

# POLICY AND PROCEDURE

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## REACH for Tomorrow

RRRights - 103

TITLE: Guarantee of Rights

EFFECTIVE DATE: 2/16/24

AUTHORIZED BY: Board of Trustees

This policy shall apply to REACH for Tomorrow and all services operated by or under contract with it.

### 1.0 PURPOSE:

To ensure compliance with specific requirements of OHMAS regarding the guarantee of specific rights of recipients and with mandates for policies and procedures which are designed to protect those rights.

### 2.0 POLICY:

It is the policy of the Board to comply with OHMAS in all areas including the mandate to guarantee the specific rights and policy requirements.

### 3.0 RESPONSIBILITIES:

- A. It is the responsibility of the Chief Executive Officer to ensure the development of procedures to implement the intent of this policy.
- B. It is the responsibility of the Office of Recipient Rights to review procedures and guidelines developed to comply with OHMAS in the area of specific rights enumerated above.
- C. It is the responsibility of the Office of Recipient Rights to review all allegations regarding violations of the rights specified herein, to make determinations regarding which allegations are properly relegated to resolution through administrative mechanisms, and to use standard rights complaint and investigation processes for allegations which are determined to be related to rights protected in law.
- D. It is the responsibility of Human Resources to ensure that all-new staff are trained in the rights and legal mandates enumerated above and the procedures developed to guarantee those rights within 30-days of hire.
- E. It is the responsibility of the staff assigned to the contract monitoring function to ensure that the staff of all contractual providers is trained in the rights of recipients and the legal mandates enumerated above, as well as the procedures developed to guarantee those rights within 30- days of hire.
- F. It is the responsibility of Program Managers to ensure that all of the staff in their respective programs are aware of and trained in the rights enumerated above and in the procedures developed to guarantee those rights.

### 4.0 DEFINITIONS:

For the purposes of understanding and implementing this policy, the following definitions of terms apply:

*Policies and Procedures on Specific Rights:* Documents required by the Code which are intended to specify the means through which specific rights of recipients will be protected. The documents will describe the organization's methods for working with recipients regarding the following issues:

- a. complaint and appeal processes
- b. consent to treatment and services
- c. sterilization, contraception, and abortion
- d. fingerprinting, photographing, audio taping and the use of 1 way glass

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- e. allegations of abuse and neglect
- f. confidentiality and disclosure
- g. treatment by spiritual means
- h. requests for change in type of treatment
- i. medication procedures
- j. the use of psychotropic drugs
- k. the qualifications of rights staff
- l. the use of restraint
- m. the right to treatment with dignity and respect
- n. the right to treatment in the least restrictive and most appropriate setting available
- o. the right to receive services suited to one's condition
- p. Policies and procedures that address all of the following matters with respect to residents:
  - (i) right to entertainment material, information, and news.
  - (ii) comprehensive examinations
  - (iii) property and funds
  - (iv) freedom of movement
  - (v) resident labor
  - (vi) communication and visits
  - (vii) use of seclusion

composition of the service team

Access to their records

Access to legal and advocacy services

financial exploitation

humiliation