

DEPARTMENT OF BEHAVIORAL WELLNESS

PATIENTS' RIGHTS



Federal and state laws provide that all people who receive mental health services have important rights in the process.

You Have the Right....

- To be treated in a humane and dignified manner.
- To have your confidentiality protected within the limits of the law.
- To privacy when discussing any aspect of your case with mental health providers.
- To seek and receive the services of the Patients' Rights Advocate if you feel your rights have been violated.
- To view and/or receive a copy of your medical records. (Certain restrictions apply to information regarding third parties or information your clinician feels may be harmful to you or others if released.) You have the right to request that your records be amended or corrected.
- To make an Advance Directive.

You have the right to the following information regarding your treatment:

1. A description and discussion of your needs. You get to set your own service goals.
2. An explanation of how the recommended service will meet your needs and goals.

3. The name, type, frequency, amount, scope and likely duration of the recommended service; and the provider's name, roles and responsibilities.
4. A description of the likely benefits and possible risks (temporary and permanent) of the recommended service.
5. An explanation of the nature, degree, duration and probability of side effects and interactions (with other services), and whether and how the provider can control these side effects.
6. An explanation of other appropriate services available and why the provider recommends this particular service.
7. An explanation of how you may obtain the other services including the Medi-Cal grievance procedures.

Consent for Services

Your consent is necessary for services to be provided. No one may provide you services against your will except in an emergency or by court-authorized legal processes.

No One May Provide You a Service Without Your Consent Unless:

1. There is a legally defined, properly documented emergency, OR
2. In a special legal procedure, a judge finds that you do not have the ability or capacity to refuse it. In that case, the court will name someone to make decisions for you, in consultation with you.

Questions to Ask About Your Needs and Goals

1. How may I get information about setting my goals?
2. How does the recommended service meet my needs and goals?
3. What are the alternatives to the recommended service?
4. Who may give me a second opinion?
5. Is the provider aware of the newest service(s) that could meet my needs?
6. Why is the service recommended rather than other alternative services?
7. May I decide how often I receive this service?
8. Why do you recommend this amount or frequency?
9. If I try this and decide it does not work for me, how may I change it?
10. How may I get a copy of my service plan in a language or form I can understand?
11. What may I do if I disagree with any part of my service plan?
12. When and how may I review or change my service plan goals?

For More Information:

For further information, questions or concerns, please contact the Patients' Rights Office at (805) 681-4735 or (805) 934-6548.

