



mhmrtarrant

WE CHANGE LIVES

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www.MHMRtarrant.org

**BEHAVIORAL HEALTH
MENTAL HEALTH & SUBSTANCE USE PROGRAMS**

YOUR RIGHTS AND RESPONSIBILITIES

2023

MHMR Reporting Line: 800-500-0333

**Texas Health and Human Services:
1-800-252-8154**

**Relay Texas' number (for hearing) 1-800-735-2988 and
1-800-735-2989 (for TDD)**

Disability Rights Texas: 1-800-252-9108

MHMR 24-Hour ICARE Call Center: 817-335-3022 or 1-800-866-2465

MHMR Behavioral Health Services
Mental Health & Substance Use Disorder
Your Rights and Responsibilities Handbook
Updated 2023

MHMR Reporting Line: 1-800-500-0333

Health and Human Services Commission – Behavioral Health Ombudsman: 1-800-252-8154

Relay Texas' number (for hearing) 1-800-735-2988 and 1-800-735-2989 (for TDD)

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Preface

This handbook will explain your rights and responsibilities, and how staff and programs at MHMR can help you. To be successful during your time with us it is important that you understand your rights and responsibilities. If you do not understand or need help with some of the information in this handbook, feel free to ask or discuss any of the topics with a staff member, we are here to assist you. Please keep this book for your reference and remember to ask questions anytime. You also can call the Rights Officer to ask questions or if you would like to have more information about any of the rights listed in this book.

The phone number for the Rights Officer is 817-569-4429. Email is paul.duncan@mhmrtc.org

Right to Treatment

No matter what your age, disability, race, religion, sex, sexual orientation or veteran status you will be treated in a fairly while you are getting help at MHMR. If you have someone who makes your legal decisions for you, we will have to ask that person to make some choices for you. MHMR will make every effort for you to receive help at the times and the places that are convenient for you; but when lack of resources gets in the way we will work for you to find the best alternative. You have the right to be treated in a clean and safe place. You have the right to be provided peer services. You also have the right to have access to language assistance services that will help you better understand your rights and services.

Referral

If MHMR is unable to help you, then staff will refer you to other places where you can get help. You have the right to elect to go to places other than MHMR for help. You can always ask someone who does not work for MHMR if they agree with the services that you are getting. However, if that person charges you for that advice, you will have to pay out of pocket for those services and MHMR will not provide reimbursement.

Available Services

You have the right to have MHMR provide you with a list of the services that we can provide.

Individual Rights

As a citizen or legal resident of the United States and of the state of Texas, you have the right to make your own decisions. Only a judge can take away your right to make your own decisions. If a judge wants to have someone make decisions for you, then you have the right to be represented and have your voice heard. The judge may order a parent or another adult to be your guardian. The guardian can then make decisions for you.

MHMR staff can help if you want to know more about what is a "living will" (Advance Directive to Physicians). You also can ask staff about how to fill out a "mental health will" (Declaration for Mental Health Treatment). These forms will tell doctors and others what you want to have happen in an emergency (when you cannot tell them yourself).

You have the right to apply for jobs that are open at MHMR. If you work for MHMR then you have the right to receive fair compensation. MHMR follows State and Federal laws regarding compensation.

You have the right to be told about all of the rules that you must follow while getting help at MHMR.

You have the right to have this handbook explained to you in a way that you can understand. If you do not understand English, then staff must use an interpreter to help you understand this handbook and your rights. Within 24 hours of entering any program, your rights will be provided to you. During the entire time that you are getting help at MHMR your rights will be explained to you whenever you ask.

Fee Schedules

You have the right to know if you have to pay for the help that you are getting at MHMR. You have the right to know how much you must pay. You cannot be told that you will not get help at MHMR just because you cannot pay for it. If staff knows that the help you are getting from MHMR is going to end, then you have the right to know when it will end.

Accessibility to Services

MHMR follows the Americans with Disabilities Act (ADA) Title II. If you encounter accessibility barriers to programs, activities and services you attend, then you may file an ADA-related complaint by contacting the MHMR ADA Coordinator.

