

# SUMMARY OF CONSUMER RIGHTS



Cayuga Centers recognizes and strives to protect the basic human and civil rights of its consumers. In addition, all Cayuga Centers consumers have the right to be treated with courtesy and respect for their individuality and dignity. Cayuga Centers does not exclude anyone from its programs, and has zero tolerance for discrimination or harassment against its consumers, based on race, color, ethnicity, national origin, social status, religion, gender, sexual orientation, marital status, veteran status, developmental disability or other handicap, or health status, including genetic information and HIV status. All Cayuga Centers employees have the duty to serve our consumers while upholding these rights.

- Cayuga Centers' Summary of Consumer Rights will be posted in the reception areas of all Cayuga Centers' offices.
- When a consumer initiates services with Cayuga Centers, staff members will review and verbally explain the Summary of Consumer Rights to the consumer and their family or legal guardians. The consumer and/or their legal guardian will have the opportunity to sign this document before a witness and will receive a copy of it.
- For consumers with special needs or whose native language is not English, Cayuga Centers' staff will explain the Summary of Consumer Rights in a manner or language that the consumer can understand. Consumers with special needs will receive a Rights in Everyday Language document, which explains the Summary of Consumer Rights using pictures in addition to words. Consumers whose native language is not English may receive a copy of the Summary of Consumer Rights translated into their native tongue.

## ALL CAYUGA CENTERS CONSUMERS HAVE THE FOLLOWING RIGHTS:

### Basic Rights

Cayuga Centers acknowledges that all our consumers have basic human rights as citizens of the world, and civil and legal rights as persons present in the United States of America. When receiving services from Cayuga Centers, consumers have the right to be free from discrimination based on race, color, ethnicity, national origin, social status, religion, gender, sexual orientation, marital status, veteran status, developmental disability or other handicap, or health status, including genetic information and HIV status. Cayuga Centers consumers have the right to receive services in a manner that is non-coercive and that protects their right to self-determination. Cayuga Centers consumers also have the right to practice their religions, including the right of access to religious worship services.

### Informed Consent and Right to Refuse Services

Cayuga Centers staff will not provide services or treatment to consumers against their will. An exception to this is when a consumer's right to refuse services has been limited by law or court order. For example, legal guardians of consumers who are less than seventeen (17) years of age and not emancipated may make decisions about services on a consumer's behalf without their consent. Consumers have the right to information about the possible risks and anticipated benefits of services and treatment, including medication, in a manner and language that they can understand. Consumers may pose questions to Cayuga staff or seek the advice of outside counselors before making decisions about treatment or services. Where a legal guardian has the authority to make decisions on a consumer's behalf, that legal guardian has the right to be fully informed of all the risks and benefits of proposed treatment or services.

### Individualized Treatment or Service Plan

Consumers have the right to participate in their own treatment. They have the right to an individualized treatment plan based upon their needs and goals that is developed by them, their treatment team, parent or legal guardian, and anyone else they choose. The plan must be in writing and consumers have a right to have a copy of it. The plan must contain specific detail as to what the treatment team and other interested parties will do, the time frames in which tasks will be completed and goals accomplished, and how success will be measured. The plan must be based upon actual consumer needs. If Cayuga Centers is not able to meet a particular need, the plan must detail what will be done to meet that need.

### Confidentiality and Access to Records

Consumers have the right to privacy of their personal and health information. Cayuga Centers staff is obligated to protect this information and provide assurance to the consumer that their information is safe. Consumers have the right not to participate in public performances, not to make

public statements, and not to have photographic, videotaped or audio taped material, artwork or creative writing used for public relations or fundraising purposes, unless they consent to it in writing. They have the right to have their records kept confidential and only released to authorized external personnel with informed, written consent from themselves or a legal guardian. They have the right to review their records at any time in the presence of Cayuga Centers staff. They may write comments in their records to clarify information that they believe to be inaccurate or incomplete. They have the right to refuse participation in experimentation or research. It is the obligation of Cayuga Centers to ensure that no one can see a consumer's records unless explicitly authorized by the consumer or their legal guardian. Exceptions to this are when the consumer or their legal guardian has executed a valid coordination of services authorization or when the records are subject to disclosure by law or court order. Cayuga Centers will seek legal counsel on a periodic basis to review and reconcile any legal issues arising from laws and regulations pertaining to consumer confidentiality.

