



Your Rights and Responsibilities as a Consumer



*A Guide for Consumers, Families,
and Providers in Iredell, Surry
and Yadkin Counties*





Crossroads Behavioral Healthcare

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Dear Crossroads Consumer,

Welcome!

You have taken a major step toward enhancing your life by seeking help and support. This guide will help you learn about your rights and responsibilities as a new consumer. We hope you will find this booklet helpful.

Crossroads Behavioral Healthcare manages mental health, developmental disabilities and substance abuse services for citizens in Iredell, Surry and Yadkin counties. While you are receiving services at one or more of our local providers, Crossroads is a place you can turn if you have any questions or concerns that you do not wish to share with your provider. You can call Customer Services toll-free at 1-866-841-0408.

In addition to managing our network of providers, Crossroads also advocates for the services you need. The Consumer and Family Advisory Committee is the voice of consumers at Crossroads. If you are interested in being considered for this committee or want more information about the committee, please read the brochure that is included in your packet.

Crossroads wishes you the best as you work with your Provider. Please do not hesitate to call if you have any questions or concerns. We are here to assist.

Sincerely,

A handwritten signature in black ink that reads "David Crosby". The signature is written in a cursive, slightly slanted style.

David Crosby, Director of Customer Services

Your Rights and Responsibilities

Crossroads Behavioral Healthcare helps people in our community have access to the mental health, developmental disabilities, or substance abuse services they need. Crossroads contracts with local organizations, called providers, to work one-on-one with people who need services, called consumers.

When you receive services from any Crossroads , you have certain rights that are supported by law. You also agree to take on certain responsibilities and work together with the to make sure that your care is effective. It is important to understand your rights and responsibilities.

In this booklet, you can find the information you need to know about your rights and responsibilities. This handbook is intended to be a general overview of our rights and is not intended to be used as the sole source of information regarding your rights. If you have specific questions, please talk to your provider or call Crossroads Customer Services at 1-866-841-0408.

What are rights?

Rights are things that you can do or you are entitled to by law. Sometimes, rights concern choices and help you know what you do not have to do unless you choose. Some of your basic rights – often called client rights – are in North Carolina General Statutes Article 3, 122C.

Example – You have the right to be treated with dignity, acceptance and respect.

Example – In most cases, providers may not give out information about you without your consent.

What are rules?

Rules help things run smoothly. Participating in your Crossroads services may involve some rules that are made by the government or the program. There will be rules that you must follow, and there will be rules that the provider and staff must follow.

What is a responsibility?

A responsibility is something that you agree to do to the best of your ability. You are encouraged to assume responsibility for the success of your treatment. You have a responsibility to be on-time and keep appointments with providers, or to take medications as they are prescribed.

Example – Treat staff and other consumers with respect and consideration. Also, let your provider know if you plan to discontinue services. Respect the confidentiality and privacy of others.

Your Rights as a Consumer

You have the right to:



Be treated with dignity and respect



Refuse treatment



Self-determination, privacy, humane care, and freedom from physical punishment, abuse, neglect, or exploitation



Be informed about the expectations and requirements of your treatment service



An individualized, person-centered plan and to participate in the development and review of that plan



Know the cost of services



Be informed about medications



Confidentiality

Your Rights To be Treated with Dignity and Respect

You have the right to be treated with dignity and respect. Your family and staff should be nice to you.

Your first contact with Crossroads Behavioral Healthcare will most likely be a phone call to ACCESS. The person you speak with has to gather information about you and your needs. He or she will treat you politely and listen carefully to what you say.

Responsibility - Make sure you give the ACCESS staff person all the information needed to help you.

When you deal with your providers, Crossroads, or any person who is involved in the services you receive, you will be treated in the same kind and respectful manner.

Staff should not embarrass you in front of your friends, co-workers or peers. No one should treat you as though you are dumb or stupid.

To Exercise Your Rights as a Citizen

You have many rights as a citizen. These include buying or selling property, signing a contract, registering to vote, marrying or getting a divorce. Unless the court has declared you incompetent, you will always have these rights.

Responsibility - It is okay to let people know when you think they are treating you badly - it might just be a misunderstanding!