Your complaint must:

- Be filed in writing by mail, fax or email
 - *Alternative means of filing complaints such as personal interview or a tape recording of the complaint will be made available for persons with a disability upon request.*

Address: MHMR
Martin Tapia, ADA Coordinator
3840 Hulen Street
Fort Worth, TX 76107

Telephone: 817-569-4022

Information Regarding Treatment

You have the right to know the name of the person who is helping you at MHMR and if that person is changing and the reason to the changes. You also have the right to know about any changes in the way that MHMR is helping you and the reason for those changes.

If you are not happy with the employee that is providing you services during your time at MHMR, then you have the right to request another MHMR staff/employee to provide you services. If MHMR denies your request, you have the right to know the reason. You have the right to know what kind of help you will get at MHMR. You have the right to know why this help is needed. You also have the right to know if anything has the potential of harming you, including medicine and any other treatment you are getting at MHMR.

You have the right to know about any other kinds of help you can get at MHMR. For example, different kinds of medicine, treatment and tests.

You should talk with staff if you are unhappy with the help that MHMR has planned with you. You can discuss with the program if there is another plan available for you. You also can ask someone outside of MHMR what they think about the plan; however, if you have to pay for that advice you will have to pay out-of-pocket and MHMR will not provide reimbursement. If you are still unhappy with the plan you can call the Rights Officer.

Privacy (Penalties)

You have specific rights under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). There are so many rights that they cannot all be listed in this handbook. Some of your rights under HIPAA include that:

- 1) your health care provider must protect the privacy of your medical records
- 2) you can access your health information (with few exceptions)
- 3) if you are denied access to your health information you can appeal the decision
- 4) you must be given written notice of the privacy practices at MHMR
- 5) you can request that MHMR restrict access by others to your health records
- 6) you can request that MHMR make amendments to your health records
- 7) you can file a complaint

You can ask staff for a copy of MHMR's Privacy Notice any time you want one. You also can contact the following entities to answer questions or to file a complaint:

- MHMR Privacy Officer (817-569-4382)
- MHMR Reporting Line (1-800-500-0333)
- Health Human Services – Behavioral Health Ombudsman (1-800-252-8154)
- Texas Attorney General (1-800-463-2100)
- The Secretary of U. S. Department of Health and Human Services (1-800-368-1019)

Every person working at MHMR must respect your privacy. People outside of MHMR will not be allowed to see your medical records unless it is permitted by law or you give your permission. If you sign an authorization that permits others to see your medical records, and then you change your mind, you can stop the sharing at any time by writing to your provider that you want to delete or change the names on the authorization.

There are times that the law will demand or allow MHMR to share your private health information without your permission. For example, there are some laws that permit information to be shared with a probation or parole officer. The law demands that information be shared in cases of child abuse or neglect. Private health information might also be shared in a court of law if a judge orders it.

People working at MHMR can share private health information with certain people who work at MHMR. These people may be looking at medical records to see how MHMR is working with you. If someone does look at your records, then they will have to follow all the required rules. Information that does not identify you may be gathered for research purposes if the research has been approved by the MHMR Institutional Review Board.

Private health records might also be shared with other state agencies who must look into cases of abuse, neglect, exploitation, or when someone violates your rights.

Sometimes different departments of Health and Human Services Commission (HHSC) may share private health information with each other. If they do share this information about you, then you have the right to know about it. You can ask for an accounting of when this information was shared and you have the right to know why it was shared.

Least Restrictive Setting

You have the right to have services given to you in a setting that respects your rights. The setting should be safe and protect you and others.

Photographs

You must give your permission before someone can take pictures of you in the program. You may decide who, other than staff, will be allowed to see and use the photographs. You can revoke your permission in writing if you decide that you do not want the picture to be used.

Medication

MHMR will not give you medicine that you do not need. You will not be given more medicine than you need. As permitted by law, you can refuse any medicine.

