

GREENBRIAR TREATMENT CENTER PATIENT'S LEGAL AND HUMAN RIGHTS

The plan for patient's rights ensures that Greenbriar Treatment Center supports and protects the fundamental human, civil, constitutional and statutory rights of each patient. The following policies and procedures shall describe the rights of patients and methods in which these rights are protected.

POLICY: Admission, the provision of services and referrals of clients shall be made without regard to race, color, religious creed, disability, ancestry, national origin (including limited English proficiency) age, or sex

PURPOSE: Greenbriar shall establish and maintain an environment that enhances the positive self-image of the patient and preserves human dignity.

PATIENT'S LEGAL AND HUMAN RIGHTS:

1. Program services shall be made accessible to eligible persons with disabilities through the most practical and economically feasible methods available. These methods include, but are not limited to; equipment redesign, the provision of aides, and the use of alternative service delivery locations. Structural modifications shall be considered only as a last resort among available methods. Any individual/client/patient/student and/or their guardian who believes they have been discriminated against may file a complaint of discrimination with:

Clinical Director or Nursing Director Greenbriar Treatment Center 800 Manor Dr Washington PA 15301	Bureau of Equal Opportunity, DPW Room 223 Health & Welfare Bldg P.O. Box 2675 Harrisburg PA 17105	PA Human Relations Commission 301 Fifth Avenue Ste 390 Piatt Place Pgh Pa 15222
The Joint Commission of Hosp Accreditation One Renaissance Blvd. Oakbrook Terrace IL 60181	Washington Co D&A Commission 90 W. Chestnut St Suite 310 Washington Pa 15301	Office of Civil Rights Dept of Health & Human Svc Office or Civil Rights Region III Suite 372 Public Ledger Bldg 150 S. Independence Mall West Philadelphia PA 19106-9111
Dept of Public Welfare Bureau of Equal Opportunity Western Region 301 Fifth Ave, Ste 410 Piat Place Pittsburgh Pa 15222	Quality Assurance Coordinator Bureau of Drug & Alcohol Programs Human Services Bldg One Smithfield St. Pgh PA 15222	Allegheny Co DHS – Office of Behavioral Health Human Services Building – 3 rd Floor One Smithfield St Pittsburgh Pa 15222

2. You have the right to be treated in an environment free of sexual harassment from staff and/or other patients in the facility. If you feel you are being sexually harassed, either physically or verbally, an investigation will be conducted into the allegations .
3. You have the right of access to the building, treatment rooms and bathrooms. Reasonable accommodations will be made to ensure your accessibility to these areas if you have a physical disability .
4. You have the right to privacy in your treatment, in your care, and in the fulfillment of your personal needs.
5. You have the right to be fully informed of all services available to you and of any charges for those services at Greenbriar Treatment Center.
6. You have the right to be fully informed of your rights as a patient and of all rules and regulations governing your conduct as a patient
7. You have the right to manage your personal financial affairs. If you desire assistance, staff can arrange appropriate assistance for you.
8. You have the right to know about your physical condition.
9. You have the right to participate in the development of your treatment plan.
10. You have the right to receive information necessary to give informed consent prior to the start of any procedure and/or treatment.
11. You have the right to refuse treatment and/or medication to the extent permitted by law and to be informed of the consequences of this right. Should such refusal be a prescribed treatment and/or safety issue, Greenbriar Treatment Center reserves the right to facilitate discharge or transfer to another facility.
12. You have the right to continuity of care. You will not be prematurely discharged or transferred except for medical reasons, for your personal welfare, or for the welfare of others. Should your premature transfer or discharge become necessary, you will be given reasonable advance notice unless an emergency situation exists.
13. You have the right to voice opinions, recommendations and grievances in relation to policies and services offered by the facility, without fear of restraint, interference, coercion, discrimination or reprisal.
14. You have the right to be free of physical, chemical and/or mental abuse.
15. You have the right to refuse to perform any service for the facility, or for other patients, unless it is a part of your therapeutic plan of treatment which you have approved.
16. You have the right to retain and use your personal clothing and belongings, as space permits, unless to do so would infringe upon the rights and safety of others or to be contrary to our written plan of treatment. All clothing must conform to the dress code.
17. You have the right of choice of persons with whom you associate and communicate, publicly and privately, unless the treatment staff feels some or all such associations are detrimental to your welfare. Under certain clinical situations, your associations may be restricted. You will be informed of any such restrictions, and given an explanation for this restriction.
18. You have the right to have visitors with your consent, regardless of age, at designated visiting times, unless contraindicated and documented. If visitor restrictions are necessary, you will be informed of any such restrictions with an explanation why.
19. You have the right to send uncensored mail. Staff reserves the right to have incoming mail and packages opened in staff presence. Staff reserves the right to confiscate alcohol, drugs or other items that are detrimental to your recovery or the recovery of others.
20. You have the right to speak privately by telephone as designated by the rules.
21. You have the right to be informed in advance of any visitors to Greenbriar and the right to privacy if you do not wish to see visitors or participate in activities while visitors are present in the facility. If the patient requests privacy, the request shall be granted within the facility's limits.
22. You have a right to request pastoral visitation within the time frames permitted by the treatment schedule
23. You have a right to inspect your own record. The Project Director may temporarily remove portions of the records prior to inspection if they determine that the information may be detrimental. Reasons will be kept on file. You have a right to submit rebuttal information to your record
24. You have the right to file a grievance (a written complaint) or an appeal (request for reconsideration) regarding your treatment here.

