

Mental Health America of Northern Kentucky & Southwest Ohio
Clients Rights and Grievance Procedures

A. CLIENT RIGHTS

- (1) The right to be treated with consideration and respect for personal dignity, autonomy, and privacy;
- (2) The right to reasonable protection from physical, sexual or emotional abuse, neglect, and inhumane treatment;
- (3) The right to receive services in the least restrictive, feasible environment;
- (4) The right to participate in any appropriate and available service that is consistent with an individual service plan (ISP), regardless of the refusal of any other service, unless that service is a necessity to clear treatment reasons and requires the person's participation;
- (5) The right to give informed consent to or refuse any service, treatment or therapy, including medication absent an emergency;
- (6) The right to participate in the development, review, and revision of one's own individualized treatment plan and receive a copy of it;
- (7) The right to freedom from unnecessary or excessive medication, and to be free from restraint or seclusion unless there is immediate risk of physical harm to self or others;
- (8) The right to be informed of and refuse any unusual or hazardous treatment procedures;
- (9) The right to be advised of and refuse observation by others and by techniques such as one-way vision mirrors, tape recorders, video recorders, televisions, movies, photographs or other audio and visual technology. The right does not prohibit an agency from using closed-circuit monitoring and observe seclusion rooms or common areas, which does not include bathrooms or sleeping areas;
- (10) The right to confidentiality of communications and personal identifying information within the limitations and requirements for disclosure of client information under state and federal laws and regulations;

- (11) The right to access one's own client record unless access to certain information is restricted for clear treatment reasons. If access is restricted, the treatment plan shall include the reason for the restriction, a goal to remove the restriction, and the treatment being offered to remove the restriction;
- (12) The right to be informed a reasonable amount of time in advance of the reason for terminating participation in a service, and to be provided a referral, unless the service is unavailable or not necessary;
- (13) The right to be informed of the reason for denial of a service;
- (14) The right not to be discriminated against for receiving services on the basis of religion, race, ethnicity, color, gender, sexual orientation, national origin, age, physical or mental handicap, developmental disability, genetic information, human immunodeficiency virus status, or in any manner prohibited by local, state or federal laws;
- (15) The right to know the cost of services;
- (16) The right to be verbally informed of all client rights and to receive a written copy upon request;
- (17) The right to exercise one's own rights without reprisal, except that no right extends so far as to supersede health and safety considerations;
- (18) The right to file a grievance;
- (19) The right to have oral and written instructions concerning the procedure for filing a grievance, and to assistance in filing a grievance if requested;
- (20) The right to be informed of one's own condition; and,
- (21) The right to consult with independent treatment specialist or legal counsel at one's own expense.

B. CRO's Responsibilities

- 1) All aspects of client's rights and the grievance procedure will be explained to each person served prior to or when beginning services. Staff shall provide documentation in the client record of the exchange.
- 2) In a crisis or emergency situation, or when the client does not present for services in person, staff shall verbally advise the client of at least the immediately pertinent rights only, such as the right to consent to or refuse the offered treatment and the consequences of that agreement or refusal. Full verbal explanation of the client rights policy shall be provided at the first subsequent meeting.
- 3) Explanation of right shall be in a manner appropriate for the person's understanding.
- 4) All staff shall be required to follow the client rights policy and client grievance procedure. There shall be documentation in each employee's personnel record, including contract staff, volunteers, and student interns that each staff member has received a copy of the client rights policy and the client grievance procedure and has agreed to abide by them.

C. Grievances shall be directed to:

For Ohio Services: Mindy Sponseller, Director of Clinical Care Coordination. She can be reached at 513-2910. The agency address is 1001 W Main Street, Suite E, Lebanon, Ohio. CRO's office hours are most Monday- Friday from 8:30 am to 4:30 pm. In Mindy's absence or unavailability, Ashley Bailey, Information and Technology Coordinator (same phone number/address/business hours) will accept grievances. Both Mindy and Ashley will be available to assist a client in the filing of a grievance.

For Kentucky Services:

Covington Office: Mindy Sponseller; Director of Clinical Care Coordination. She can be reached at 859-431-1077. The agency address is 912 Scott Blvd. Covington, Kentucky 41011. CRO's office hours are mostly Monday-Friday from 8:30-4:30 pm.

PIER Recovery Community Center: Tom Spicer; Team Lead

In Mindy or Tom's absence or unavailability, Jill Bittner, MHA Associate Director will accept grievances. She can be reached at 859-431-1077.

The grievance must be put in writing; the grievance may be made verbally and the client advocate shall be responsible for preparing a written text of the grievance. The written grievance must be dated and signed by the client, the individual filing the grievance on behalf of the client, or have an attestation by the client advocate that the written grievance is a true and accurate representation of the client's grievance. The grievance must include, if available, the date, approximate time, and description of the incident and names of individuals involved in the incident or situation being grieved.

MHA shall provide written acknowledgment of receipt of the grievance to each grievant within three business days from receipt of the grievance. The written acknowledgment will include, but not be limited to, the following: date grievance was received, summary of grievance, overview of grievance investigation process, timetable for completion of investigation and notification of resolution, and treatment provider contact name, address and phone number.