Before a doctor gives you medicine you have the right to know:

- why you are being given the medicine
- how the medicine will help you
- what might happen if you do not take the medicine
- if there is different medicine that could be given to you
- why the doctor does not want to give you the different medicine
- how long the doctor plans to give you the medicine
- any medicine can have side effects
- some of the side effects that you might have from the medicine given to you
- that you should tell staff if you are having side effects
- that you can stop taking the medicine at any time without negative actions on the part of staff.

Choices Without Pressure

MHMR will ask you (or the person who makes legal decisions for you) to make some decisions about the help you will get at MHMR. You, the individual receiving services, may not be the one who can legally make that decision. If there is an appointed person who makes legal decisions for you, MHMR will consult with that person about your services. When you make that decision, it will not affect the other help you are getting at MHMR.

Freedom From Mistreatment

You have the right to be protected from abuse, neglect, exploitation and harassment.

- Suspicion or knowledge of someone who is being abused, neglected or exploited in Mental Health programs or Disability Services programs or Child and Family programs must report the allegation to Provider Investigations at 1-800-647-7418.

- Suspicion or knowledge of a person who is being abused, neglected or exploited in a Substance Use Disorder program must report the allegation to the HHSC Substance Abuse Compliance Group, 1-512-834-6650 (Option 8).

You have the right to expect that MHMR will do its best to protect your personal property from being stolen or lost while you are receiving help at an MHMR facility.

You have the right to be treated with dignity and respect and to be free from retaliation and humiliation.

Medical Records

You have the right to review and to receive a copy of your own medical records. You should be able to review or receive a copy all the parts of your medical records that would not cause you or another person to be at risk of harm. There are times, however, that your request may be denied. You can appeal that decision if a licensed health care professional denies your request because “access is reasonably likely to endanger the life or physical safety or cause substantial harm to you or another person.”

Contact the MHMR Health Information Management Department if you would like to appeal the decision. If you file an appeal, then someone who was not involved with the first denial will decide whether or not you can review or copy your records. If the second person also decides that you should not review or copy your records, then you can appeal to the Health and Human Services Commission 1-800-368-1019.

You can make your request to review or copy your medical record in writing to the MHMR Health Information Management Department. You also can contact them if you would like to ask questions about your medical records, 817-569-4417.

Program Coordinator

You have the right to have a program coordinator assigned to you. This person will be responsible in part for writing a plan and starting your services at MHMR.

Treatment Plans

You have the right to have a written individual treatment plan. You and/or the person who makes legal decisions for you can participate as the plan is written and reviewed. You have the right to ask that it be reviewed at any time. You can participate in any changes in this plan or in any other services that you receive. You may request to have a person of your choice participate in the planning, and if denied, you must be given a reason for the denial.

You have the right to participate in planning the days and times that a member of your team may visit your home.

You have the right to know and to meet each staff who will be working with you at MHMR. You have the right to know what their job is and how they will be helping you.

You have the right to ask for a meeting with your treatment team so that you can talk about the services you are receiving.

Discharge Plan

If you stop getting help at MHMR, you have the right to participate in the writing of your discharge plan. If you are transferring services to another community center (MHMR facility) in Texas, the program where you are currently receiving services will help you with the transfer. As permitted by law, MHMR will send your records to the new facility.

Appeals Process

If MHMR makes a decision

- to stop providing you services, or
- to reduce the amount of services you are getting, or
- to refuse to provide you with services,

then you have the right to appeal that decision.

You will be told by MHMR if it is stopping, reducing or refusing to give you services. MHMR will have 2 business days to give you information on how to appeal the decision.

You will have 30 days to appeal the decision. You, your legal representative or your program coordinator can file an appeal. To file your appeal you can use the phone, a fax machine or write it down and give it to MHMR.

After MHMR looks at your appeal MHMR must tell you if they will change the decision about stopping, reducing or refusing services. If the decision is not changed then you will be told about how you can appeal a second time.

You can appeal again within 14 days after being told the results of your first appeal. This can be by you, your legal representative or your program coordinator. To file your appeal you can use the phone, a fax machine or write it down and give it to MHMR.

MHMR will look at your second appeal and must tell you what decision is made within 2 business days. If there is no change in the decision, you will not be able to appeal again unless your condition changes.

