



NOTICE OF MEMBER RIGHTS

As a member receiving services from the Guidance Center, you have the following rights.

You have the right to be treated with dignity, respect, and consideration.

You have the right not to be subjected to abuse, neglect, exploitation, coercion, manipulation, sexual abuse, or sexual assault.

You have the right not to be subjected to seclusion (except as allowed under R9-10-217 and R9-10-225), or restraint, if not necessary to prevent imminent harm to self or others or as allowed under R9-10-225.

You have the right to be free of retaliation for submitting a complaint to the Department of Health Services or another entity.

You have the right to be free of misappropriation of personal and private property by a staff, personnel members, employees, volunteers, or students.

You or your representative have the right to consent or refuse treatment (except in an emergency), to refuse examination or withdraw consent for treatment before treatment is initiated.

You or your representative have the right to be informed of:

- Except in an emergency, alternatives to a proposed psychotropic medication or surgical procedure and associated risks and possible complications of the proposed psychotropic medication or surgical procedure;
- How to obtain a schedule of hospital rates and charges required in A.R.S. § 36-436.01(B);
- The member complaint policies and procedures including the telephone number of hospital personnel to contact about complaints, and the Department of Health Services' telephone number if the hospital is unable to resolve the member's complaint; and
- Except as authorized by the Health Insurance Portability and Accountability Act of 1996, the right to be informed of proposed involvement of the member in research, experimentation, or education, if applicable;

You or your representative have the right, except in an emergency, to be provided a description of the health care directives policies and procedures at the time of admission (if inpatient) or before any invasive procedure (except phlebotomy for obtaining blood for diagnostic purposes) at the time of admission if inpatient or (if an outpatient) before any invasive procedure, except phlebotomy for obtaining blood for diagnostic purposes; or if there is a planned series of treatments, at the start of each series.

You or your representative must consent to photographs being taken of you before you are photographed, except that you may be photographed when admitted to a hospital for identification and administrative purposes.

Except as otherwise permitted by law, you must provide written consent prior to the release of information in your medical or financial records.

You also have the following rights:

1. Not to be discriminated against based on race, national origin, religion, gender, sexual orientation, age, disability, marital status, or diagnosis; To receive treatment that supports and respects your individuality, choices, strengths, and abilities;
2. To receive privacy in treatment and care for personal needs;
3. To have access to a telephone;
4. To review, upon written request, your own medical record according to A.R.S. §§ 12-2293, 12-2294, and 12-2294.01;
5. To receive a referral to another health care institution if we are not authorized or not able to provide physical health services or behavioral health services needed
6. To participate or have your representative participate in the development of, or decisions concerning, treatment;
7. To participate or refuse to participate in research or experimental treatment; and
8. To receive assistance from a family member, representative, or other individual in understanding, protecting, or exercising your rights.

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NOTICE OF ADDITIONAL RIGHTS FOR MEMBERS LIVING WITH SERIOUS MENTAL ILLNESS (MH-211)

If you have a serious or chronic mental illness, you have legal rights under federal and state law. Some of these rights include:

- The right to appropriate mental health services based on your individual needs;
- The right to participate in all phases of your mental health treatment, including individual service plan (ISP) meetings;
- The right to a discharge plan upon discharge from a hospital;
- The right to consent to or refuse treatment (except in an emergency or by court order);
- The right to treatment in the least restrictive setting;
- The right to freedom from unnecessary seclusion or restraint;
- The right not to be physically, sexually, or verbally abused;
- The right to privacy (mail, visits, telephone conversations);
- The right to file an appeal or grievance when you disagree with the services you receive or your rights are violated;
- The right to choose a designated representative(s) to assist you in ISP meetings and in filing grievances;
- The right to a case manager to work with you in obtaining the services you need;
- The right to a written ISP that sets forth the services you will receive; the right to associate with others;
- The right to confidentiality of your psychiatric records;
- The right to obtain copies of your own psychiatric records (unless it would not be in your best interests to have them);
- 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;
- The right not to be discriminated against in employment or housing.

If you would like information about your rights, you may request a copy of the "Your Rights in Arizona as an Individual with Serious Mental Illness" brochure or you may also call AHCCCS Administration, Office of Human Rights at 1-800-421-2124.