To Make Advance Instructions

You have the right to a written plan called an “advance instruction for mental health treatment”. This written plan describes how you want to be cared for if you ever become unable to decide or speak for yourself. For help in preparing these plans, speak with someone you trust and contact your provider or Crossroads Customer Services Department at 1-866-841-0408 for assistance.

To Special Accommodations

If you need help or accommodations to participate in services you may request from your provider or Crossroads:

- Assistance with accessibility
- Assistance with TTY
- Interpretative services for sign language and other languages
- Assistance for the visually impaired

Your Right to Self-Determination

Self-determination means making your own choices about your own life – and being responsible for your choices. You have the right to live as independently as you are able, and to choose how you live, where you live, who your friends are, and what you do with your life.

If you need help, your provider will make sure that you get that help.

Example – If you need a handicap ramp or special parking because of a handicap, your provider will make sure that it is available.

You have the right to pick your friends and to spend time with them.

You have the right to take part in decisions about how to manage your money. No one should tell you how you must use your personal money after you pay your bills. Your staff or family may assist you by making suggestions about how to save your money to buy the things you want.

Guardians and Due Process

Sometimes the court will name another person to help protect you and your rights, called a guardian of the person. He or she will assist you in making decisions regarding your living situation, treatment and healthcare. This will help protect your rights and ensure your health and safety.

The court may also appoint a person to take care of your financial affairs, called the guardian of the estate. Your guardian will work to protect your rights when it comes to money.

Your guardian may talk to your staff, family, doctors, or others about you. If there is a meeting about you with your guardian, you have the right to be there if you wish.

Responsibility – Choose friends who treat you with respect, help you to live a safe and healthy life, and support your treatment and recovery.

Your Right to Humane Care, and Freedom from Physical Punishment, Abuse, Neglect, or Exploitation

You have the right to be free of physical / mental abuse, neglect, punishment or being taken advantage of.

No one should ever hit, slap, kick, or physically hurt you.

No one should ever touch you in any way that you do not like or makes you feel uncomfortable.

Restraints and seclusion can NOT be used as punishment. No one should physically hold you or place you in a room, unless it is a last resort to keep you and others around you safe.

No one should ever call you names or say things to scare you.

If you or your family member is hurt, punished, or taken advantage of in any way, call immediately for help. You can call

- Your
- An Advocacy Agency (listed at the back of this booklet)
- Crossroads Customer Services – The toll-free number is 866-841-0408.
- NC DHHS CARE-LINE –
The toll-free number is 1-800-662-7030, or for TTY: 1-887-452-2514.

Example – Staff should NEVER ask you for money for their personal use. Staff should not ask you to work for them.

If you work in a workshop or a job in the community, you will get paid for the work that you do. No one should ever try to take advantage of you and your money.

Your Right to an Individualized, Person-Centered Plan and to Participate in the Development and Review of that Plan

Your services are for YOU, and you have a right to participate in deciding what services you need. You will help in developing your own person-centered service plan. Your plan should be reviewed with you at least every 90 days.

Example - If there is a meeting about you; then you, your family and staff should be there. You should invite other people that you want to come. You should have access to all the information, which you need to make your own decisions about your healthcare.

Your planning meeting should occur at a time and place that is convenient for you. You have the right to active and meaningful participation in decisions affecting your life.

You, your family and staff will discuss what you want to do with your life. Staff and your family need to LISTEN to you and to help you get what you need in your life. The people at your meeting should work together so you can be more independent and more involved in your community.

When you are satisfied with the plan, you should sign and receive a copy from your provider. You have the right to review information in your medical records with a staff person.

Crisis Plans

It is important to include a crisis plan in your person-centered plan. Your provider will work with you to develop a plan to help prevent a crisis and to help you during a crisis. Your crisis plan gives information about what you would like to happen should a crisis occur.

Emergency Services

The crisis plan that you developed will make it easier for others to help you in the event that a crisis occurs. If you feel that you are in a life threatening crisis, call 911. Otherwise, you should always attempt to contact your provider's first responder if possible, if not contact Crossroads Behavioral Healthcare ACCESS to Care Department at 1-888-235-HOPE (4673).

Responsibility - Even if you may not agree, it is your responsibility to consider the team's suggestions and ask them to explain why it is part of the plan.

