



Knowing Your Rights Handbook

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Receiving Services

When you receive supports through MCH, you have certain rights. This handbook will explain your rights and what to do if you have questions.

It covers the following North Carolina rules: 10ANCAC 27D.0201 (a), (b), (d)1, (d)2, (d)3, (d)4(a-d), 10A NCAC 27D.0202, 10A NCAC 27D.0303, 10A NCAC 27F .0102(a)(1), 10A NCAC 27F.0103 (a)(1)(2)(3)(4), 10A NCAC 27F.0102(a)(2), 10A NCAC 27F .0102(b), 10A NCAC 27F .0104, 10A NCAC 27F .0105, 10A NCAC 27D .0301 and 10A NCAC 27D .0201 (d)(2).

What Are Rules and Laws?

- Something set up in a program so things will run smoothly
- Rules help you understand your rights
- We all must follow rules
- Specific rules you are required to follow will be explained to you at the site or home

What Are Rights?

- Something you can do by law
- Rights apply to everyone!
- Rights are rules that help make people equal
- Everyone has basic civil rights

What Are Responsibilities?

- Something you agree to do to the best of your ability
- To have your own rights respected, you must respect the rights of others
- Everyone must behave in a responsible way

What is the Right to Release Confidential Information?

You or your legally responsible person will be notified in writing at the time of admission that certain information may be released without expressed consent. This is in accordance with General Statutes. Evidence of this notice must be placed in your record. The following do not require expressed consent be obtained before the release of confidential information:

- Notifying DSS and/ or Law Enforcement for possible abuse or neglect or possible illegal act
- Accrediting/Licensing Agencies
- Communicable Diseases Center
- Any Court Order-in NC
- Emergency Medical Services- to meet the needs of the emergency
- Any MCH employees who are involved with direct care or for financial purposes
- If you leave the premises without knowledge of staff, MCH will notify appropriate individuals
- Involuntary Commitment
- Medical Examiner-when death is being investigated

What is a Rights Restriction?

- Rights restrictions limit or take away a person's right to do something.
- Rights restrictions are not for staff convenience.
- Under certain circumstances, an individual's rights can be restricted.
- Before a person's rights are restricted in any way, due process must be in place.
- You or your guardian have to give consent

What is Due Process?

Before your rights can be changed in any way, your clinical team must meet with you and discuss:

- What has been tried to avoid a restriction of your rights?
- Is there a threat of danger to you or others? If so, the team can explore a rights restriction.
- You and your team must decide what rights will be restricted and the reasons why.
- If a restriction occurs, then a review of the right must occur at least every 6 months to determine if the restriction should continue.
- Any restriction must also be approved by the MCH Human Rights Committee and, if it is a medication, also by your doctor
- Remember.... You will be a part of any decisions about you/ and your guardian must give consent before a rights restriction is put into place. This is called informed consent.

Restrictive Interventions

Restrictive interventions are techniques that control your movements if you were angry and out of control. MCH seldom uses Restrictive Interventions. If the team and guardian determines that it is necessary, it's in the plan, and it is reviewed by Human Rights then in some cases they are used. It's ok to be angry but it's not ok to hurt others, yourself or certain property.

Restrictive interventions shall be limited to: emergency situations, in order to terminate a behavior or actions in which an individual is in imminent danger of abuse or injury to self of other persons or when substantial property damage is occurring.

Always remember:

- Tell people what makes you upset
- Tell people who you want called if you get upset
- It's not ok to hit people

What is Search and Seizure?

A search and seizure only occurs if there is suspicion you have possession of stolen property or substances that may be health- threatening or dangerous to you or others (alcohol, drugs, weapons). If your personal space is searched you must be notified and present. Every search and seizure must be documented.

Documentation shall include:

- Scope of search
- Reason for search
- Procedures followed in the search
- Description of any property seized
- An account of the disposition of seized property

Being Suspended or Discharged from Services?

