

INDIVIDUAL RIGHTS AND CHOICES

Each staff person is responsible for ensuring and informing each individual of his/her rights and choices.

Each individual and persons designated by the individual, if appropriate, shall be informed upon admission and annually thereafter of individual rights and choices and the process to report a rights violation. The annual review will occur in January. A statement signed by the individual or the individual's court-appointed legal guardian acknowledging receipt of this information must be kept on file by the facility. Each individual shall be continually supported and encouraged to exercise his or her rights. The provider shall assist the affected individuals to negotiate choices in accordance with the provider's procedures for the individuals to resolve differences and make choices.

EXERCISE OF RIGHTS

1. An individual may not be deprived of rights as provided under §§ 6100.182 and 6100.183 (relating to rights of the individual; and additional rights of the individual in a residential service location).
2. An individual shall be continually encouraged to exercise his/her rights and make choices.
3. The provider shall educate, assist and provide the accommodation necessary for the individual to make choices and understand the individual's rights.
4. An individual may not be deprived of rights or choices.
5. An individual may not be reprimanded, punished or retaliated against for exercising his/her rights.
6. A court's written order that restricts an individual's rights shall be followed.
7. A court-appointed legal guardian may exercise rights and make decisions on behalf of an individual in accordance with the conditions of guardianship as specified in the court order.
8. An individual who has a court-appointed legal guardian, or who has a court order restricting the individual's rights, shall be involved in decision-making in accordance with the court order.
9. An individual has the right to designate persons to assist in decision-making and exercising rights on behalf of the individual.

10. An individual's right may only be modified in accordance with § 6400.185 (relating to content of individual plan) to the extent necessary to mitigate a significant health and safety risk to the individual.
11. An individual's rights shall be exercised so that another individual's rights are not violated.

RIGHTS AND CHOICES OF THE INDIVIDUAL

1. An individual may not be discriminated against because of race, color, creed, disability, religious affiliation, ancestry, gender, sexual preference, national origin or age.
2. An individual has the right to civil and legal rights afforded by law, including the right to vote, speak freely, practice the religion of the individual's choice and practice no religion.
3. An individual may not be abused, neglected, mistreated, exploited, abandoned or subjected to corporal punishment.
4. An individual is not required to participate in research projects.
5. An individual shall be treated with dignity and respect.
6. An individual has the right to make choices and accept risks.
7. An individual has the right to refuse to participate in activities and services.
8. An individual has the right to control his/her own schedule and activities.
9. An individual has the right to privacy of person and possessions.
10. An individual has the right of access to and security of the individual's possessions.
11. An individual has the right to choose a willing and qualified provider.
12. An individual has the right to choose where, when and how to receive needed supports.
13. An individual has the right to voice concerns about the supports the individual receives.
14. An individual has the right to assistive devices and services to enable communication at all times.

15. An individual has the right to participate in the development and implementation of the individual plan.
16. An individual has the right to be free from excessive medication.
17. An individual has the right to receive, purchase, have and use personal property.
18. An individual and persons designated by the individual have the right to access the individual's record.
19. An individual has the right to choose and wear his or her own clothes.
20. An individual has the right to practice the religion or faith of their choice.
21. An individual and his or her family or guardian have the right to offer comments or complaints to the facility about programming, treatment or living conditions.
22. An individual and his or her family or guardian have the opportunity to lodge civil rights complaints. An individual will be informed of his/her right to register civil rights complaints.
23. An individual will be afforded the opportunity to participate in program planning that affects them.
24. An individual has the right to choose or refuse community activities or participation. UCP will make attempt to accommodate an individual's request.
25. An individual has the right to privacy in their bedrooms, bathrooms and during personal care.
26. An individual has the right to receive scheduled and unscheduled visitors, and to communicate and meet privately with persons of the individual's choice, at any time.
 - UCP will assist in involving designated persons in decision-making, planning and activities, at the direction of the individual.
 - UCP will assist in facilitating the involvement of an individual's relatives and friends, unless the individual indicates otherwise.
27. An individual has the right to make health care decisions which includes who their physicians are and what pharmacy is used.

ADDITIONAL RIGHTS AND CHOICES OF INDIVIDUAL IN RESIDENTIAL SERVICES

1. An individual has the right to unrestricted access to send and receive mail and other forms of communications, unopened and unread by others, including the right to share contact information with whom the individual chooses.
2. An individual has the right to unrestricted and private access to telecommunications.
3. An individual has the right to manage and access his own finances. For individuals who are incapable of assuming financial responsibility, a guardian may, by written authorization, permit the Program Manager or designee, to maintain an account for the individual.
4. An individual has the right to choose persons with whom to share a bedroom, if applicable.
5. An individual has the right to furnish and decorate the individual's bedroom and the common areas of the home in accordance with §§ 6400.33 (relating to negotiation of choices).
6. An individual has the right to choose whether to lock or not to lock his/her bedroom door. In the event an individual chooses not to lock their door, they will be educated on potential risks through informed consent.
 - a. Locking may be provided by a key, access card, keypad code or other entry mechanism accessible to the individual to permit the individual to lock and unlock the door.
 - b. Access to an individual's bedroom shall be provided only in a life-safety emergency or with the express permission of the individual for each incidence of access.
 - c. Assistive technology shall be provided as needed to allow the individual to lock and unlock the door without assistance.
 - d. The locking mechanism shall allow easy and immediate access by the individual and staff persons in the event of an emergency.
 - e. Direct service professionals who provide service to the individual shall have the key or entry device to lock and unlock the door.

7. An individual has the right to have a key, access card, keypad code or other entry mechanism to lock and unlock an entrance door of the home.
 - a. Assistive technology shall be provided as needed to allow the individual to lock and unlock the door without assistance.
 - b. The locking mechanism shall allow easy and immediate access by the individual and staff persons in the event of an emergency.
 - c. Direct service professionals who provide service to the individual shall have the key or entry device to lock and unlock the door.

8. An individual has the right to access food at any time.



INDIVIDUAL RIGHTS AND CHOICES SIGN OFF

This acknowledges that I have received a copy United Cerebral Palsy of Central Pennsylvania Individual Rights and Choices.

Individual's Printed Name Individual's Signature Date

Parent/Guardian Printed Name Parent/Guardian Signature Date