

Rights, Responsibilities and Confidentiality Review

DEFINITIONS:

Rights- Entitlements to certain kinds of treatment, based on one's status. The modern Western tradition is one of natural rights, in which each person is born with certain rights as a human being. Other rights are acquired by virtue of contract or ownership.

Restrictions- To confine or keep within limits.

Responsibilities- The state, fact or position of being accountable to somebody or for something.

Due Process- Fundamental fairness that includes the right to have notice and an opportunity to be heard, and defend oneself.

Guardian- A person appointed by the courts to look after the interests of a minor or a person with a disability. Guardianship can be full, limited or general.

Choice- The decision to choose one thing, person, or course of action in preference to others.

RIGHTS

These can only be taken away by the government.

- To freedom of speech/press
- To bear arms
- To be secure in your home
- To a fair and speedy trial by peers
- To due process
- To vote
- To Privacy
- To own property
- To be treated with dignity and respect
- To live

FREEDOMS

Personal Choice

- To live where I choose
- To work where I choose
- To wear what I choose
- To be friends with who I choose
- To eat when/where/ what I choose
- To drive a car
- To practice religion
- To speech
- To choose my doctors
- To do what I want in my free time

STAFF RESPONSIBILITIES

- Guarantee that the person's rights are not being violated.
- To educate the person about their rights, their options and possible outcomes (consequences) of their decisions.
- Help the person exercise their rights.
- Help them learn new skills to reduce restrictions on their rights.

RIGHTS RESTRICTIONS

Rights can only be limited with the person's permission and the permission of their legal guardian (if applicable) and only when these guidelines are followed:

- The restriction is based on an identified need.
- Skill training is in place to eventually lift or reduce the restriction
- The restriction is evaluated on a regular basis
- All restrictions must be identified in the Case Managers Comprehensive Consumer Service plan.

Common restrictions are:

- Medications locked up
- Having a Representative payee and/or guardian,
- Money kept locked up,
- Staff having a key to the house,
- Not being aloud to stay home alone or go in the community alone,
- Set bedtime schedule,
- Limiting phone access.
- Restricted diet

CONFIDENTIALITY

Confidentiality- Entrusted with somebody's personal or private matters

We practice **Relative Confidentiality** which means that we share with only those that need to know the information. Such as that persons team members. We must ensure we have a release before we share any information to someone outside of Link.

- Example: If I am diabetic, whoever helps me plan my meals needs to know, but the maintenance man does not need to know.
- Example: If I get up 5 times a night, my home staff need to know that, but my friends at work do not need to know that information.

CHECKLIST FOR ENSURING CONFIDENTIALITY:

- **Discussion-** Don't discuss information about people in a public place where others can overhear.
- **Files-** Make sure files are kept where unauthorized people can not see them. Put your books and documentation away when not in use.
- **Fax-** When sending a fax make sure an authorized person is on the other end to receive it.
- **Computer-** All computers should be password protected. Close any applications you have open when stepping away.
- **Email-** ensure the email is encrypted when sending protected information.

HIPPA- Health Insurance Portability and Accountability Act was passed in 1996 and put into practice on April 14th, 2003.

HIPPA protects Protected Health Information (PHI). PHI includes an individual's:

- Health (Diagnosis)
- Provision of care(Services received)
- Payment of services (How payment will be made)
- Information which identifies the individual(Name, address, social security, birthdates)