Potential reasons for being suspended or discharged from the services MCH provides you include, but are not limited to:

- If you are involved in illegal activities
- If you are no longer eligible for services as defined through MCH policy, service definitions or licensing requirements
- If you are presenting a danger to yourself or others
- If you fail to abide by rules or agreements
- If you fail to participate in the treatment process
- If you are not benefiting from services

Each decision depends on the circumstances, your individual characteristics, number of occurrences and severity of infraction. If you are suspended or discharged, you must be told the following:

- What rule(s) and/or incident(s) were involved and when these occurred.
- When and if you can return and any specific conditions in order to return
- If necessary, MCH staff must identify any alternative service to meet your needs
- You must be given a discharge plan, if applicable

What is a Grievance Procedure?

A grievance is when you disagree with things that are going on in your life.

- There will not be any consequences toward you or your services if you file a grievance.
- You or your legal guardian has the right to voice your concerns by filing a grievance and appeal program decisions.
- You are encouraged to attempt to resolve the issue with your Qualified Professional. If the situation involves sensitive issues, you have the right to go to the Executive Director.
- The issue will be investigated and a meeting will be held with you and all people involved. The outcome of the investigation will be discussed at that time.
- The grievance may be heard by the Human Rights Committee or even the Board of Directors. The Board of Directors decision will be the final decision.

- If you or your guardian or advocate is not satisfied with the results from the grievance process you may choose to seek legal counsel and/or contact Disability Rights North Carolina. The toll free number to DRNC is 1-877-235-4210.
- MCH does not discriminate on the basis of race, color, religious creed, disability, age, sex, income, sexual orientation, ancestry or national origin.
- You will be informed of your rights to participate in a grievance procedure when you start services with MCH and at least once a year thereafter.

Fee Assessment and Collection for Unfunded Services

- You have the right to receive a written statement of services and charges for services.
- MCH will charge you for unfunded services.
- Fees will be collected on a daily, weekly, or monthly basis depending on the service provided.
- Fees will be made available to all individuals requesting services.
- If fees become delinquent, the program will make every effort to collect fees due. If it is determined that fees are uncollectible, services may be terminated.

Basic Civil Rights

MCH will assure staff are trained on individual rights. Unless you have been declared incompetent by a court, you have the same basic civil rights as other citizens. If you have a guardian, some of your rights may be limited according to the type of guardianship. Below is a list of your rights as well what your responsibility to each one is.

You have the right to have a place to be alone.

- Responsibilities:
 - Respect other people's space
 - Other people have the right to say "no"
 - Ask for help when you need it

You have the right to privacy and to expect people to knock before entering.

- Responsibilities:
 - Respect others' rights to privacy by knock before entering their home or bedroom
 - Remind others to give you privacy
 - Close bathroom door while using bathroom or showering and close your door while you are dressing

You have the right to choose your friends.

- Responsibilities:
 - Where would you go to meet new friends?
 - How do you like to be treated by your friends?

You have the right to be free from cruel and unusual punishment.

- Responsibilities:
 - Say “no”!
 - Let others know when you feel upset
 - Tell someone who can help you
 - No one should ever hurt you or yell at you

You have the right to get married.

- Responsibilities:
 - Treat your spouse with respect
 - Share responsibilities and chores of the home
 - Paying the bills and spending your money
 - Talking to each other about big decisions like having kids and where you are going to live

You have the right to have children.

- Responsibilities:
 - Take care of your child
 - Take them to doctor appointments
 - Feed and clothe them
 - Provide a place to live and keep them safe
 - Give them love and affection

You have the right to vote, to know the voting issues and candidates.

- Responsibilities:
 - Register to vote
 - Learn about who you are voting for
 - Do not let others tell you who to vote for
 - Ask for help if you need it to understand the issues

You have the right to free speech and freedom of expression.

- Responsibilities:
 - You have to respect others freedom of speech and privacy
 - Remember, everyone has different opinions

You have the right to choose where to worship and how to express your beliefs.

- Responsibilities:
 - Respect others’ beliefs
 - Let your support staff know where and when you would like to worship

You have the right to have your own belongings.

