

Rights of Individuals Served

Policy

It is the policy of Central Florida Behavioral Health Network, Inc. (CFBHN) to uphold and protect the rights of individuals in treatment.

Purpose

To ensure that individuals in care are aware of their rights and responsibilities while participating in Network services and/or treatment.

Procedure:

1. CFBHN's Continuous Quality Improvement (CQI) department monitors Network Service Providers (NSPs) to ensure that individuals and family members served in acute care settings have access to:
 - A. A statement of their rights posted in a common area;
 - B. CFBHN contact information; and
 - C. Contact information for the Florida Abuse Hotline, Disability Rights Florida, and the local Substance Abuse and Mental Health (SAMH) Program Office.
2. CFBHN promotes the use of person-centered treatment planning, in which individuals in care and their families are:
 - A. Involved in treatment planning;
 - B. Offered a menu of treatment options, to promote choice and ownership; and
 - C. Supported by professionals as they select their treatment options.
3. Rights and responsibilities related to privacy and protected health information are listed in the CFBHN *Authorization to Release Protected Health Information (PHI) of Persons Served* policy.
4. A formal list of rights and responsibilities for individuals treated in acute care facilities is documented in § 394.459 F.S. and summarized in the CFBHN Consumer Handbook. The handbook is available on the CFBHN website. These rights include, but are not limited to:
 - A. The dignity of the individual served must be respected at all times, including any occasion when the person is taken into custody, held or transported.
 - B. The Right to Treatment
 - 1) A person may not be denied treatment for mental illness and services may not be delayed at a receiving or treatment facility because of an inability to pay.
 - 2) The least restrictive appropriate available treatment is utilized based on the individual's needs and best interest.
 - 3) A physical examination by a health practitioner will be provided to an individual who remains at a treatment facility for more than 12 hours. This examination must be conducted within the first 24 hours at the facility.

Rights of Individuals Served (continued)

- 4) An individual is afforded the opportunity to participate in activities designed to enhance self-image and beneficial effects of treatment.
 - 5) Within 5 days of admission to a treatment facility, the person served must have an individualized treatment plan completed in writing, be given the opportunity to assist in its preparation and to review the plan before its implementation.
- C. The Right to Express and Provide Informed Consent for Treatment
- 1) An individual who enters treatment is asked to give express and informed consent for admission or treatment.
 - a. If adjudicated incapacitated or found to be incompetent to consent to treatment, informed consent will instead be sought by their guardian or guardian advocate.
 - b. If the individual is a minor, informed consent will be requested from their guardian.
 - 2) The following information is provided and explained in plain language to the individual, their guardian or guardian advocate:
 - a. The reason for admission.
 - b. Proposed treatment and its purpose, including common risks, benefits and side effects.
 - c. Specific dosage range for medication, and when applicable, alternate treatment modalities.
 - d. The length of care, how treatment will be monitored, and potential side effects of stopping treatment.
 - e. The individual or the person legally authorized to make health care decisions on their behalf may revoke consent for treatment orally, or in writing, before or during the treatment period.
- D. Quality of Treatment
- 1) Each individual receives services which are suited to his or her needs. Services are administered skillfully, safely, and humanely with full respect for their dignity and personal integrity.
 - 2) During treatment, the individual will receive medical, vocational, social, educational, and rehabilitative services as his or her condition requires them to live successfully in the community.
- E. Communication, Abuse Reporting and Visits
- 1) Unless it is determined by a qualified professional that communication is likely to be harmful to the individual or others, each person receiving services has the right to communicate freely and privately with those outside the facility. Individuals have the right to contact and to receive communication from their attorneys at any reasonable time.
 - 2) A facility must make a telephone available that allows for free local calls and access to a long-distance service.
 - 3) Each individual is allowed to receive, send, and mail sealed, unopened correspondence. Incoming or outgoing correspondence must not be opened, delayed, held, or censored.

Rights of Individuals Served (continued)

- 4) An individual must be informed orally and in writing of the procedure for reporting abuse. A written copy of that procedure, including the telephone number of the central abuse hotline and reporting forms, must be posted in plain view at the facility.
- 5) If an individual's right to communicate with outside persons; receive, send, or mail sealed, unopened correspondence; or receive visitors is restricted by the facility, a qualified professional must record the restriction and its underlying reasons in the clinical file within 24 hours.
- F. An individual's clothing and personal effects are inventoried and placed into custody of the facility and returned immediately upon the discharge or transfer.
- G. An individual who is eligible to vote according to the laws of the state has the right to vote in the primary and general elections.
- H. An individual held in a facility must receive a written notice of the right to petition for a writ of habeas corpus. They may also file a petition in the circuit court in the county where they are being held if they believe that they are being unjustly denied a right or privilege by statute.

Rights of Individuals Served Approval:  Alan Davidson, President/Chief Executive Officer	Date Issued: <u>08/02/2010</u> Last Revision: <u>09/30/2025</u> Review Date: <u>09/30/2025</u>
---	---