



AS A CONSUMER YOU HAVE THE RIGHT TO:

- Always be treated with dignity and respect, and not to be subjected to any verbal or physical abuse, neglect or exploitation.
- Receive treatment services free of discrimination based on the consumer's race, religion, sexual orientation, ethnic origin, age, disabling or a medical condition, and ability to pay for the services.
- Be informed at the time of admission and before receiving treatment services, except for a treatment service provided to a consumer experiencing a crisis situation, of the: fees the consumer is required to pay and refund policies and procedures;
- Not be subjected to the use of any type of treatment, technique, intervention, or practice, including the use of any type of restraint or seclusion, performed solely as a means of coercion, discipline, or retaliation, or for the convenience of staff or any volunteer or contractor.
- Practice individual religious beliefs including the opportunity for religious worship and fellowship as outlined in program policy;
- Be free from coercion in engaging in or refraining from individual religious or spiritual activity, practice or beliefs;
- Receive treatment in the least restrictive, most appropriate manner.
- Receive treatment recommendation and referrals, if applicable, when the consumer is to be discharged or transferred;
- An explanation of the potential benefits and any known side effects or other risks associated with all medications that are prescribed for the consumer.
- An explanation of the potential benefits and any known adverse consequences or risks associated with any type of treatment that is not included in paragraph (4) and that is included in the consumer's treatment plan;
- Be provided with information about other clinically appropriate medications and alternative treatments, even if these medications or treatments are not the recommended choice of that consumer's treating professional;
- Receive one's own information regarding; medical and psychiatric conditions, whether medication compliance is a condition of treatment, and discharge plans for medications;
- Refuse any treatments or medications to which that consumer has not consented in compliance with the consumer's rights – when the consumer is voluntarily receiving treatment;
- The right of a consumer involuntarily receiving treatment pursuant to any court order to be informed that there may be consequences to the consumer if the consumer fails or refuses to comply with the provisions of the treatment plan or to take any prescribed medication;
- Refuse to take any experimental medication or to participate in any experimental treatment or research project, and the right not to be forced or subjected to this medication or treatment without the consumer's knowledge and express consent, given in compliance with the consumer's rights, or as consented to by the consumer's guardian when the guardian has the proper authority to consent to this medication or treatment on the consumer's behalf;
- Actively participate in the development of an individualized treatment plan, including the right to request changes in the treatment services being provided to the consumer, or to request that other staff members be assigned to provide these services to the consumer;
- Receive treatment or other services obtained from other licensed mental health professionals or providers who are not affiliated with or employed by that licensee, subject only to any written conditions that the licensee may establish only to ensure coordination of treatment of any services;
- Receive a referral to another program if the licensee is unable to provide a treatment service that the consumer requests or that is indicated in the consumer's assessment or treatment plan;
- Be accompanied or represented by an individual of the consumer's own choice during all contact with the licensee. This right shall be subject to denial only upon determination by professional staff that the accompaniment or representation would comprise either that consumer's rights of confidentiality or the rights of other individuals would significantly interfere with that consumer's treatment or that of other individuals or would be unduly disruptive to the licensee's operations;
- Confidential, uncensored, private communication that includes letters, telephone calls and personal visits with; an attorney, personal physician, clergy, Department of Children and Family Services or other individuals unless restriction of such communication is clinically indicated and is documented in the consumer record;
- A safe, sanitary and humane living environment that provide privacy and promotes dignity;
- See and review the clinical record maintained on that consumer, unless the executive director of the licensee has determined that specific portions of the record should not be disclosed. This determination shall be accompanied by a written statement placed within the clinical record required by K.A.R. 30-60-46, explaining why disclosure of that portion of the record at this time would be injurious to the welfare of that consumer or to others closely associated with that consumer;
- Have staff refrain from disclosing to anyone the fact that the consumer has previously received or is currently receiving any type of mental health treatment or services or from disclosing or delivering to anyone any information or material that the consumer has disclosed or provided to any staff member of the licensee during any

CONSUMER RIGHTS

- process of diagnosis or treatment. This right shall automatically be claimed on behalf of the consumer by the licensee's staff unless that consumer expressly waives the privilege, in writing, or unless staff is required to do so by law or a proper court order;
- Exercise the consumer's rights by substitute means, including the use of advance directives, a living will, a durable power of attorney for health care decisions, or through springing powers provided for within a guardianship; and
 - At any time make a complaint in accordance with K.A.R. 30-60-51 concerning a violation of any of the rights listed in this regulation or concerning any other matter, and the right to be informed of the procedures and process for making such a complaint;
 - Receive a response to a grievance in a timely and impartial manner;
 - Be free from retaliation for submitting a grievance to a licensee, the Department of Children and Family Services or another entity;
 - Privacy in treatment, including the right not to be finger printed, Photographed, or recorded without consent, except for: Photographing for identification and administrative purposes, as provided by R03-602, or Video recordings used for security purposes that are maintained only on a temporary basis.
 - Obtain a copy of the consumer's clinical record at the consumer's own expense.

YOUR RIGHTS OF CONFIDENTIALITY REGARDING OUR SUBSTANCE USE TREATMENT PROGRAM

- The confidentiality of substance abuse consumer records maintained by this program are protected by Federal Law and regulations. Generally, Horizons Mental Health Center may not say to a person outside the program that a consumer attends the program or disclose any information identifying a consumer as a substance abuse unless:
 - The consumer consents in writing
 - The disclosure is allowed by a court order
 - The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation.
- Violation of 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 consumer 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 abuse or neglect from being reported under state law to the appropriate state and local authorities.

Horizons Mental Health Center will not deny necessary & appropriate services to anyone solely due to the inability to pay. Fees charged by Horizons may be adjusted or reduced to comply with applicable regulations.

How to Get More Information or to Report a Problem

For additional information or if you believe your privacy rights have been violated, you may contact or file a written complaint at our office by delivering the written complaint to:

Horizons Mental Health Center
Privacy Officer
(833)763-0102

You may file a privacy complaint with the Kansas Department of Aging and Disability Services (KDADS) whose street address and phone number are as follows:

Kansas Department for Aging and Disability Services
503 S Kansas Ave
Topeka, KS 66603-3404
For Substance Abuse: (785) 296-6807
For Mental Health: (785) 296-3471
Toll Free for Mental Health: (888) 582-3759

You may also file a privacy complaint by contacting the U.S. Department of Health and Human Services whose street address and phone number are as follows:

Office for Civil Rights
Department of Health and Human Services Attn: Consumer Safety Act
200 Independence Ave., SW, Room 509 F
Washington, DC 20201
(202) 619-0403

We cannot, and will not, require you to waive the right to file a privacy complaint with the Secretary of Health and Human Services as a condition of receiving treatment from Horizons Mental Health Center. We cannot and will not retaliate against you for filing a privacy complaint with the Secretary.