Your Rights and the Grievance Procedure

For Clients Receiving Services for Mental Illness, Alcohol or Other Drug Abuse, or Developmental Disabilities.

Bill of Rights

When you receive any type of service for mental health, alcoholism, drug abuse, or a developmental disability you have the following rights under Wisconsin Statute sec 51.61(1) and HSS 94 Wis. Administrative Code: Your service provider must post this bill of rights where anyone can easily see it. Your rights must be explained to you. You may also keep this pamphlet.

Personal Rights

* You must be treated with dignity and respect, free of any verbal or physical abuse.
* You have the right to have staff make fair and reasonable decisions about your treatment and care.
* You can decide whether you want to participate in religious services
* You cannot be made to work except for personal housekeeping chores. If you agree to do other work you must be paid.
* You can make your own decisions about things like getting married, voting and writing a will.
* You cannot be treated differently because of your race, national origin, sex, age, religion, disability, or sexual orientation.
* Your surroundings must be kept safe and clean
* You must be given the chance to exercise and go outside for fresh air regularly and frequently

Treatment and Related Rights

* You must be provided prompt and adequate treatment, rehabilitation and educational services appropriate for you.
* You must be allowed to participate in the planning of your treatment and care
* You must be informed of your treatment and care, including alternatives and possible side effects of medications.
* No treatment or mediation may be given to you without your consent, **unless** it is needed **in an emergency** to prevent serious physical harm to you or others, **or a court orders it.** (If you have a guardian, however, your guardian can consent to treatment and medications on your behalf)
* You must not be given unnecessary or excessive medication
* You cannot be subject to electro-convulsion therapy or any drastic treatment measures such as psychosurgery or experimental research without your written informed consent.
* You must be informed of any costs of your care and treatment that you or your relatives may have to pay.
* You must be treated in the least restrictive manner and setting necessary to safely and appropriately meet your needs.
* You may not be restrained or placed in a locked room (seclusion) **unless in an emergency** when it is necessary to prevent physical harm to you or others.

Communication and Privacy Rights

* You may call or write to public officials or your lawyer or advocate
* You may not be filmed or taped unless you agree to it
* You may use your own money as you choose, within some limits
* You may send and receive private mail. (Staff cannot read your mail unless you or your guardian asks them to do so. Staff may check your mail for contraband. They can only do so if you are watching.)
* You may use a telephone daily
* You may see (or refuse to see) visitors daily
* You must have privacy when you are in the bathroom
* You may wear your own clothing
* You must be given the opportunity to have your clothes
* You may keep and use your own belongings.
* You must be given a reasonable amount of secure storage space.

Some of your rights may be limited or denied for treatment or safety reasons. Your wishes and the wishes of your guardian should be considered. If any of your rights are limited or denied, you must be informed of the reasons for doing so. You may ask to talk with staff about it. You may also file a grievance about any limits of your rights.

Record Privacy and Access Laws

Under Wisconsin Statute sec. 51.30 and HSS 92, Wis. Admin. Code

* Your treatment information must be kept private (confidential).
* Your records cannot be released without your consent, unless the law specifically allows for it.
* You can ask to see your records. You must be shown any records about your physical health or medications. Staff may limit how much you can see of the rest of your records while you are receiving services. You must be informed of the reasons for any such limits. You can challenge those reasons in the grievance process. After discharge, you can see your entire record if you ask to do so.
* If you believe something in your record is wrong, you can challenge its accuracy. If staff will not change the part of your record you have challenged, you can put your own version in your record.

Rights of Access To Courts

* You may sue someone for damages or other court relief if they violate any of your rights.
* Involuntary patients can ask a court to review the order to place them in a facility.

Informal Resolution Process

* If you feel your rights have been violated, you may file a grievance.
* You cannot be threatened or penalized in any way for filing a grievance
* The service provider or facility must inform you of your rights and how to use the grievance process
* You may, at the end of the grievance process, or any time during it, choose to take the matter to court.
* Contact your Client Rights Specialist, whose name is shown below, to file a grievance or to learn more about the specific grievance process used by the agency from which you are receiving services.

Your Client Rights Specialist is:

Jennifer Bosch

N27W23960 Paul Road Ste 202

Pewaukee, WI 53072

262-646-8288

Taken from : Division of Community Services Department of Health and Social Services Wisconsin PCS-195. Rev.5/95