



17.00.00.08

Procedure

Behavioral Health Client Rights & Grievance

Approval Date: 10/03/2025

Approved By: President/ CEO

Effective Date: 10/03/2025

Original Date: 12/01/2024

Directive

Individuals receiving service at Community Action Committee (CAC)/ Valley View Health Center (VVHC) have both rights and responsibilities. Clients and participants will be educated about their rights and responsibilities in a variety of ways as well as how to file a grievance (e.g., posters in all service locations, ongoing in written form, by staff through the intake and assessment process or through the electronic health record).

SCOPE

This policy applies to staff, clients, volunteers, contractors and participants.

LIMITATIONS

Clients have the right to ask for a change of worker. However, the request will only be granted when it is reasonable, reviewed by the clinical director, and an alternative exists. Requests that are discriminatory in nature will not be granted.

PROCEDURES

(A) The purpose of this rule is to state the minimum client rights and grievances requirements for a provider certified pursuant to Chapter 5122-25 of the Administrative Code.

(B) The following definitions are in addition to or supersede the definitions in rule 5122-24-01 of the Administrative Code:

(1) "Client advocate" means the individual designated by a provider with responsibility for assuring compliance with the client rights and grievance procedure rule as implemented within each provider or board and shall have the same meaning as client rights officer or client rights specialist.

(2) "Grievance" means a written complaint initiated either verbally or in writing by a client or by any other person or provider on behalf of a client regarding denial or abuse of any client's rights.

(3) The client rights policy and grievance procedure shall be posted in each location in

which services are provided, unless the certified agency location is not under the control of the provider, i.e. a shared location such as a school, jail, etc. and it is not feasible for the provider to do so.

(4) The client rights policy and grievance procedure shall be posted in a conspicuous location that is accessible to persons served, their family or significant others and the public.

(5) When a location is not under the control of the provider and it is not feasible for the provider to post the client rights policy and grievance procedure, the provider shall assure that copies are available at the location for each person that may request a written copy.

Tammy Johnson, Behavioral Health Administrative Assistant - Client Advocate
Phone: (740) 947-8777 Fax: (740) 947-7728
Availability of hours- Monday-Thursday 7:30 am to 6:00 pm

(C) Except for clients receiving forensic evaluation service as defined in rule 5122-29-07 of the Administrative Code from a certified forensic center, or attending a driver intervention program as defined in rule 5122-29-12 of the Administrative Code, ***each client has all the following rights:***

1. The right to be treated with consideration and respect for personal dignity, autonomy, and privacy;
2. The right to reasonable protection from physical, sexual, or emotional abuse, neglect, and inhumane treatment;
3. The right to receive services in the least restrictive, feasible environment;
4. The right to participate in any appropriate and available service that is consistent with an individual service plan (**ISP**), regardless of the refusal of any other service, unless that service is a necessity for clear treatment reasons and requires the person's participation;
5. The right to give informed consent to or to refuse any service, treatment, or therapy, including medication absent an emergency;
6. The right to participate in the development, review, and revision of one's own individualized treatment plan and receive a copy of it;
7. The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
8. The right to be informed and the right to refuse any unusual or hazardous treatment procedures;

9. The right to be advised of and the right to refuse observation by others and 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;
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;
11. 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.
12. The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary.
13. The right to be informed of the reason for denial of a service.
14. The right to not be discriminated against for receiving services based on 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;
15. The right to know the cost of services;
16. The right to be verbally informed of all client rights, and to receive a written copy upon request;
17. The right to exercise one's own rights without reprisal, except that no right extends as far as to supersede health and safety considerations;
18. The right to file a grievance;
19. The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;
20. The right to be informed of one's own condition; and,
21. The right to consult with an independent treatment specialist or legal counsel at one's own expense.

(D) Provision of client rights

- (1) The provider shall explain and maintain documentation in the individual client

record explanation of rights to each person served prior to or when beginning assessment or treatment services.