When you leave services you will be a part of the planning for your needs following treatment.

Customer Services: 1-866-841-0408
ACCESS to Care: 1-888-235-HOPE (4673)

Your Right to be Informed about Medications

You have the right to have your medications explained to you, so ask. Your healthcare provider will give you information on any possible side effects of your medication. Staff cannot use drugs to punish you or keep you quiet.

Staff or your family may help you remember to take your medications to help you stay healthy.

Your Right to Refuse Treatment

You have a right to refuse treatment unless the court has ordered services. If you are under 18 years old or have a guardian, then your parent or guardian has the right to say yes or no regarding treatment for you.

Responsibility – If you refuse treatment there will likely be consequences. Make sure you understand what might happen if you do not accept treatment.

However, during an emergency situation, treatment may be necessary without your permission.

Involuntary Commitments

Sometimes when a person's illness makes it difficult for him or her to recognize the need for help, it is up to someone else who cares about the person to seek help and petition for what is called involuntary commitment. You have many rights when under an involuntary commitment petition, so ask the staff at the facility to explain your rights.

Your Right to be Informed about the Expectations and Requirements of Your Treatment Service

When you are making a decision about your treatment, you should have the chance to know the most likely results of your decision and what other choices you have. Making decisions after considering all available options is called “informed consent”.

Providers must tell you what they plan to accomplish with your treatment. They also must let you know what is expected of you as a partner in the treatment. They will let you know what you can expect. You have a right to receive age-appropriate treatment. It is your right to be informed of the potential risks, benefits and alternatives to the treatments being offered to you.

Your services cannot be stopped, interrupted or changed without a good reason. You have a right to appeal any changes to the services you already receive or any services you and your service provider have requested to receive. See page 24 of this booklet for more information on appeals.

Your Right to Know the Cost of Services

Whether you, a family member, an insurance company, Medicaid/Medicare, or another source is paying for your services, you have the right to know the costs of your care. Make sure to let your provider know about any changes in your name, insurance, address, telephone number, or your finances.

Responsibility – Make sure to pay your bill or let your provider know about problems you may have making your payments.

Your Right to Confidentiality

When you go to your first appointment or when you are admitted to a program, someone will explain your privacy rights. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that protects your private health information.

No one can share your private information without your permission.

If information needs to be shared about you, you may be asked to sign some consent forms. The consent forms will tell exactly what information can be shared and with whom it can be shared. Consents last for one year or less if you choose.

Example - Make sure that you understand what might happen if you do not sign consent forms. In some cases, it might keep the staff from being able to assist you.

Sometimes the law allows that your information to be shared without your permission.

- When it is in your best interest and will not harm you, your closest relative or guardian may be told. If you are under 18, your parent or guardian may be told unless you are receiving substance abuse services.
- When a court orders release of your record.
- If an attorney needs to see your file because of a lawsuit or other legal matter.
- If you have been committed to a hospital and the hospital needs information to help manage your care.
- If you are in prison and prison officials need information to continue your treatment.

Special Rights

Make sure that you ask questions if you do not understand your rights. Make sure you know any rules you need to follow.

Your Right to Speak Up

You have a right to tell us about your concerns.

If you are having a problem with your services, let someone know! First, tell the person! Most of the time you can fix a problem by talking about it.

If you don't think you can talk to the person, ask to talk to their supervisor.

If your family and/or staff are not listening to you or stopping you from doing something you need to, ask someone to help you. You have a right to talk to a person who is not part of the problem. You also have a right to get an answer to the problem.

If you have tried to fix the problem with the person or their supervisor and don't think they have heard your concern, call Crossroads Customer Services Department and file a complaint at 1-866-841-0408.

You may also call any of the agencies in the Advocate Agencies section for help with your concern.

Substance Abuse Rights

There are special rights regarding substance abuse that are protected in federal law. Ask your provider or Crossroads Customer Service representative about specific substance abuse rights.

Your Rights in 24-Hour Care

Consumers admitted to 24-hour facilities have important rights. However, there are times when a consumer admitted to a 24-hour facility may have some of their rights restricted based on care and treatment considerations. If you have any questions about your rights or these restrictions, you should ask to speak to a facility advocate.

Example – If you do not have a copy of the rules – ask for one from the staff. If you do not understand a rule, ask for more information.

