

CHOICE, unlimited

Creating and Enhancing Opportunities Within Local Communities

Service Recipient Rights Policy

I. Policy:

In accordance with Minnesota Statutes 245D, subdivision 3. (a-c) the following policy regarding service recipient rights will be implemented.

II. Procedures:

Our agency will provide the service recipient and/or their legal representative a copy of the Service Recipient Rights on the day that services are initiated and an explanation of the rights within five working days of service initiation and annually thereafter. Reasonable accommodations shall be made by our agency to provide this information in other formats as needed to facilitate understanding of the rights by the service recipient and/or their legal representative.

Receipt of the Rights will be documented and maintained in the individuals plan file. Our agency will protect the rights of all service recipients as reflected in services received, and documented in their plans.

Rights restrictions are allowed only if determined necessary to ensure the health, safety and well-being of the individual. Any restriction of these rights must be documented in the Coordinated Service and Support Plan Addendum for the person and must include the following information:

1. the justification for the restriction based on an assessment of the person's vulnerability related to exercising the right without restriction;
2. the objective measures set as conditions for ending the restriction and reinstating rights (meaning the support team must clearly identify when everyone will know the restriction is no longer needed and it has to end);
3. a schedule for reviewing the need for the restriction based on the conditions for ending the restriction to occur semi-annually from the date of initial approval, at a minimum, or more frequently if requested by the person, the person's legal representative, and case manager. (meaning that at least every six months, our agency will review with the person, their legal representative and case manager, if the restriction is still needed and how the restriction should change to allow as much freedom as possible to exercise the restricted rights); and
4. signed and dated approval for the restriction from the person, or person's legal representative, if any. A restriction may be implemented only when the required approval has been obtained. Approval may be withdrawn at any time. If approval is withdrawn, the right must be immediately and fully restored.

*See Policy Manual 2 Section I for a copy of the Service Recipient Rights.