- **Responsibilities:**
 - Take care of your things
 - Save money to make purchases
 - Work to pay for what you want
 - Be accountable for your spending

You have the right to choose your job and to receive fair pay.

- Responsibilities:
 - Show up for work on time
 - Do the best job you can while at work
 - Ask for help if you need it. MCH offers supports to help you be successful in your job

You have the right to get an education.

- Responsibilities:
 - Decide what classes would you like to attend
 - Make sure to complete assignments
 - Find out how much it will cost and ways you can pay for it
 - Follow rules in the class

Protected Rights of All Adults and Minors Who Receive Services in NC

All Civil Rights as previously listed.

Right to dignity, privacy, humane care and freedom from mental and physical abuse, neglect and exploitation.

- Responsibilities:
 - Don't hit others
 - Don't yell or curse at others
 - Tell someone if you are yelled at or if someone hits you
 - Don't give others your money

Right to contact Disability Rights North Carolina in regards to advocating for and protecting your rights.

- Responsibilities:
 - Notify someone if you need assistance contacting Disability Rights

Right to receive age-appropriate treatment for diagnosis.

- Responsibilities:
 - Tell others what you like to do
 - Try new things that others your age like to do

Right to treatment, including access to medical care and habilitation, regardless of age or diagnosis.

- Responsibilities:
 - Tell others if you don't feel well
 - Tell others what you want to learn
 - Tell people what you need

Right to an individualized written service plan and to receive a copy of it.

- Responsibilities:
 - Tell others how you want to live your life
 - Tell others where you want to live and work
 - Tell others what you need help with
 - Ask for a copy of your plan if you did not receive it

Right to attend your service plan meeting and have it reviewed with you.

- Responsibilities:
 - Invite people you would like to be there
 - Ask questions if you do not understand
 - Show up at the scheduled time
 - Give input about what you want and how you feel

The right to, within 30 days of admission, an individual written service plan implemented by MCH.

- Responsibilities:
 - You have to work on goals that were developed based on your desires
 - Tell others if you change your mind
 - Know what is in your plan

Right to have a discharge plan (no later than the time of discharge) that contains recommendations for further services in order for you to live as normally as possible.

- Responsibilities:
 - Tell others what you want to do
 - If you don't understand why your being discharged, ask for someone to explain

Right to be informed in advance of the potential risks and alleged benefits of service choices.

- Responsibilities:
 - Ask questions when you don't understand
 - Tell others if you need more information

Right to be free from unnecessary medication.

- Responsibilities:
 - Remember that some people must take medications for medical reasons such as seizures and diabetes.
 - Tell others how you feel when you take medications
 - Know why you're taking the medication
 - Know the side effects of the medications

Right to not have medication used for punishment, discipline or staff convenience.

- Responsibilities:
 - Know why you are taking each medicine
 - Ask your doctor
 - Tell others how you feel when you take the medication

Right to consent or refuse any treatment offered.

- Responsibilities:
 - Make an educated decision
 - Find out from someone what other treatment options may be available
 - Participate in treatment that you consent to

Right to informed consent.

- You have the right to know all benefits, potential risks, and possible alternative choice for the services you choose with MCH.
- You have the right to know when you give consent it is time limited.
- You can revoke a consent at any time
- Do not sign anything if you don't understand or agree

You have the right to participate in self-advocacy meetings at MCE.

- Responsibilities:
 - Tell others if you want to attend
 - Learn about when the meetings are and how you can get there
 - Attend the meetings or call if you can't attend
 - Ask questions about things you do not understand

You have the right to agree or refuse to participate in research.

- Responsibilities:
 - Let others know when you do or do not want to participate
 - If you do participate, you need to understand what the research is about
 - Make sure all of your concerns are addressed

You have the right to have, receive, or refuse regular therapy services.

- Responsibilities:
 - Let others know if you do or do not want the services
 - Show up for all appointments
 - Change services or providers if needed

You have the right to calm yourself down when you are upset before other means are used.

