral Health believes such disclosure is necessary.
- It should be noted that ComWell has elected not to see youth through the mental health program without parental consent; however the law does allow it. Should an exception be made, 1-4 should be followed below.*

1. Reasons for the minor's decision not to inform parents, guardian, or loco parentis shall be documented in the clinical record.
  2. The counselor or therapist working with the minor must keep the Manager and/or Director informed of the minor's decision to keep knowledge and information of the services from the parents, guardians or loco parentis.
  3. If the clinician in consultation with manager or director, believe the minor's parents, guardian or loco parentis should be informed of these services, the decision shall be noted in the clinical record.
  4. The minor's parents, guardian, or loco parentis shall not be liable for costs of the services when they have not consented to services.
- IV. Individuals shall receive a schedule of any applicable fees and estimated or actual expenses, and are informed prior to service delivery regarding:
- A. The amount they will be charged;
  - B. When fees or co-payments are charged, changed, refunded, waived, or reduced;
  - C. The manner and timing of payment; and
  - D. The consequences of non-payment.
    1. If a person is unable to afford services based on their fee schedule, they may request the served fee be reduced or waived according to Executive Policy 1.4.1 – Client Fees and Subsidies
- V. Provision of Services Regardless of Residence
- A. Services cannot be refused due to residence, homelessness, or lack of a permanent address. At minimum, crisis response, evaluation and stabilization services will be provided regardless. Beyond crisis services and when possible, the individual will be referred to an agency with similar services within their home area for on-going treatment.