### Assistance in the Protection of Rights

Consumers have the right to appoint a representative of their choice to help them understand and protect their rights, or to help design a treatment or service plan. Consumers who wish to have the assistance of a representative must inform Cayuga Centers staff so that they can make arrangements to involve that person in the consumer's services. Consumers must have access to their representatives at any time and may change or cancel the designation as they wish.

### Seclusion and Restraint

Cayuga Centers consumers have the right to be served in the least restrictive and most appropriate setting for their needs. This includes freedom from abuse, exploitation, and inhumane treatment. Cayuga Centers staff does not seclude or restrain consumers in outpatient settings.

### Residential and Foster Care

Consumers of Cayuga Centers residential and foster care services have the right to adequate shelter, clothing, nutrition, healthcare, and personal hygiene items. Consumers of these services also have the right to maintain connections to their families of origin, extended families, and others with whom they have meaningful relationships. An exception to this is where such contact is restricted by legal authority or by a legal guardian, or when the consumer's treatment team determines that such connection may be harmful to the consumer or have an adverse effect on the consumer's treatment.

### Right to File a Grievance

Consumers have the right to challenge any violation of their rights or questionable practices by filing a grievance. Cayuga Centers answers consumer grievances, with reasons for whatever decision taken, within a reasonable time frame. If a consumer is not satisfied with the response to their grievance, they may appeal that decision up the Cayuga Centers chain of

command. Consumers may also file grievances with the state or federal agency that licenses the Cayuga Centers program in which they participate, such as the New York State Office for Children and Family Services, the New York State Office for People with Developmental Disabilities, New York State Office of Mental Health, Office of Refugee Resettlement, State of Delaware Department of Services for Children, Youth and Their Families, or Florida Department of Children and Families. Cayuga Centers will not punish or otherwise retaliate against consumers who file grievances against the agency or its staff.

### Right to be Free from Sexual Abuse and Sexual Harassment

Cayuga Centers has a zero tolerance policy regarding sexual abuse or sexual harassment of consumers by Cayuga Centers staff, consultants, interns, or volunteers. Sexual abuse or sexual harassment between two or more consumers, regardless of willing participation, is prohibited and may also be subject to administrative discipline and/or criminal sanctions. By law, all employees of Cayuga Centers are mandated reporters of abuse or neglect. That is, Cayuga Centers employees have the duty to report any knowledge, suspicion, or information received regarding an incident of sexual harassment or sexual abuse to their supervisors and appropriate law enforcement agencies. Cayuga Centers employees are also obligated to protect from retaliation any consumer or staff who reports sexual abuse or sexual harassment.

### Right to Privacy of Health Information

In the course of providing services to its consumers, Cayuga Centers collects, creates and maintains health information about them. "Health information" includes any information that identifies a consumer and relates to their health. Cayuga Centers consumers have the right to control the use and disclosure of their health information. Consumers have the right to inspect and copy their health information, to request amendments to it, to receive an accounting of their health information disclosures, to request restrictions on the ways in which their health information is used, to request confidential communication of health information, and the right to receive a copy of Cayuga Centers' Notice of Privacy Practices at any time.

Cayuga Centers will use and disclose consumers' health information only for purposes permitted under state and/or federal law, such as in submitting claims for reimbursement to Medicaid or to assist other healthcare providers in providing services to the consumer. If the consumer does not object, Cayuga Centers may disclose health information to family members to allow them to assist the consumer. Cayuga Centers may also disclose a consumer's health information if required by law or valid court order. Upon initiation of services, Cayuga Centers staff will review Cayuga Centers' Notice of Privacy Practices with the consumer. Cayuga Centers may make health information disclosures outside the parameters set forth in this document only with the consumer's valid written consent.