- Responsibilities:
 - Use your skills to calm yourself down
 - Ask for help when you are upset
 - Explain to others why you are upset

Rights for All Adults in a 24-Hour Facility

You have the right to know the purpose, goals and reinforcement structure of any behavior management system.

- Responsibilities:
 - Ask what is expected of you
 - Ask questions if you don't understand what others want you to do
 - Tell people what makes you happy or angry

Right to receive needed treatment to prevent illness.

- Responsibilities:
 - Tell people when you don't feel good
 - Ask to see your doctor
 - Tell your doctor your symptoms

You have the right to choose an advocate. An advocate is someone that speaks up for you and on your behalf and helps you to express your opinions. An advocate may also represent you and your wishes.

- Responsibilities:
 - Let someone know when you need an advocate, like your QP
 - Let your advocate know what you need from them
 - Let your advocate know when you need to see or talk to them

You have the right to get help.

- Responsibilities:
 - Ask for help if you need it
 - In addition to your QP or the Executive Director, you can contact a policeman, fireman, other MCH staff or request an outside advocate

You have the right to choose your own doctors and to see the doctors when you want.

- Responsibilities:
 - Make appointments when needed
 - Let someone know if you need help making appointments
 - Show up for appointments
 - Call your doctor if you cannot show up for your appointment
 - Change your doctor if you feel uncomfortable or feel they are not helping you
 - Know your choices

Have access to telephones in private areas when requested.

- Responsibilities:
 - Ask for help to dial numbers if you need assistance
 - Remember that you may have to pay for long distance charges out of your personal funds
 - Tell others you need privacy

Send and receive mail and have access to writing materials, postage, and staff assistance when needed and be aware of when the mail comes in and goes out.

- Responsibilities:
 - Let others know not to open your mail unless you tell them it is O.K.
 - Respect other people's mail and do not open it
 - Let others know if you need help reading or responding to your mail

Receive visitors.

- Responsibilities:
 - Be respectful to other housemates while guests are in your home
 - Ask for privacy
 - Arrange visits ahead of time if possible
 - Show respect to your visitors
 - Let others know when visitors will be coming
 - Respect other people's space and schedules when you have visitors

Efforts shall be made to provide a quiet atmosphere for uninterrupted sleep during schedule sleeping hours.

- Responsibilities:
 - Be respectful of others who are sleeping
 - Remember your TV, radio, or loud talking
 - Have visitors during regular, waking hours

You have the right to receive help with taking care of yourself if needed.

- Responsibilities:
 - Tell others what kind of hygiene products you like to use
 - Let staff know when you like to bath and if you prefer a shower or tub bath
 - Choose what hairstyle you want
 - Shop for what you want

Have accessibility needs met within your home and community sites.

- Responsibilities:
 - Use handicapped parking
 - Have access to an interpreter
 - Use of facilities with wheelchair ramps/curb cuts
 - Having accessible aisles, doorways, bathrooms and entrances
 - Let others know if you need help

Efforts shall be made to provide areas accessible to you for personal privacy, for at least limited periods of time.

- Responsibilities:
 - Tell people when you need private time
 - Respect others privacy

You may decorate your room with respect to what you like as long as it is not offensive to others and respects the physical structure of the home. Just let others know what you want your room to look like.

Have access to individual storage space for private use.

- Responsibilities:
 - Respect others private spaces
 - Keep your personal space clean and safe for others

Keep and spend reasonable amounts of own money.

- Responsibilities:
 - Come up with a budget and spend within that budget
 - Ask for help if you need it
 - Know how much money you have
 - Use the bank if needed
 - Obtain a state-issued identification card

Retain a valid state-issued driver's license.

- Responsibilities:
 - Study for test
 - Ask your support staff for help if needed
 - Take the test (you can get the verbal test too)
 - Follow North Carolina Law
 - Maintain insurance and annual inspection if you have a vehicle

You have the right to decide what you want to eat and have choices of healthy foods and snacks.

- Responsibilities:
 - Tell others what kinds of foods you like and do not like
 - Know what you can and cannot eat for health reasons such as diabetes, high blood pressure, high cholesterol or if your doctor gives you a special diet
 - Shop for your own snacks

You have the right to choose where you want to live.

