

POLICY:

Adults with developmental disabilities have the same rights and responsibilities as other citizens in our society unless legally abridged.

An individual may need guidance and assistance which may occasionally modify or limit the choices he/she has in exercising certain rights; however, the individual's choices/rights may not be limited or modified without the informed consent of the individual or persons acting on their behalf, through the Individual Support Plan (ISP) Team process. Any modifications or limitations should be specific, rather than general or blanket, and should be reviewed each six months as part of the ISP review.

It is the responsibility of the program to consistently protect the rights of the persons participating in the program. The program will facilitate the person to access their community including health care and mental health resources, recreational and social activities, and employment or alternatives to employment.

The program will protect the individual from abuse at all times.

The program will insure appropriate and dignified services which promote independence, dignity and self-esteem and are also appropriate to the age and preference of the individual. At no time will any employee violate the individual's rights of confidentiality in all aspects of their life.

The following basic rights will be reviewed with all individuals, guardians, family members or advocates and with all staff. This review will occur when a new individual or staff joins the program, and at least annually thereafter, or after any changes. This includes State Confidentiality Policies.

The following are basic human rights which apply to all developmentally disabled persons and which will be fostered by this program:

1. ADEQUATE FOOD, HOUSING, CLOTHING, MEDICAL AND HEALTH CARE, SUPPORTIVE SERVICES, AND TRAINING

- A. The program will ensure that individual preferences will be taken into consideration and that well balanced, appetizing, appealing meals are available to program participants three times per day.
- B. The home will be well maintained, clean, attractively furnished, and temperature controlled.
- C. Medical and health care needs will be monitored, both through the ISP and on an ongoing basis, and individuals will be assisted in obtaining needed services.
- D. Supportive services will be provided for all participants as needed, and identified through their ISP.
- E. A training plan will be negotiated and developed with the participant as part of the ISP process and activities which will improve the participant's quality of life, through participation in the desired activities, or training in functional skills, will be scheduled. Activities will occur on a regular basis, and documentation of activities will be maintained.

2. VISITS TO AND FROM FAMILY MEMBERS, FRIENDS, ADVOCATES, AND LEGAL AND MEDICAL PROFESSIONALS

- A. The residential site is the home of the persons with developmental disabilities who live there. It is their right to have guests visit them there, at any time, without prior notification to staff. The behavior of guests must meet the standards generally held within the home, and the host must respect his/her housemates rights while entertaining guests.
- B. The program will assist participants in maintaining desired relationships with family members, friends, and advocates. This may include helping in whatever way is needed to schedule visits.
- C. The program will facilitate visits to legal and medical professionals, and will assist participants, as requested, in obtaining desired services.

3. CONFIDENTIAL COMMUNICATION

- A. Individuals have the right to send and receive unopened, uncensored mail. Staff will read and/or explain information, as necessary, to the individual, and help with follow through as needed.

- B. Individuals may make and receive phone calls without censorship. Individuals will be assisted to budget long distance calls. The cost of long distance calls is the responsibility of the individual. When an individual receives a telephone call, staff will not listen in, eavesdrop, or question the individual regarding the call. Individuals are asked to respect the rights of their housemates when more than one person desires the use of the phone.
- C. When an individual has a visitor at the home, their conversation should be respected in the same manner as are telephone conversations.

4. PERSONAL PROPERTY

- A. The program will insure that each individual has their own choices/selections in personal property and personal control and freedom regarding that property.
- B. Each program participant will have a Personal Property Record completed upon entry into the home, and the list will be updated at least semiannually thereafter. If desired, individuals will be assisted in saving money to purchase specific items.
- C. No staff member will use or borrow an item belonging to a program participant, for any reason.

5. PRIVACY

Each individual's room is his/her own personal space. Staff should never enter an individual's room without receiving permission from the individual unless an emergency exists. Staff should avoid going into individual's rooms when they are not home, but if this is necessary, it is imperative that staff respect the privacy of each individual. Looking through an individual's belongings is not acceptable. Also, sensitivity to the need for privacy for the individual will be provided during care and treatment such as bathing, changing of Attends, etc.

6. FREEDOM FROM INVOLUNTARY TRAINING, TREATMENT, AND CHEMICAL RESTRAINTS

- A. Individuals will be involved in every step of the process of the development of their ISP. The choice of what training programs will be included in the ISP will be based on the desired activities of the individual, and training needed to improve independence. By actively involving the individual in

the planning, there should not be a problem with involuntary training. After an ISP has been developed, and the individual agrees to it's content, the program will encourage the individual to complete his/her mind regarding portions of his/her service plan, and consistently refuses to participate in those portions, a revision in the plan will be negotiated with the ISP Team.

B. Psychotropic medication will only be used with informed consent in two circumstances:

(1) In conjunction with a pro-active behavior program. Psychotropic medications may be used as a short term aid to an overall comprehensive plan to deal with difficult behavior pro-actively.

