



### Consumer Rights and Responsibilities

1. Not to be discriminated against based on race, national origin, religion, gender, sexual orientation, age, disability, marital status, diagnosis, or source of payment;
2. To receive treatment that:
  - a. Supports and respects the consumer's individuality, choices, strengths, and abilities;
  - b. Supports the consumer's personal liberty and only restricts the consumer's personal liberty according to a court order; by the consumer's general consent; or as permitted in R9-10-311; and
  - c. Is provided in the least restrictive environment that meets the consumer's treatment needs;
3. To receive privacy in treatment and care for personal needs, including the right not to be fingerprinted, photographed, or recorded without consent, except:
  - a. A participant may be photographed when admitted to a behavioral health inpatient facility for identification and administrative purposes
  - b. for a participant receiving treatment according to Title 36
  - c. For video recordings used for security purposes that are maintained only on a temporary basis
  - d. If a participant is receiving restraint and seclusion simultaneously
4. Not to be prevented or impeded from exercising the participant's civil rights unless the participant has been adjudicated incompetent or a court of competent jurisdiction has found that the participant is unable to exercise a specific right or category of rights
5. To submit grievances to agency staff members and complaints to outside entities and other individuals without constraint or retaliation;
6. To review, upon written request, the consumer's own record
7. To receive a referral to another agency if the agency is unable to provide a behavioral health service that the consumer requests or that is indicated in the consumer's treatment plan;
8. To participate or, if applicable, to have the consumer's parent, guardian, custodian or agent participate in treatment decisions and in the development and periodic review and revision of the consumer's written treatment plan;
9. To participate or refuse to participate in research or experimental treatment;
10. To refuse to participate in care, treatment or services unless court ordered to participate in care, treatment or services;

11. To receive assistance from a family member, representative, or other individual in understanding, protecting, or exercising the participant's rights.
12. To associate with individuals of the participant's choice, receive visitors, and make telephone calls during the hours established by TGC with the following exceptions:
  - a. If the medical director or clinical director determines that a participant's treatment requires TGC to restrict the participant's ability to participate in visitation, the medical director or clinical director:
    - i. Documents a specific treatment purpose in the participant's medical record that justifies the restriction
    - ii. Informs the participant of the reason why the visitation is being restricted
    - iii. Informs the participant of the participant's right to file a complaint and the procedure for filing a complaint.

The following are additional rights afforded to participants diagnosed with a Serious Mental Illness:

1. The right to appeal a court-ordered involuntary commitment and to consult with an attorney and to request judicial review of court-ordered commitment every 60 days;
2. The right not to be discriminated against in employment or housing.
3. Persons undergoing evaluation or treatment are not to be denied any civil right, including, but not limited to, the right to dispose of property, sue and be sued, enter into contractual relationships and vote. Court-ordered treatment or evaluation is not a determination of legal incompetency, except to the extent provided in A.R.S. § 36-512.
4. Upon discharge from TGC, persons experiencing a Serious Mental Illness are informed of their rights using the brochure titled "Your Rights in Arizona as a Person with a Serious Mental Illness (SMI)" published by the AZDHS Division of Behavioral Health Services Office of Human Rights.

The following list of participant responsibilities is posted in all locations where participants receive care, treatment and services.

1. Provide information that facilitates the participant's care, treatment and services
2. Ask questions or acknowledge when the participant does not understand the treatment course or care decision
3. Follow instructions, policies, rules, and regulations in place to support quality care for participants and a safe environment for all individuals receiving care, treatment and services at TGC
4. Support mutual consideration and respect by maintaining civil language and conduct in interactions with staff and practitioners
5. Meet agreed upon financial commitments with TGC.

The Guidance Center is committed to assisting you reach your desired treatment goals and objectives. If for any reason you are unhappy with the services provided to you at The Guidance Center, we encourage you to talk with your provider. If you cannot speak with your provider or are unhappy with their response, please contact The Guidance Center's Quality Improvement Specialist at 714-5224. Additionally, or instead of discussing your concerns with The Guidance Center, you may contact NARBHA at 774-7128.