(2) In a crisis or emergency situation, or when the client does not present for services in person such as through a hotline; the provider may verbally advise the client of at least the immediately pertinent rights only, such as the right to consent to or to refuse the offered treatment and the consequences of that agreement or refusal. A full verbal explanation of the client rights policy shall be provided at the first subsequent meeting.

(3) Clients or recipients of referral and information service, consultation service, and prevention service as described in Chapter 5122-29 of the Administrative Code may have a copy and explanation of the client rights policy upon request.

(4) Explanations of rights shall be in a manner appropriate for the person's understanding.

(E) All staff shall be required to follow the client rights policy and client grievance procedure. There shall be documentation in each employee's personnel file, including contract staff, volunteers and student interns that each staff member has received a copy of the client rights policy and the client grievance procedure and has agreed to abide by them.

GRIEVANCE Procedure is as follows:

All patients have the right to communicate opinions, recommendations, and grievances in a therapeutic manner. All complaints made by clients must be addressed by the Valley View Health Center Clinics. All employees are prohibited from discouraging, intimidating, harassing or seeking retribution against patients who seek to exercise their rights or file a complaint.

Tammy Johnson, Behavioral Health Administrative Assistant - Client Advocate

Phone: (740) 947-8777 Fax: (740) 947-7728

Availability of hours- Monday-Thursday 7:30 am to 6:00 pm

The Client Advocate shall receive and respond to client grievances. The Client Advocate shall submit grievances to The Director of Special Projects within 1 business day of receiving the grievance.

- Any client wishing to make a grievance shall do so in writing and submit the concern to the Client Advocate. The grievance may be made verbally, and the client advocate shall be responsible for preparing a written text of the grievance.
- The written grievance must be dated and signed by the client; the individual filing the grievance on behalf of the client or have an attestation by the client advocate

that the written grievance is a true and accurate representation of the client's grievance.

- The grievance must include, if available, the date, approximate time, description of the incident and names of individuals involved in the incident or situation being grieved.

A written acknowledgment of receipt of the grievance will be provided to each grievant by the Client Advocate within 3 business days of when it was filed.

The written acknowledgment shall include but not be limited to, the following:

- (a) Date grievance was received;
- (b) Summary of grievance;
- (c) Overview of grievance investigation process;
- (d) Timetable for completion of investigation and notification of resolution; and,
- (e) Treatment providers/ Organization's contact name, address and telephone number.

The provider will make a resolution decision on the grievance within twenty business days of receipt of the grievance. Any extenuating circumstances indicating that this time period will need to be extended must be documented in the grievance file and written notification given to the client.

Documentation of all grievances shall be kept on file for a minimum of two years from the date of resolution. This record shall include, at a minimum, the following:

1. Copy of the grievance
2. Documentation reflecting the process used and resolution/remedy of the grievance; and documentation if applicable of extenuating circumstances for extending the time period for resolving the grievance beyond twenty business days.

Client's needing assistance in filing a complaint can request such assistance from the staff and assistance will be given, including:

1. Being able to ask specific questions about their rights as a patient.
2. Having pens, paper, envelopes and postage provided by the clinic for filing complaints, if requested.
3. Being given assistance in writing a complaint if unable to read or write.

Clients have the right to file complaints with outside agencies that include but are not limited to:

1. Paint Valley ADAMH Board **Pike:** 740-947-2147 394 Chestnut Street Chillicothe, Oh 45601
2. Counselor, Social Worker & Marriage and Family Therapist Board:
77 S High St 24th Floor, Room 2468, Columbus, OH 43215, (614) 728-

7790

3. Ohio Department of Behavioral Health, Address: 30 E Broad St, Columbus, OH 43215 Phone: (614) 466-2596
4. Disability rights Ohio, 200 Civic Center Dr., Columbus, Ohio 43215, 614-466-7264 or 1- 800-282-9181
5. **Office for Civil Rights** U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov