

COUNTY OF HUMBOLDT
DEPARTMENT OF HEALTH AND HUMAN SERVICES
BEHAVIORAL HEALTH

POLICY NO. :	POLICY TITLE:	EFFECTIVE DATE:
0704.420	BENEFICIARY RIGHTS	08/07/2006
PROGRAM:	PERFORMANCE MANAGEMENT UNIT - QUALITY IMPROVEMENT	REVISION DATES: 07/14/10; 08/11/10, 9/26/13, 1/14/14, 12/9/19
AFFECTS:	ALL	REVIEW DATES: 03/12/10; 02/23/11, 6//12, 9/26/13, 1/29/14, 5/16/17

POLICY All Humboldt County Department of Health and Human Services - Behavioral Health (DHHS-BH) staff and providers receive information about client rights when first beginning employment or contracted with DHHS-BH. These rights are communicated to clients through inclusion in the Behavioral Health Informing Materials, which are given to all clients at the initial visit, and are also available at all entry points into Behavioral Health services.

DEFINITION(S) None

- PROCEDURE**
1. DHHS-BH ensures that clients are notified of their rights and that their treatment will not be adversely affected as a result of exercising their rights.
 2. DHHS-BH recognizes that every client has the following rights: The right to—
 - 2.1. Be treated with respect and with due consideration for their dignity and privacy.
 - 2.2. Receive care in a safe setting.
 - 2.3. Be free from all forms of abuse or harrassment.
 - 2.4. The confidentiality of their clinical records (see DHHS HIPAA Privacy Policy).
 - 2.5. Receive information on available treatment options and alternatives, presented in a manner appropriate to their condition and ability to understand.
 - 2.6. Participate in the development and implementation of their plan of care.
 - 2.7. Participate in informed decisions regarding their healthcare, including being informed of their health status, being involved in care planning and treatment, and being able to request or refuse treatment. This right must not be construed as a mechanism to demand the provision of treatment or services deemed medically unnecessary or inappropriate.
 - 2.8. Be free of any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation.
 - 2.9. Request and receive a copy of their medical records, and request that they be amended or corrected as specified in 45 CFR Sections 164.524 and 164.526.
 - 2.10. Receive information in accordance with Title 42 CFR, Part 438.10, which describes information requirements.
 - 2.11. Be furnished health care services in accordance with Title 42 CFR, Sections 438.206 through 438.210, which cover requirements for availability of services, assurances of adequate capacity, coordination and continuity of care, and coverage and authorization of services.
 - 2.12. Formulate advance healthcare directives and have care providers comply with these directives in accordance with 42 CFR §§489.100, 489.102, and 489.104. See policy 0100.614 Advance Health Care Directives for details.

FORM(S)/ ATTACHMENTS [QI-23 Guide to Medi-Cal Beneficiaries](#)
[QI-24 Guide to Medi-Cal Beneficiaries \(Spanish version\)](#)

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REFERENCE

42 CFR Sections 438.10, 438.100, 438.206-210, 164.524, 164.526, & 482.13
CCR Title 28, Div. 1, Chapter 2, Art. 8, Section 1300.
CWIC Section 4070
DHCS MHP Contract
0100.614 Advance Health Care Directives
