

PATHWAYS OF OHIO COUNSELING SERVICES, LLC

CLIENT RIGHTS AND RESPONSIBILITIES

JANUARY 2019

YOUR RIGHTS AS A CLIENT OF PATHWAYS OF OHIO COUNSELING SERVICES, LLC

According to Ohio Department of Mental Health (ODMH) and the Ohio Administrative Code 5122:2-1-02 each client has all the following rights as listed here:

1. The right to be treated with consideration and respect for personal dignity, autonomy, and privacy;
2. The right to service in a humane setting which is the least restrictive feasible as defined in the treatment plan;
3. The right to be informed of one's own condition, of proposed or current services, treatment or therapies, and of the alternatives;
4. The right to consent to or refuse any service, treatment or therapy upon full explanation of the expected consequences of such consent or refusal. A parent or guardian must consent to or refuse any service, treatment or therapy on behalf of a minor client;
5. The right to a current, written, individualized service plan (ISP) that addresses one's own mental health, physical health, social and economic needs, and that specifies the provision of appropriate and adequate services, as available, either directly or by referral;
6. The right to active and informed participation in the establishment, periodic review, and re-assessment of the service plan (ISP);
7. The right to freedom from unnecessary or excessive medication;
8. The right to freedom from unnecessary restraint or seclusion;
9. The right to participate in any appropriate and available agency service, regardless of refusal of one or more other services, treatments, or therapies, or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the client's participation in other services. This necessity shall be explained to the client and written in the client's current service plan (ISP);
10. The right to be informed of and refuse any unusual or hazardous treatment procedures;
11. The right to be advised of and refuse observation by techniques such as a one-way vision mirrors, tape recorders, televisions, movies, or photographs;
12. The right to have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense;
13. The right to confidentiality of communications and of all personally identifying information within the limitations and requirements for disclosure of various funding and/or certifying sources, state or federal statutes, unless release of information is specifically authorized by the client or parent or legal guardian of a minor client or court-appointed guardian of the person of an adult client in accordance with rule 5122:2-3-11 of the Administrative Code;
14. The right to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual client for clear treatment reasons in the client's treatment plan (ISP). "Clear treatment reasons" shall be understood to mean only severe emotional damage to the client such that dangerous or self-injurious behavior is an imminent risk. The person restricting the information shall explain to the client and other persons authorized by the client the

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- factual information about the individual client that necessitates the restriction. The restriction must be renewed at least annually to retain validity. Any person authorized by the client has unrestricted access to all information. Clients shall be informed in writing of agency policies and procedures for viewing or obtaining copies of personal records;
15. The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event;
 16. The right to receive an explanation of the reasons for denial of service;
 17. The right not to be discriminated against in the provision of service based on religion, race, color, creed, sex, national origin, age, lifestyle, physical or mental handicap, developmental disability or inability to pay;
 18. The right to know the cost of services;
 19. The right to be fully informed of all rights;
 20. The right to exercise any and all rights without reprisal in any form including continued and uncompromised access to services;
 21. The right to file a grievance; and
 22. The right to have oral and written instructions for filing a grievance.

YOUR RESPONSIBILITIES AS A CLIENT OF PATHWAYS OF OHIO COUNSELING SERVICES, LLC

General/Administrative Responsibilities

1. To keep the administration of Pathways advised of changes in your insurance coverage;
2. To keep the administration of Pathways advised of changes to how you can be reached – including telephone number and email address changes, and change of address;
3. To treat all Pathways' professional and administrative staff with dignity and respect;
4. To communicate honestly and truthfully with Pathways' professional and administrative staff;
5. To refrain from behavior that unreasonably places the health and safety of other Pathways' clients or staff at risk;
6. To refrain from physical, verbal and emotional behavior that the general public would find offensive;

Responsibilities Regarding Treatment

1. To keep your agreed-upon appointments;
2. Provide a complete and on-going medical history, including information about past illnesses, medications, hospitalizations, family history of illness, and other matters relating to your present mental and physical health conditions;
3. To clearly express any concerns you have about your treatment or treatment outcomes to your provider(s) and/or the administration of Pathways;
4. To request information or clarification about your client status or treatment when you do not fully understand what has been discussed;

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5. To cooperate in the development of a treatment plan and to comply with the details of that plan;
6. To inform your provider(s) if your treatment plan no longer works for you and cooperate in the development of a plan that is appropriate.

Financial/Legal Responsibilities

1. To meet the financial obligations for your psychotherapy treatment;
2. To discuss financial hardships or the inability to pay with your providers or the Pathways administrative staff;
3. To not participate in fraud in either the public or private health care system – this includes participating in fraudulent billing schemes;
4. To report fraud or abuse of your benefits associated with your Pathways' services.

CIRCUMSTANCES UNDER WHICH PATHWAYS OF OHIO COUNSELING SERVICES MAY TERMINATE YOUR PSYCHOTHERAPY SERVICES

There are circumstances when your provider or Pathways' administration can close your case and terminate your services with Pathways.

These include but may not be limited to:

1. Failure to meet your financial obligations;
2. In your provider's or Pathways' administration's opinion;
 - a. Pathways is not able to provide the services or support to help you or reasonably ensure your safety;
 - b. A conflict of interest has been identified that negatively effects the quality of care Pathways can deliver;
 - c. There is no longer therapeutic value (medical necessity) to support your treatment at Pathways;
 - d. Frequent missed appointments or late arrivals that have significantly reduced the value of Pathways' services to you;
3. Your engagement in any activities involving substance abuse in or around the premises of Pathways of Ohio Counseling Services, LLC or you are acting in a manner that staff can reasonably assume you are under the influence of a legal or illegal substance;
4. You illegally access or steal proprietary data or information from Pathways, including Protected Health Information (PHI);

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5. Your provider or Pathways' administration has reason to believe you have been untruthful in the presentation of your symptoms or behaviors, or are malingering;
6. If you, or someone acting on your behalf take part in any of the behaviors listed below, we reserve the right to terminate your services unilaterally and immediately. You will be offered referrals to other sources of care, but we cannot guarantee those sources will be willing to accept you as a client. These behaviors include but are not limited to:
 - a. Violate the human or civil rights of a Pathways' client, guest or staff member;
 - b. Steal or damage property belonging to Pathways', a Pathways' client, guest or staff member;
 - c. Cause physical, emotional or verbal harm or harass, a Pathways' client, guest or staff member. This includes the use of offensive language in and around Pathways of Ohio Counseling's property or through any means including telephone calls/voice mails, text messaging and social media;
 - d. Violate ANY of the Pathways' policies or procedures you have agreed to including privacy rights, consent to treatment, billing or social media.

CHANGES TO THIS NOTICE

If, while you are an active client of Pathways of Ohio Counseling Services, LLC and the organization deems significant changes to the information contained in this document to be necessary, you will find the changes clearly defined on our website, www.pathwaysofohiocounselingservices.com **30 days in advance of the change**.

If, while you are an active client of Pathways of Ohio Counseling Services, LLC and a user of our Client Portal, change notifications will be sent to you through the Portal **30 days in advance of the change in information**.