(2) When prescribed for a well documented mental illness for which psychotropic medication has been proven to be effective.

All psychotropic medications must be prescribed and monitored by a physician who is skilled in dealing with persons with developmental disabilities. Psychotropic medication must be monitored by the prescribing physician quarterly and blood levels, etc., should be monitored on a regular basis as needed.

Under no circumstances will medication be used as a substitute for a behavior program, or for the convenience of the program. PRN psychotropics are prohibited. It is the responsibility of the residential staff to ensure that the prescribing physician understands this program's policy regarding psychotropic medications.

7. FREEDOM FROM PERSONAL RESTRAINTS

Individuals have the right to be free from personal restraints. Safety restraints such as helmets and splints shall be used only with a physician's order, shall be a part of the individual's ISP, and such use shall be reviewed at a minimum on a semi-annual basis with the physician. Restraints used for behavioral control to safeguard the individual or others shall only be used per the policy and procedure on Physical Restraints - Section E.

8. OBSERVANCE OF PERSONAL RELIGIOUS PRACTICES

Individuals are allowed to worship, or not worship, as they choose. This program will assist individuals, as requested, to attend religious services of their choice. This program will also ensure that the religious beliefs/practices of staff, other individuals, or persons within the community will not be forced upon any individual.

The program will respect the religious customs of the individuals, and will help in whatever ways possible to ensure that those customs are met, as desired by the individual (e.g., pork will not be served to an individual whose faith prohibits its consumption). This program will be sensitive to the cultural and ethnic values of individuals. Assistance will be provided to maintain their cultural/ethnic identity.

Individuals will not be required to say grace, voice a belief, or attend religious services against their will, or for the convenience of the program.

9. VOTING

Individuals will be encouraged to be politically informed, active, and to vote if of legal age. Staff will assist individuals in all aspects of political involvement at whatever level is desired by the individual.

10. EXPRESSION OF SEXUALITY, MARRIAGE, AND THE BEARING OF CHILDREN

A. Persons with developmental disabilities have the same desires for love, affection, and sexual contact as do non-disabled persons. This program will assist individuals to develop and maintain meaningful personal relationships, which will improve their quality of life. Staff may assist in this process by helping to plan recreational activities which allow social contact, assisting in the transportation for dates, and having an open supportive attitude in regard to individual's needs in this area.

If an adult program individual desires a sexual relationship with a willing adult friend, this program will provide information regarding birth control, safe sexual practices and the responsibilities which come with a sexual relationship. The program may refer the participant to a responsible agency which provides family planning services.

Individuals' rights to privacy will be respected in this area. Individuals able to consent who desire a sexual relationship are expected to respect their housemates' rights to privacy as well, and details may need to be negotiated.

B. If an individual wishes to marry, this program will assist in locating an appropriate agency to provide premarital counseling, if desired, and will help with details regarding the marriage and services which may be needed or desired after the marriage. This program will also assist the individual in understanding the rights and responsibilities of marriage.

C. If after family planning services have been utilized, an individual wishes to have a child, this program will assist that person in obtaining counseling regarding this decision, and parent training, if desired. Since this program does not have the capacity to serve an individual with a child at this time, the individual's Case Manager will assist in locating any services which may be needed. The program will also assist the individual in understanding the rights and responsibilities associated with having a child.

11.ACCESS TO COMMUNITY RESOURCES, INCLUDING RECREATION, AGENCY SERVICE, EMPLOYMENT AND DAY PROGRAMS

A. Each individual will have a desired number of recreational activities listed in his/her ISP. Staff will assist individuals in identifying desired recreational activities and services, and will assist in ensuring that they occur, as desired by the individual.

B. The program will ensure that each individual receives the various agency services which he/she desires.

C. It is assumed that most individuals will be employed or have a daily activity outside the home. In the event that an individual loses his/her employment or day activity, the program will provide staff coverage during the hours during which the individual is at home rather than at his/her regular job/activity. The program will advocate as needed for immediate employment services.

12.EQUAL PAY FOR EQUAL WORK

The program will advocate for real work, for real pay, for all individuals who have completed their educational program. Staff will support individuals who have non-traditional work hour jobs.

If individuals provide a work-related service for the Program that is in addition to routine home maintenance as part of their ISP plan, they shall be paid a comparable rate to community standards for that work.

13.TRANSFER OF INDIVIDUALS WITHIN THE STATE-OPERATED COMMUNITY PROGRAM

Occasionally an individual or the individual with his/her ISP Team members may wish to transfer to another state-operated community home. The request for transfer could be due to location of family members/significant others, a potential job in the community more suitable to the individual's skills or

potential for greater peer compatibility/interest in another home. Such a transfer can be considered when there is a vacancy in the proposed transfer home or when there are two individuals who wish to trade homes. In both instances there must be consensus of the ISP Team. Team members must insure that when a "trade" is considered, both parties must be willing to move and must also understand that they may choose not to move.

Approved by: _____ Date: _____
Jon Cooper, Director