When you have a concern about how someone is treated in a facility, or if you are a consumer in a facility and have a concern about your treatment, contact the facility and ask to speak to the facility advocate.

Advocate Agencies

An advocate supports you and your family members. Do not hesitate to call.

- Disabilities Rights North Carolina 1-887-235-4210 www.cladisabilitylaw.org
- Alcohol/Drug Council of North Carolina 1-800-668-4232 www.alcoholdrughelp.org
- Mental Health Association of NC 1-888-881-0740 www.mha-nc.org
- NAMI 1-800-451-9682 www.naminc.org
- NC Mental Health Consumer's Organization 1-800-326-3842 www.ncmhcosupport.org
- NC CARE-LINE 1-800-662-7030 (Voice, Spanish), 1-877-452-2514 (TTY)
www.ncdhhs.gov/ocs/careline.htm
- NC Care LINK 1-800-662-7030 www.nccarelink.gov
- The Arc of North Carolina 1-800-662-8706 www.arcnc.org
- Exceptional Children Assistance Center 1-800-962-6817 www.ecac-parentcenter.org
- NC Child Advocacy 919-834-1276 www.ncchild.org
- Ombudsman Program (for adult care / rest homes) 336-761-2111
(Surry/Yadkin), 704-372-2416 (Iredell)
- ADA (American Disabilities Act) US Dept. of Justice Information line
1-800-514-0301 www.ada.gov
- NC Council on Developmental Disabilities 1-800-357-6916 (voice/TTDD)
www.nc-ddc.org
- Autism Society of North Carolina 1-800-442-2762 www.autismsociety-nc.org
- Brain Injury Association of North Carolina Family Helpline
1-800-377-1464 www.bianc.net
- North Carolina Coalition Against Domestic Violence (NCCADV)
1-888-232-9124 www.nccadv.org
- North Carolina Coalition Against Sexual Assault 1-888-737-CASA
(2272) www.nccasa.org

If you wish to call the State Division of MH/DD/SAS Advocacy and Customer Service Section because you feel that you are not getting help you need locally, you can contact them at: 919-715-3197 (Mon.-Fri. 8am to 5pm). You may also call the Department of Health and Human Services CARE-LINE at: 1-800-662-7030 (English/Spanish), 1-877-452-2514 (TTY)

How to Appeal

You have the right to freely file an appeal of any changed or denied services. Before anyone can change your service or deny your request for a service, you will receive a notice explaining the change or denial and your right to appeal. The way you appeal depends on how your services are funded.

- If Medicaid pays for your services, you may appeal the changes through the Division of Medical Assistance. Follow the directions in the written letter for your federal rights. If you appeal the decision by the deadline in the letter, your Medicaid funded services will continue during the appeal.
- If your decision is paid for by state funds (sometimes called IPRS funds), you may appeal the decision to Crossroads. Follow the directions in the letter you receive on how to file the appeal. After the Crossroads review, if you are still dissatisfied with the decision, you may appeal to the State DMH/DD/SAS to review the decision. Your state-funded services will not continue while you are appealing the decision.
- If your private insurance company pays for your services you can appeal their decision through the insurance company.

If you are unsure how to appeal changes to your services or if you have questions about appeals, contact your Crossroads Customer Services Department Office at 1-866-841-0408 or contact the State Advocacy and Customer Services Section at 919-715-3197. For all appeals, call the number on your appeal notice.

Opportunities to be Involved

Successful mental health, developmental disabilities and substance abuse services depend on active participation from concerned individuals. As a consumer or family member of a consumer, your contribution is important. There are a number of ways you can be involved:

- Participate with Crossroads Consumer and Family Advisory Committee (see brochure in your packet for more information)
- Participate in focus groups and provide feedback on policies and proposed rules
- Become a peer support specialist or family partner
- Serve on a rights committee
- Advocate at local, state and national levels either individually or with an established group

**In Crisis
or for Information & Referral**

**1-888-235-HOPE (4673)
TTY 1-800-749-6099**

**24 hour a day
7 days a week
Every day of the year**

Questions? Concerns? Complaints?

1-866-841-0408

**If you have concerns about your rights,
services or providers, call Crossroads
Customer Services.**