- Responsibilities:
 - Choose a safe place
 - Let someone know if you want to move
 - Meet your housemates before moving
 - Ask for help from your QP in learning about other options

You have the right to live in a clean, furnished home.

- Responsibilities:
 - Keep your home clean
 - Take care of your belongings
 - Let someone know when things need to be fixed

You have the right to join community groups.

- Responsibilities:
 - Choose which groups you want to belong to
 - Show up for scheduled meetings and/or events
 - Respect others in your group
 - Ask staff if you need help to participate

You have the right to plan and enjoy activities of your choice.

- Responsibilities:
 - Let others know what you would like to do
 - Help plan for your activities
 - Get money, equipment and transportation, if needed

You have the right to decide if you want your picture taken.

- Responsibilities:
 - Let other people know if you do not want your picture taken
 - Let others know who can and cannot see your picture

You have the right to get needed services.

- Responsibilities:
 - Let someone know what services you need
 - Give consent to release your information when needed

You have the right to decide who can see your records and to have access to your records at all times.

- Responsibilities:
 - Let others know when they can or cannot look at your records (give consent)
 - Ask questions if you do not understand your records
 - Tell others if you want something changed
 - Let others know when you would like to see your records
 - IF there is an emergency or if there are criminal issues, information can be released according to HIPAA laws

Disability Rights of North Carolina

Disability Rights North Carolina provides free advocacy services to persons with disabilities. These services include protecting, and advocating for the rights of people with disabilities and the authority to pursue legal, administrative, and other appropriate remedies or approaches when the rights of such individuals within the state may have been violated. Rights may include eligibility for treatment, services, education, or a change in living arrangements, with particular attention to members of ethnic and racial minority groups. Disability Rights North Carolina investigates alleged incidents of abuse, neglect and exploitation of individuals with disabilities and is responsible for investigating suspicious deaths throughout the state for people with disabilities in institutions. Disability Rights North Carolina also provides information and referral to programs and services addressing the needs of individuals with disabilities.

MCH Contact Information

MCH Office Location: 909 Lake Emory Road, Franklin
 MCH Office Hours: 8:30am-4:30pm, Monday-Friday
 MCH Mailing Address: Post Office Box 698, Franklin, NC 28744
 MCH/MCE Office Phone: (828) 524-5888
 MCH Website: www.maconcitizens.org

Qualified Professionals (QP)

| Name | Locations | Phone Number | Email |
|----------------|--|----------------------------|--|
| Beverly Gaddis | MCE Harrison Avenue Yonce House Community Services | (828) 524-5888 Ext. 216 | beverly@maconcitizens.org |
| Ashley Hopkins | lotla Street Macon ICF Smoky ICF Webster Group Home | (828) 524-5888 Ext. 220 | ashley@maconcitizens.org |

Facility Managers

| Name | Location(s) | Phone Number | Email |
|----------------|--------------------------------|----------------------------|--|
| Sarah Andrews | MCE | (828) 524-5888 Ext. 204 | sarah@maconcitizens.org |
| Bonnie Bennett | Harrison Avenue Yonce House | (828) 524-8231 | bonnie@maconcitizens.org |
| Jim Riddering | Smoky ICF | (828) 586-9277 | jim.riddering@icloud.com |
| Sheila Deitz | Macon ICF | (828) 369-9880 | sheila@maconcitizens.org |
| Jan Gentry | Webster Group Home | (828) 586-3896 | jan@maconcitizens.org |
| Angie Hall | lotla Street | (828) 524-8495 | angie@maconcitizens.org |

MCH Directors

| Name | Title | Phone Number | Email |
|--------------|-----------------------------------|-----------------------------|--|
| Christi Huff | Executive Director | (828) 524-5888 Ext. 218 | christi@maconcitizens.org |
| Josh Owens | President, MCH Board of Directors | (828) 524-7000 Ext. 2305 | jowens@entegrabank.com |

Disability Rights of North Carolina

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