If you do not agree with the appeal decision, then you may request a review of the decision by contacting HHSC Behavioral Health Ombudsman. Your request must be made within 10 working days after you have received the decision made by MHMR. You can contact the Behavioral Health Ombudsman, PO. Box 12668, Austin, TX 78751 or 1-800-252-8154.

MHMR may not take any action based upon their decision during the time that your appeal is being reviewed by the HHSC Behavioral Health Ombudsman.

Advocacy

In addition to getting help at MHMR you have the right to get help from other agencies or advocacy groups in the area. The only thing that is not permitted is to get the same kind of help from two different places (for example: getting the same medication from two different doctors).

Some of the local advocacy groups are:

- Disability Rights Texas (800) 252-9108
[NOTE: Disability Rights Texas is a federally mandated agency that is independent from HHSC and whose purpose is to protect and speak out for your rights.]
- National Alliance for the Mentally Ill (NAMI) (800) 950-6264
- Challenge, Inc. (817) 336-6617
- Depression Bipolar Support Alliance (817) 654-7100
- The Arc of Texas (512) 454-6694
- Texas Workforce Commission – Texas Workforce Solutions:
(800) 628-5115

Additional Rights Services

You also may file a complaint by contacting:

- MHMR Rights Officer, Paul Duncan, (817) 569-4429
- MHMR Reporting Line, 1-800-500-0333
- HHSC Behavioral Health Ombudsman, 1-800- 252-8154

You have the right to file a complaint without anyone retaliating against you.

You have the right to have unlimited contact with your attorney. Under no circumstances will your contact with your attorney be limited in part or whole.

You have the right to be visited at any time by advocates, representatives from Disability Rights Texas, private doctors or other mental health professionals. The visits should take place at times and places that are reasonable.

Additional Rights For Persons Receiving Mental Health Services

1. You can refuse to participate in the treatments being offered to you. If you refuse, your decision will not make a difference in the other services that you are getting (based only on your refusal).
2. You have the right to be a part of any discharge plan that is written for you. The plan can include issues such as mental health, physical health and social needs. If you have a person who makes legal decisions for you, then that person can be a part of writing the plan too. If you want someone, in addition to your legal representative, to help and be part of writing the plan then MHMR must consider your request. If your request is denied, you have the right to know the reason for the denial.
3. If you have given consent for any treatment at MHMR then you can stop the consent at any time.
4. An authorization allows MHMR to share your protected health information for reasons other than treatment, health care operations or payment. If you have given authorization to release information to others outside of MHMR, then you can revoke it at any time by telling staff to stop sharing information.

- You will be given a copy of the signed authorization. You cannot be denied services because you decide not to give an authorization.
- The authorization will:
 - describe the information that will be shared,
 - state who is permitted to share the information
 - state who the information is to be shared with, and
 - note the expiration date.
- You can revoke your authorization by contacting the Health Information Department for instructions

5. If you have to travel with MHMR staff, you have the right to travel in dignity and safety. This includes:

- the right for females to travel with a female employee
- the right not to travel in a "marked" vehicle.

Additional Rights Of Persons Receiving Residential Mental Health Services

In addition to the rights already listed in this book, residents of any MHMR mental health residential program have the following rights:

1. to talk to people outside of the program, including:

- you can receive visitors at reasonable times, with as much privacy as possible.
- you can make phone calls at reasonable times, with as much privacy as possible.
- you can write and receive letters with privacy except:
 - when there is reason to believe that there is something in the mail that you have received that might be harmful to you or to others.
 - if you are unable to physically open personal mail.
 - if you need someone to watch you open your mail because you cannot protect your own mail from other people.

2. have visits with your attorney, MHMR, Disability Rights Texas staff, private doctors or other professionals at reasonable times and places.

3. keep and use your own items. This right might be limited if the personal item is seen as a danger to you or others. The treatment team may decide that the item is a security risk or that it might stop you from working on your treatment plan.

