

POLICIES AND PROCEDURES MANUAL

KEYSTONE COMMUNITY RESOURCES, INC.

KEYSTONE INDEPENDENT LIVING, INC.



Policy Title:
Resident's Rights

Chapter:

Effective Date:
7/1/1992

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11/25/2008

Policy Number:

Executive Director

SCOPE:

- Chapter 6400 – Community Homes For Individuals With Mental Retardation

INTRODUCTION:

1. Every person has the right to make choices or decisions about matters which affect them. If the person's judgment is impaired she/he may benefit from guidance. As service providers, we must all value and respect the right of the residents we serve to make choices by respecting their individual preferences, wants and needs. When choices are acknowledged and supported, residents learn that they have some control over events in their home.
2. The residents we serve are vulnerable to exploitation, exclusion and other forms of rights denial. When resident's rights are violated it is often due to lack of information about how to encourage and teach residents to be assertive in expressing their rights.
3. We at Keystone are committed to delivering quality services. As an employee, it is your responsibility to become informed about resident rights and take a proactive approach in helping residents learn about and assert their rights as individuals. This is an ongoing process which sensitizes and empowers the individual to assert his/her own rights and to gain the confidence necessary to express their opinion and enter into the decision making process.
4. The following is the statement of resident rights practices at Keystone. These are reviewed with the resident upon admission, and annually thereafter.
5. Individuals participating in the Prader-Willi Program will have exceptions to some of these rights as indicated by an asterisk (*). These exceptions are to insure their health, safety, and well-being while residing within our program.
6. Admission procedures and the provision of services shall be made without regard to race, color, religious creed, disability, handicap, ancestry, national origin, age or sex. If you or any person acting on your behalf believes you have been discriminated against you may file a complaint of discrimination with The Director of Quality Improvement, KCR; Bureau of Civil Rights Compliance,

Harrisburg, Office of Civil Rights, Philadelphia; or Pennsylvania Human Relations Commissions, Harrisburg.

7. Upon admission to Keystone, you will be informed of the facility services and related charges, of your rights and responsibilities and of all house rules, policies and regulations governing residents conduct and responsibilities.
8. You are entitled by law, to all of the rights stated in this document. If you believe any of your rights have been violated, you may file a complaint with the Director of Quality Improvement.
9. You also have the right to be informed of these rights, orally and in writing, upon admission and annually thereafter. This list of resident rights is posted conspicuously in the facility. If you do not understand your rights, you may request to talk with a representative of the facility who may explain your rights to you or provide educational materials and information.
10. In the interest of protecting and promoting the rights of each resident in our facility, we support the following rights:
11. The Right to Exercise Individual Rights – You will be encouraged and assisted to exercise your rights as a resident of the facility and a citizen of the United States. It is your right to voice grievances and file complaints concerning treatment, and to recommend changes in policies and service, without interference, discrimination or reprisal for voicing grievances. You have the right to prompt efforts by the facility to resolve any grievances you may have.
12. The Right To Be Treated with Dignity and Respect in a Safe and Caring Environment Where you can Learn and Grow – The right to be treated with dignity and respect includes the right to be free from:
 - Physical abuse
 - Verbal abuse
 - Sexual abuse
 - Psychological abuse
 - Neglect
 - Corporal punishment
 - Involuntary seclusion
 - Physical/chemical restraints imposed for purposes of discipline or convenience.
13. The right to a safe and caring environment where you can learn and grow includes the right to:
 - A living environment that is safe and free of hazards
 - A living environment that promotes your education and your interests
 - *Within the Prader-Willi Program, the environment is modified to meet the needs of the individual with Prader-Willi Syndrome. The modifications are based on the compulsions of the individual with Prader-Willi Syndrome and are in place to help decrease the compulsion to hoard, forage, and steal food items that if obtained could affect their health negatively. The following environmental modifications are in place:

- Refrigerators and cupboards containing food items are kept locked.
- Garbage is disposed of by staff.
- Individuals within the program are encouraged not to discuss food.
- Individuals are encouraged not to look into the kitchen during meal preparation.
- Food will only be served at designated meal times (Breakfast, Lunch, Dinner and Snack). If meals are not consumed at meal times, they will be discarded.

14. **The Right to Freedom of Participation** – You have the opportunity to participate, at your discretion and by personal choice, in social, religious, and community activities that do not interfere with the rights of other residents in the facility. You will never be required to participate in research projects.