Aviso de los Derechos Legales para Personas con una Enfermedad Mental Grave

Si usted tiene una enfermedad mental grave o crónica, tiene derechos legales bajo la ley federal y estatal. Algunos de estos derechos incluyen: El derecho a servicios de salud mental apropiados con base en sus necesidades individuales; El derecho a participar en todas las fases de su tratamiento de salud mental, incluyendo las reuniones del Plan de Servicio Individual (ISP); El derecho a un plan después de ser dado de alta de un hospital; El derecho a aceptar o rechazar el tratamiento (excepto en una emergencia o por orden de la corte); El derecho a tratamiento en el ambiente menos restrictivo; El derecho a ser liberado de un aislamiento o restricción física innecesaria; El derecho a no ser objeto de abuso físico, sexual o verbal; El derecho a la privacidad (correo, visitas, conversaciones telefónicas); El derecho a presentar una apelación o queja cuando no esté de acuerdo con los servicios que recibe o cuando sus derechos sean violados; El derecho a escoger un representante designado(s) para que le ayude en las reuniones ISP y a presentar quejas; El derecho a un manejador del caso para que trabaje con usted en la obtención de servicios que necesita; El derecho a un ISP por escrito que establece los servicios a los que recibirá; El derecho a asociarse con los demás; El derecho a la confidencialidad de sus archivos psiquiátricos; El derecho a obtener copias de sus propios archivos psiquiátricos (a menos que tenerlos no sea un beneficio para usted); El derecho de apelar un compromiso involuntario ordenado por la corte y a consultar con un abogado para pedir una revisión judicial cada 60 días de un compromiso ordenado por la corte; El derecho a no ser discriminado en el empleo o vivienda.

Si quiere más información sobre sus derechos, puede pedir una copia del folleto "Your Rights in Arizona as an Individual with Serious Mental Illness" (Sus Derechos en Arizona como Individuo Con Enfermedad Mental Grave) o también puede llamar a la Oficina de Derechos Humanos del AHCCCS, al 1-800-421-2124.

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NOTICE – DISCRIMINATION PROHIBITED (MH-209)

NOTICE Discrimination Prohibited Pursuant to A.R.S. § 36-506 and R9-21-101(B)

- A. Persons undergoing evaluation or treatment pursuant to this Chapter shall not 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 pursuant to this Chapter is not a determination of legal incompetency, except to the extent provided in A.R.S. § 36-512. B
- B. A person who is or has been evaluated or treated in an agency for a mental disorder shall not be discriminated against in any manner, including but not limited to: 1. Seeking employment. 2. Resuming or continuing professional practice or previous occupation. 3. Obtaining or retaining housing. 4. Obtaining or retaining licenses or permits, including but not limited to, motor vehicle licenses, motor vehicle operator's and chauffeur's licenses and professional or occupational licenses.
- C. "Discrimination" for purposes of this Section means any denial of civil rights on the grounds of hospitalization or outpatient care and treatment unrelated to a person's present capacity to meet the standards applicable to all persons. Applications for positions, licenses and housing shall contain no requests for information which encourage such discrimination.
- D. Upon discharge from any treatment or evaluation agency, the member shall be given written notice of the provisions of this Section.

AVISO Discriminación Prohibida Conforme a A.R.S. § 36-506 y R9-21-101(B)

A. A las personas que están bajo evaluación o tratamiento conforme a este capítulo, no se les negará ningún derecho civil, incluyendo pero no limitado a, el derecho a disponer de propiedad, a demandar y ser demandado, a tomar parte en relaciones contractuales y a votar. El tratamiento o evaluación ordenado por la corte conforme a este capítulo no es una determinación de incompetencia legal, excepto hasta el punto proveído en la sección 36-512.

B. No se harán discriminaciones de ninguna clase, en contra de una persona que ha sido o está siendo evaluada o tratada en una agencia debido a un desorden mental, incluyendo pero no limitado a: 1. Buscar trabajo. 2. Reasumir o continuar una práctica profesional u ocupación previa. 3. Obtener o retener vivienda. 4. Obtener o retener licencias o permisos, incluyendo pero no limitado a, licencias para vehículo de motor, licencias de operador de vehículo de motor y de chofer, y licencias ocupacionales o profesionales.

C. "Discriminación" para propósitos de esta sección quiere decir cualquier denegación de derechos civiles por motivos de hospitalización o tratamiento externo no relacionado a la capacidad actual de la persona para cumplir con las normas aplicables a toda persona. Las solicitudes para posiciones, licencias y vivienda no contendrán petición de información que pueda fomentar tal discriminación.

D. Al ser dado de alta de cualquier agencia de tratamiento o evaluación, se dará al paciente notificación por escrito sobre las provisiones de esta sección

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