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MHA will make a resolution decision on the grievance within twenty business days of receipt of the grievance. Any extenuating circumstances indicating that this time period will need to be extended must be documented in the grievance file and written notification will be given to the client.

The grievor will be offered the option to initiate a complaint with any or all of several outside entities (the County Board; the Ohio Mental Health And Addiction Services, The Ohio Legal Rights Service, the U.S. Department of Health & Human Services, Kentucky Protection & Advocacy, Kentucky Department of Behavioral Health, Developmental and Intellectual Disabilities, Kentucky Department of Behavioral Health, Developmental and Intellectual Disabilities, Ombudsman, Kentucky State Department of Mental Health/Mental Retardation Services, Kentucky Office of the Inspector General and appropriate professional licensing or regulatory associations. The addresses and phone numbers are listed below:

Ohio Legal Rights Service

50 W Broad ST, STE 1400
Columbus, OH 43215-5923
(614) 466-7264
(800) 282-9181
(614) 644-1888 (fax)
(614) 728-2553 (TTY)
800-858-3542 (TTY)
www.olrs.ohio.gov

Ohio Department of Mental Health and Addiction Services

30 East Broad Street, 36th Floor
Columbus, Ohio 43215-3430
(614) 466-2596
1-877-275-6364
1-888-636-4889 (TTY)
www.mha.ohio.gov

U.S. Department of Health and Human Services

Office for Civil Rights, Region V
233 N. Michigan AVE, STE 1300
Chicago, Illinois 60601
(312) 353-5160
(312) 353-4144 (fax)
www.hhs.gov/region5

Ohio Attorney General's Office

30 E. Broad St., 17th Floor
Columbus, OH 43215
(800) 282-0515
www.ag.state.oh.us

Ohio Counselor, Social Worker and Marriage and Family Therapist Board

50 W. Broad ST, STE 1075
Columbus, OH 43215-5919
(614) 466-0912
(614) 728-7790 (fax)
www.cswmft.ohio.gov

State of Ohio, Board of Psychology

77 S. High St., Suite 1830
Columbus, OH 43215-6108
(614) 466-8808
(877) 779-7446
(614) 728-7081 (fax)
www.psychology.ohio.gov

State of Ohio, Medical Board

30 E. Broad ST, 3rd Floor
Columbus, OH 43215-6127 (614) 466-3934
(614) 728-5946 (fax)
www.med.ohio.gov

Ohio Board of Nursing

17 S. High St., Suite 400 Columbus, OH 43215-7410
(614) 466-3947
(614) 466-0388 (fax)
www.nursing.ohio.gov

Hamilton County Mental Health & Recovery Services Board

2350 Auburn Ave.
Cincinnati, OH 45219
(513)946-8600
(513)946-8610 (fax)
[www.hcmhrsb@hamilton.mhrsb.state.oh.us](mailto:hcmhrsb@hamilton.mhrsb.state.oh.us)

Mental Health Recovery Board Serving Warren and Clinton Counties

201 Reading Road Mason, OH 45040
(513) 695-1695

Kentucky Department of Community Based Services

275 E. Main Street
Frankfort, KY 40601
(502) 564-3703
<https://kentucky.gov/government/Pages/AgencyProfile.aspx?Title=Department+of+Community+Based+Services>

Kentucky Department of Behavioral Health and Intellectual Disabilities

275 E. Main Street #4t
Frankfort, KY 40601
(502) 564-4527
<https://chfs.ky.gov/agencies/dbhdid/Pages/default.aspx>

Kentucky Office of the Inspector General

Northern Branch
L&N Building, 10-W
908 West Broadway
Louisville, Kentucky 40203
(502) 595-4958
(502) 595-4540
<https://chfs.ky.gov/agencies/os/oig/Pages/default.aspx>

Kentucky Protection & Advocacy

5 Mill Creek Park
Frankfort, KY 40602
(502) 564-2967
(800) 372-2988
KYPandAinquiry@gmail.com

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A MHA grievance procedure is posted by the reception desk and written copies of the procedures will be distributed to each applicant and each client. CRO will be promptly accessible to the grievor. If the grievance is filed against the CRO, a new CRO will be appointed by Executive Director Elizabeth Atwell. All agency staff person has a clearly understood, specified, continual responsibility to immediately advise any client or any other person articulating a concern, complaint or grievance about the name and availability of the agency's CRO and the complainant's right to file a grievance.

D. IMPLEMENTATION AND MONITORING

- 1) CRO will keep records of all grievances.
- 2) Agency records will be available for review by the Board and OHMHAS upon request.
- 3) CRO will submit an annual summary of all grievances received, type of grievance and resolution status of grievance.

Agency Information:

Mental Health America of Northern Kentucky & Southwest Ohio

SWOH office
1001 W Main St.
Lebanon, OH
513-721-2910
www.mhankyswoh.org

Mental Health America of Northern Kentucky & Southwest Ohio

Northern Kentucky Office
912 Scott Blvd.
Covington, KY 41011
859-431-1077
www.mhankyswoh.org

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