CONFIDENTIALITY OF PATIENT DRUG AND ALCOHOL RECORDS

You have the right to confidential treatment. The confidentiality of alcohol and drug abuse patient records maintained by this program is protected by Federal & State law and regulations. Generally, the program may not say to a person outside the program that a patient attends the program, or disclose any information identifying a patient as an alcohol or drug abuser *Unless*:

- (1) The patient consents in writing;
- (2) The disclosure is allowed by a court order; or
- (3) The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.

Violation of the Federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations.

Federal law and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal laws and regulations do not protect any information about suspected child/elder abuse or neglect from being reported under State law to appropriate State or local authorities.

(See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for Federal laws and 42 CFR part 2 for Federal regulations & PA Code 255.5 for state regulations)

PROCEDURE TO FILE A GRIEVANCE/APPEAL:

1. Patient's Legal & Human Rights shall be prominently posted on the unit.
2. All patients shall be made aware of their rights and they shall be fully explained during orientation.
3. Each patient shall receive a copy of their rights given to them during the admission process.
4. Whenever any rights are denied, it is necessary for the Greenbriar Treatment Center staff to document which rights were denied and the reasons for denial. The patient must be notified which rights have been denied and the same documented. Also, the patient must be informed at what time the rights will be restored. This must also be documented by the Greenbriar Treatment Center Staff.
5. You have a right to obtain an outside advocate in the event you believe any of the above rights are being denied.
6. Should a patient feel that he, she, or any family / friends visiting have a reason to file a grievance based on the above criteria, the following will apply:
 - The patient will report the incident or grievance to their therapist; in the absence of the therapist, the patient will report this grievance directly to the Clinical Director
 - The therapist is responsible for reporting the incident to the Clinical Director and any other appropriate or involved staff.
 - The appropriate expiration and disposition of the incident will be made by the Clinical Director, Director or Nursing or Chief Operating Officer
 - A meeting will be held with the patient and the Clinical Director, Director of Nursing or Chief Operating Officer within 2 working days of the reported incident. At that time, the patient will be informed of the disposition of the situation.
 - In the event the patient is dissatisfied with the disposition, he or she may request in writing a meeting with the CEO or designee for the purpose of appealing the decision or clarifying the issue. The final decision for the disposition rests with the CEO.

ADDITIONALLY, CLIENTS FUNDED BY A COUNTY DRUG AND ALCOHOL PROGRAM (SCA) MAY :

File a grievance or request an appeal regarding:

- denial or termination of services;
- level of care determination;
- length of stay in treatment;
- length of stay in service coordination;
- violation of your human or civil rights.

You will need to sign all consent forms relating to information that will be reviewed during the appeal process at each level of appeal. You have the right to have access to all documentation pertaining to the resolution of the grievance within the confines of state and federal confidentiality regulations. You have a right to be involved in the process and have representation by means of a client advocate, case manager, or any other individual you choose at each level of appeal. Each person must sign confidentiality forms stating they have read the confidentiality notification form that states that all proceedings are confidential. Each Pennsylvania county has a grievance and appeal process that is available to you through your county SCA Office.