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**RIGHTS OF PERSONS SERVED**

# POLICY

It shall be the policy of the Tennessee Family Solutions Inc. (“TFS”) to comply with all applicable state and federal statutes and regulations regarding rights of persons who have developmental disabilities. The TFS Specialty Clinics shall implement this policy with the philosophy that civil rights are a human entitlement and that the TFS Specialty Clinics shall be a facilitator of that entitlement. Specifically, those rights we cherish are those critical to successful community living: respect, self-determination, freedom to associate and choices in daily living.

# IMPLEMENTATION

**The following Patient Rights are not subject to modification**

All patients will be fully informed before or upon their admission about their rights and responsibilities and about any information on these rights imposed by the rules of the TFS Specialty Clinics. The information regarding patients’ rights that is provided to the patient will include, at a minimum, the following:

* **Informed Rights**: All patients will be afforded rights to privacy, confidentiality and dignity. Any abridgement of these fundamental rights shall be done with the informed consent of the patient and/or their medical decision maker. In addition to the rights set out below, which are guaranteed by the regulations of the State of Tennessee, Department of Mental Health and Substance Abuse Services, these rights specifically include:

1. The right to receive habilitation; to receive services from the provider of one’s choice, to receive active treatment; to manage one’s own affairs; to have freedom from abuse, neglect, mistreatment, victimization, exploitation, or the use of unauthorized or misused restraints; to make choices regarding daily living; to freely communicate grievances and recommend policy changes; to confidentiality pertaining to records; to have access to one’s records at reasonable times; to grant or refuse informed consent; to be treated as a person of dignity and worth in all areas of life.
2. **Complaint and Grievance Procedure:** Every patient served in the TFS Specialty Clinics has the right to treatment with consideration, dignity and respect in an environment free of exploitation, neglect or abuse. Complaints and grievances should be reported to the TFS Incident Management Coordinator. The TFS IMC has forms for the documentation of such reporting and will investigate the matter. If complaints of a different nature are involved the TFS IMC will direct the patient to an internal or external entity capable of addressing the issue.
3. **Advocacy Services:** Patients may choose to pursue outside advocacy assistance if TFS is unable to assist;
4. Patient Advocate Foundation: [www.patientadvocate.org](http://www.patientadvocate.org)
5. National Patient Advocate Foundation: [www.npaf.org](http://www.npaf.org)
6. National Health Council: [www.nationalhealthcouncil.org](http://www.nationalhealthcouncil.org)
7. The Patient’s Association: 0800-345-7115
8. Adult Protective Services: Phone: 888-277-8366
9. Local Ombudsman: 615-850-3918
10. TDMHSAS Office of Licensure: 866-797-9470
11. Department of Children’s Services: 615-253-1400
12. Tennessee Disability Law & Advocacy Center: 615-298-1080
13. Murfreesboro Office on Aging: 615-360-9797
14. Volunteer Behavioral Health: 615-904-7051
15. TFS Kennedy Specialty Clinic: 615-751-8004
16. Trustpoint Mental Health Hospital: 615-716-1824
17. Mobile Crisis: 615-726-0125
18. Local Food Bank (2nd Harvest): 615-329-3491
19. Medical Transport: 800-503-6897
20. VA Medical Center (Alvin York): 615-867-6000
21. **General rules for patients are covered in the Admission TFS Clinic Patient Packet:** See copy of Patient Packet included in the *TFS Clinic Book*.
22. **If a patient fails to comprehend their rights:** If the patient and his or her conservator fail to initially grasp the meaning of the rights being represented to them, an effort will be made to assign an advocate capable to working through the issue with them. This advocate will not be an employee of TFS Kennedy Specialty Clinic. If the patient and his or her conservator are likely to continue indefinitely to be unable to understand this information, the TFS Specialty Clinic will promptly attempt to provide the required information to another parent, guardian, or appropriate person or agency responsible for protecting the rights of the patient.

* **Patients have** the right to voice grievances to staff of the TFS Specialty Clinic, to the TN Department of Mental Health and to outside representatives of their choice with freedom from restraint, interference, coercion, discrimination or reprisal;
* **Patients have** the right to be treated with consideration, respect and full recognition of their dignity and individuality;
* **Patients have** the right to be protected by the TFS Specialty Clinics from neglect, from physical, verbal and emotional abuse (including corporal punishment); and from all forms of misappropriation and/or exploitation;
* **Patients have** the right to be assisted by the TFS Specialty Clinics in the exercise of their civil rights;
* **Patients have** the right to be free of any requirement by the TFS Specialty Clinics that they perform services which are ordinarily performed by Clinic staff;
* **Patients have** the rights, if TFS should be providing overnight treatment, to send personal mail unopened and to receive mail packages which may be opened in the presence of staff when there is reason to believe that the contents thereof may be harmful to the patient or others;
* **Patients have** the right to privacy while receiving services from the TFS Specialty Clinics;
* **Patients have** the right to have their personal information kept confidential in accordance with state and federal confidentiality laws; *see HIPAA policies contained in The Clinic Book;*
* **Patients have** the right to ask the TFS Specialty Clinics to correct information in their records. If the TFS Specialty Clinic refuses, the patient may include a written statement in the records of the reasons they disagree;
* **Patients have** the right to be informed about their care in a language they understand; and
* **Patients have** the right to vote, make contracts, buy or sell real estate or personal property, or sign documents, unless the law or a court removes these rights. In such an instance the legal representative or conservator shall possess the right to exercise these rights in the patient’s behalf as permitted by law.

**The following Patient Rights are only subject to modification with specific requirements set out in regulations of the State of Tennessee, Department of Mental Health and Substance Abuse Services.**

* **Patients have** the right to participate in the development of the patient’s individual program or treatment plans and to receive sufficient information about proposed and alternative interventions and program goals to enable them to participate effectively;
* **Patients have** the right to participate fully, or to refuse to participate, in community activities including cultural, educational, religious, community services, vocational and recreational activities;
* **If overnight** services are provided a patient, he/she must be allowed to have free use of common areas in the TFS Specialty Psychiatric Clinic facility with due regard for privacy, personal possessions, and the rights of others;
* **Patients have** the right to be accorded privacy and freedom for the use of bathrooms when needed;
* **Patients shall** be permitted to retain and use personal clothing and appropriate possessions including books, pictures, games, toys, radios, arts and crafts materials, religious articles, toiletries, jewelry and letters;
* **Patients being** treated overnight in the TFS Specialty Clinic facilities; if married, shall be afforded privacy for visits by spouses and if both spouses are residing at the same time, they must be permitted to share a room;
* **Patients being** treated overnight in the TFS Specialty Psychiatric Clinic facilities have the right to associate and communicate privately with persons of their choice including receiving visitors at reasonable hours; and
* **Patients being** treated overnight in the TFS Specialty Psychiatric Clinic facilities have the right to be given privacy and freedom in the use of their bedroom/sleeping area.

Filename: Patient Rights.doc (MSWORD 2013)

Previous Revisions: N/A

Latest Revision: June 1, 2020

Approval Date by the TFS Board of Directors: June 1, 2020 CEO’s Signature