15. *Individuals within the Prader-Willi Program are encouraged to exercise for one hour daily. This is in place to insure appropriate caloric utilization and to assist in improving the health and stamina of the individuals residing within the program.

16. **The Right to Have and Manage Personal Funds** – You have the right to access your funds and manager your financial affairs to the fullest extent of your capacity. If you give written authorization to the facility to assist you in managing your finances the facility must hold, safeguard and account for your funds in keeping with established facility policies. You have the right to request and receive access to your account record.

- Due to the compulsion to obtain food items with actual funds access to cash, checks and money orders is limited to directly supervised transactions. Individuals within the program are encouraged to utilize their funds as they are available to purchase needed and desired items.

17. **The Right to Participate in Program Planning that affects you** – You have the right to be informed of any treatment/programming related to your identified individual needs as well as information related to your medical condition and developmental and behavioral status. You have the right to be informed of any associated risks of such treatment/programming and you have the right to refuse such treatment/programming. This includes the right to refuse a restricted diet and to refuse medical treatment.

- Individuals within the Prader-Willi Program are encouraged to follow the restricted diets prescribed by their physician. However, opportunities for discussion with the physician will be provided to take into consideration exercise and calorie adjustments.

18. **The Right to Personal Privacy** – You have the right to privacy and confidentiality with respect to:

- Accommodations, especially in bedrooms, bathrooms and during personal care.
- Medical and other treatments
- Written communication, including personal and clinical records
- Telephone communication
- Visits
- Meetings
- Due to the prevalence of self-injurious type behaviors in persons with Prader-Willi Syndrome, some individuals may require supervision while in the bathroom or their bedroom.

19. **The Right to Personal Possessions** – You have the right to:
- Receive, purchase, have and use personal possessions as space permits *excluding food items.
 - Wear your own clothing
 - Choose your own dress and hairstyle
 - Separate storage areas for keeping personal property
- Individuals residing within the Prader-Willi Program should not utilize other person's property without first obtaining their permission.
20. **The Right to Freedom of Association** – You have the right to communicate, associate and meet privately with whom you choose unless doing so would infringe upon the rights of other residents or clearly pose a threat to your own health and safety. You also have the right to send and receive unopened mail.
21. **The Right to Use the Telephone** – It is your right to have access to telephone with privacy for incoming and outgoing local and long distance calls. Exceptions to this must be identified in your service plan. You are responsible for payment of your personal long distance charges.
22. **The Right to Vote** – You have the right to vote at age 18. You have the right to be assisted, if necessary, in registering and voting in elections.
23. **The Right to Freedom of Religion** – You have the right to practice or abstain from the religious practice of your choice. Others may not impose their religious practices on you.
24. **The Right to be Free from Physical Restraint and Excessive Medication** – you have the right to be free of unnecessary behavior control medication and unnecessary physical restraint. You have the right to competent medical supervision and treatment/programming, as medically appropriate, to reduce your dependency upon such medication and physical restraint.
25. **The Right to Payment for Work** – You have the right to refuse to perform services for the facility except for the upkeep of your personal area and your share in the upkeep of the common living area and grounds. If you do choose to work for the facility, your compensation will be consistent with state and federal law.
26. **The Right to Examine Survey Results upon Reasonable Request** – you have the right to examine and results of the most recent survey of the facility conducted by the Department of Welfare and Quality Improvement with respect to the facility and any plan of correction in effect with respect to the facility.
27. **The Right to Participate in Choosing an Alternate Living Arrangement** – You have the right to participate in the decision to move to another location, unless the right to make this decision has been altered through a legal process. You have the right to receive timely written notice prior to the date of your discharge or transfer.

28. As a staff member it is your responsibility to:

- Protect the rights of all individuals receiving our services
- Teach the consumers how to exercise their own rights
- Teach consumers the responsibilities that accompany their rights
- All staff will receive training and information on how to demonstrate responsibility, reasonableness and fairness in promoting resident rights. Suggested guidelines are as follows:
 - All rights have equal importance, one individual's right is not more important than another's
 - If two individuals want to express the same right at the same time and there is no conflict, then no right has been violated
 - If two individuals want to express the same right at the same time and conflict occurs then a solution which is acceptable to both must be negotiated.
 - An individual wanting to exercise a right that would interfere with the rights of another must wait to exercise his/her right or find another time and place to express it.
 - There is an exception to the general rule that all rights are equally important. The exception is when a right related to personal health and personal safety conflicts with any right
- If you suspect a resident's rights has been violated you must report this to your supervisor and also complete in Incident Report.

DISCUSSION: