



*Healing our community one
family at a time*

Client Rights and Grievances Handbook

For Clients of The Black Mental
Health Corporation

Revised May 2022

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YOUR RIGHTS AS A CLIENT OF The Black Mental Health Corporation

It is the practice of The Black Mental Health Corporation Service to protect the dignity and respect of all persons served.

In a crisis or emergency situation, you must be verbally advised of at least the immediately pertinent rights, such as the right to consent or refuse the treatment being offered and the consequences of that agreement or refusal. Full verbal explanation of the client rights policy shall be provided at the first subsequent meeting.

A written copy and a full explanation of the Client Rights, Complaint and Grievance Policy will be provided to you within 24 hours of admission to the agency if you are not in crisis.

Explanation of rights shall be provided in a manner appropriate for the person's level of understanding.

These are your rights:

Each person who accesses mental health services is informed of these rights:

1. The right to be verbally informed of all client rights, and to receive a written copy upon request.
2. The right to be fully informed of the cost of services. Services are appropriate and respectful of personal liberty:
3. You have the right to be treated with consideration, respect for personal dignity, autonomy, and privacy.
4. The right to reasonable protection from physical, sexual, or emotional abuse, inhumane treatment, humiliation, neglect and financial or other exploitation.
5. The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the

refusal of 3 any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation.

6. The right to receive services in the least restrictive, feasible environment.

Development of service plans:

7. The right to participate in the development, review, and revision of one's own individualized treatment plan and receive a copy of it.

Declining or consenting to services:

8. The right to give informed consent or refusal or expression of choice regarding involvement in research projects, composition of the service delivery team, release of information, any service, treatment, or therapy, including medication absent in an emergency.

9. The right to be advised of and refuse observation by techniques such as one-way vision mirrors, tape recorders, video recorders, television, movies, photographs, or other audio and visual technology. This right does not prohibit an agency from using closed-circuit monitoring to observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas.

Confidentiality:

10. The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations.

Grievances:

11. The right to file a grievance.

12. The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance

in filing a grievance if requested.

Non-discrimination:

13. The right not to be discriminated against for receiving services on the basis of race, ethnicity, age, color, religion, gender, national origin, sexual orientation, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state, or federal laws.

No reprisal for exercising rights:

14. The right to exercise one's own rights without reprisal except that no right extends so far as to supersede health and safety considerations.

Outside opinions:

15. The right to consult with an independent treatment specialist or legal counsel, at one's own expense.

Additionally:

16. The right to have access to one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction.

17. The right to be informed in a reasonable amount of time in advance of the reason(s) for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary.

18. The right to be informed of the reason(s) for denial of a service.

19. The right to be informed of one's own condition.

20. The right to have access to information pertinent to the persons served in sufficient time to facilitate the person's decision-making.

21. The right to have access or referral to legal entities for appropriate representation, self-help, and advocacy support services.

**THESE ARE YOUR RIGHTS WE
WOULD LIKE YOU TO
UNDERSTAND THEM**

All clients have the freedom to express their choices regarding their care team. Special treatment interventions (such as seclusion and restraint) are not utilized at The Black Mental Health Corporation. Restriction of a client's rights is only possible in circumstances where a

client has demonstrated that they are a danger to themselves or others or have repeatedly breached program rules. In these circumstances, a contract or addendum to the treatment plan must indicate the right restriction, the timeframe of the restriction and under what circumstances the restriction will cease.

You also have rights pertaining to your Protected Health Information

(PHI) as follows:

- The right to access your records
- To request restrictions on uses or disclosures of your PHI
- To request that communications related to PHI be confidential
- To request amendment of your records
- To receive accounting of disclosures of your PHI

Reasonable Accommodations

As required by the Rehabilitation Act of 1973, sensory-impaired people, including the blind and hearing impaired, are provided auxiliary aids at no cost, to allow them equal opportunity to participate in agency services.

When assistance is needed to communicate with clients who primarily speak other languages and have limited proficiency with English, Jeenie is contacted to provide interpreters. Agency clients, staff and other community stakeholders may contact The Black Mental Health Corporation's Client Rights Officer if they believe they are in need of reasonable accommodations because of barriers that exist, impacting their accessibility to services. Within 72 hours, the The Black Mental Health Corporation Client Rights Officer will identify and review the requested

accommodations and forward recommendations to the company's Clinical Manager for determination/further dissemination.

Questions that are outlined in this review:

- Perceived barrier(s) to services/program.
- What reasonable accommodation(s) are being requested?
- What warrants reasonable accommodations?
- How many individuals does the perceived barrier impact?
- What would the cost be to eliminate the barrier?
- What would the cost be to provide the reasonable accommodations? In instances where the removal/reduction of the barrier requires structural changes, or purchases of goods or services in excess of \$100.00, the clinical manager presents the

recommendation to the Clinical Director, for a final decision.

In situations where The Black Mental Health Corporation is unable to provide reasonable accommodations, the Clinical Manager or their designee, will assist the client in identifying other appropriate community resources available to them. Requests for reasonable accommodations are identified, reviewed, decided upon, and documented. Records of reasonable accommodation are filed within the client chart or with the Quality Assurance Committee.

**Please read this booklet and
know your rights.**

The Compliance Officer is available to talk with you about your rights and can offer you additional information and resources to help you better understand your rights.

If you . . .

- Have gone through the Civil Commitment process and have been ordered into outpatient or inpatient treatment by probate court,
- Are voluntarily or involuntarily hospitalized in a State-operated or private psychiatric hospital,
- Have been found Not Guilty by Reason of Insanity (NGRI) by a court of law, or if you
- Have been found incompetent to stand trial in a court of law... . . .

you have additional rights and there is additional information available to you. You may contact:

- The Client Rights Officer at the ADAMHS Board of Cuyahoga County
- The Client Advocate or Patient Advocate at the hospital
- The Client Rights Officer at the Ohio Department of Mental Health

- Advocates from the Disability Rights Ohio

The contact information for these organizations can be found in the back of this handbook.

CLIENT RIGHTS, COMPLAINT AND GRIEVANCE POLICY

It is the practice of The Black Mental Health Corporation to nurture and protect the dignity and respect of all persons served. The Client Rights and Grievance policy provides a means for people receiving services from The Black Mental Health Corporation to make complaints regarding care, treatment, or the exercise of rights and to have those complaints heard and acted upon in a timely manner without retaliation or barriers to services. A formal review of complaints/grievances will be conducted annually by the Compliance Officer (CO) and presented to The Black Mental Health Corporation Management team. This review will identify trends and patterns, areas needing performance improvement, recommendations and actions taken. The Client Rights and Grievance policy is readily available to persons served. All The Black

Mental Health Corporation clients are informed of their rights at initiation of service delivery by The Black Mental Health Corporation staff, and then annually for clients served in a The Black Mental Health Corporation program longer than one year. Clients served are verbally informed about their rights in a manner appropriate for their understanding and presented with the Client Rights and Grievance Policies and Procedures in the form of a Handbook. Additional copies of this handbook are available to clients at any time. Clients are also encouraged to contact the The Black Mental Health Corporation Client Rights Officer in the event that additional clarification is needed. A copy of the Client Rights Handbook is available to any interested party upon request at any time.

**A copy of the Client Rights and
Grievance policy is posted on site.**

**FILING A COMPLAINT OR
GRIEVANCE**

Amber Patton

is your Compliance Officer

Amber Patton, CO

13110 Shaker Square Suite C200
Cleveland, Ohio 44120

Phone: (216) 512-0321 Ext 408

The CO can be reached between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday. You may contact them via telephone to talk about your concerns or to schedule an appointment. You are also welcome to walk in to talk with her; however, she may not always be immediately available to meet with walk-ins as she

is sometimes working off site. If you stop in and she is not here, you may complete a complaint form and leave your contact information so that she can follow up with you upon her return. Or you may request to speak with another member of the Quality Assurance Team. Quality Assurance Staff are available at the same address (above) and can be reached by calling the main office number at 216-512-0321 during our regular business hours (9 a.m. – 5:00 p.m.).

CO Responsibilities and Additional Grievance Information

The responsibilities of the CRO include advocating for your rights, assisting with the filing of your complaint or grievance, if needed, and representing you at agency hearings/meetings about the complaint, at your request. The CO will document, investigate, and resolve the alleged infringement of

rights via interviews, documentation reviews, etc. and will typically resolve the complaint or grievance within 20 business days from the date you first filed your concern. Upon request, the CO will provide you with a clear written explanation of the way in which your complaint was resolved. Responses to a grievance will always be in writing. Here are some of the other things that you need to know about the grievance/complaint procedure:

- When you talk about your concern, all staff including administrative and support staff will inform you that you can file a complaint or grievance with the Compliance Officer if you wish to do so.
- The Compliance Officer or any other staff person at The Black Mental Health Corporation will explain the entire complaint and grievance process to any consumer who voices a concern, from the time

the complaint or grievance is filed, until it is resolved.

- You will have the opportunity to file the complaint or grievance within a reasonable period of time.
- If the complaint is against the Client Rights Officer, another person will work with you. The Client Rights Officer will inform you that you can also file a complaint or grievance with other outside agencies and will assist you with this filing if necessary. The names and phone numbers of these external rights protection agents are listed in the back of the Client Rights Handbook.

A grievance is an allegation of a violation of one of your client's rights. If the concern you express is a grievance:

- The grievance must be in writing. (The CRO will assist you in writing a grievance upon request.)

- The grievance must be signed and dated by the person filing it.
- The grievance must include the date, approximate time, and description of the incident and names of individuals involved.
- Grievances may not be made anonymously, but grievance procedure provides a method for confidential submission of grievances. The CRO will maintain all such submissions and investigations in confidentiality.
- We will provide you with written acknowledgement of receipt of the grievance within three business days. This acknowledgement will include the date the grievance was received, a summary of the grievance, and overview of the grievance process, a timetable for completion of investigation and notification of resolution and the contact's name, address, and telephone number of the treatment provider.

WHERE ELSE TO FILE COMPLAINTS & GRIEVANCES

*To file a grievance against the
County public mental health and/or
alcohol and drug addiction system,
you may contact:*

Client Rights Officer or Consumer
Relations Specialist
Alcohol, Drug Addiction and Mental
Health Services Board of Cuyahoga
County
2012 W. 25th St., 6th Floor
Cleveland, Ohio 44113
(216) 241-3400
Ohio Relay at 1-800-750-0750
www.adamhsbcc.org

Client Rights Advocacy Ohio
Department of Mental Health &
Addiction Service (OhioMHAS)
30 East Broad Street, 8th Floor
Columbus, Oh 43215-3430
614-466-2596 1-877-275-6364
askODMH@mha.ohio.gov

To file a grievance against a social worker or counselor, contact:

Counselor, Social Worker and
Marriage & Family Therapist Board
50 West Broad Street, Suite 1075
Columbus, Ohio 43215-5919
(614) 466-0912 Ohio Relay at 1-800-
750-0750 www.cswmft.ohio.gov

To file a grievance against a nurse, contact:

Nursing Education and Nurse
Registration Board
17 South High Street, Suite 400
Columbus, Ohio 43215-7410
(614) 466-9564
www.nursing.ohio.gov

To file a grievance against a psychologist, contact:

Ohio Psychological Association
395 East Broad Street, Suite 310
Columbus, Ohio 43215

(614) 244-0034 or (800) 783-1983

www.ohpsych.org

***To file a grievance against
psychiatrists or other medical
doctors, contact:***

Academy of Medicine of Cleveland

6100 Oaktree Blvd suite 440

Cleveland Oh 44131

216-520-1000 www.amcnoma.org

State Medical Board

30 East Broad Street, 3rd Floor

Columbus, Ohio 43215

(614) 466-3934

www.med.oh.gov

***For specialized legal advice and
representation and to file a grievance
against State-operated public mental
health services:***

Disability Rights Ohio

50 West Broad St., Suite 1400

Columbus, Ohio 43215-5923

(614) 466-7264 (800) 282-9181 (Toll-free in Ohio only)

Ohio Relay at 1-800-750-0750

www.olrs.ohio.gov

END

The Black Mental Health Corporation

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Suite C 200
Cleveland, Ohio 44120**