4. not be submitted to unreasonable searches, or to have your belongings unreasonably searched. Therefore, searches will be done if there is a reason to believe that there is a danger to you or others. Searches must be performed with your permission or ordered by a doctor. You have the right to choose someone to witness any search.

5. have a time to exercise and to go outside with or without supervision, as deemed reasonable and safe by the staff.

6. have religious freedom. You also can not be forced to participate in a religious activity.

7. have times when you can have suitable contact with people of the same or opposite sex, with or without supervision, as appropriate.
8. have any request to move to another room be considered quickly when the other person in the room is disturbing you. If you are not allowed to move, then you should be told the reason for that determination.
9. if you are an adult, be told about the right to make your own decisions about health care. You also have the right to make advance directives as permitted by state law.
10. if you are an adult, give permission to the program to tell anyone who you choose, that you have entered into the program.
11. if you are an adult, give permission to the program to tell your family when you will be leaving the program.

Additional Rights Of Individuals Receiving Inpatient Substance Use/Mental Health Services

1. You have the right to confidentiality. Staff will not tell anyone outside of the facility that you are in the program. The only time that staff will tell others that you are in the program is when:
 - you give your written consent; or
 - it is a court order; or
 - it is a medical emergency; or
 - otherwise permitted by law.
2. When you enter the program you have the right to know about things that might be a reason for you to have to leave the program involuntarily such as breaking rules, inappropriate behaviors, or actions, etc.
3. You have the right to have visitors at reasonable times and places. This right may be restricted for clinical and/or security reasons.
4. You have the right to get phone calls and to make phone calls. This right may be restricted by the facility staff for clinical and/or security reasons.
5. You have the right to talk and write to people outside of the facility. This right may be restricted by the facility staff for clinical and/or security reasons.
6. You have the right to send and get mail without it being censored or opened. This right may be restricted for clinical and/or security reasons.
7. You have the right to visit with attorneys, private doctors or other mental health professionals at reasonable times and places.
8. You have the right to be referred for help outside of the facility.
9. You have the right to wear your own clothes. This right may be restricted for clinical and/or security reasons.

10. You have the right to use your own possessions. This right may be restricted for security reasons.
11. You have the right to exercise and go outside at least once a day as appropriate. This right may be restricted for security or clinical reasons.
12. You have the right to religious freedom. You may not be forced to join in with any religious activity.
13. You have the right to be treated and spoken to in a respectful way.
14. If you volunteered to have inpatient mental health services then you have the right to:
 - make a written request to end your treatment, and leave the facility within 4 hours after your request
15. You have the right not to be held against your will.
16. You have the right to have your need for inpatient care reviewed periodically (if you are in a mental health program).
17. When you come into the program and when you leave the program, you have the right to be told about Disability Rights Texas, 1-800-252-9108.
19. You have the right to be given what you need to file a complaint (pen, paper, envelopes, postage, telephone).
20. You have the right to file complaints. You may report your complaint to:
 - any staff member and/or ask a staff to help you call or write your complaint
 - MHMR Reporting Line at 1-800-500-0333
 - HHSC Substance Compliance Group
8407 Wall Street, Austin, Texas 78754, 1-512-834-6650 (Option 8)
 - HHSC Behavioral Health Ombudsman, 1-800-252-8154
21. If you file your complaint with the program they must let you know (within 24 hours on weekdays, within 72 hours on weekends) how they will solve it. Within 7 calendar days the program will tell you about their findings and any recommendations.
22. You have the right to give your consent in order to receive treatment and medication. You have the right to know the possible consequences of your refusal to give consent.
23. You have the right to be involved with the writing and the review of your individualized treatment plan.
24. You have the right to know why restrictions are being placed on you.
25. You have the right to not be physically disciplined. You have the right not to be given any harsh, cruel or excessive discipline. Your right to talk to your family may never be used as discipline.

26. You have the right to know the qualifications of staff working with you.

27. You have the right to know about the cost for treatment. You have the right to know about any third-party coverage for the treatment. You have the right to know about any limitations on how long you can receive treatment.

Refusal Of Treatment

You have the right to refuse treatment or to leave MHMR services. If you have been told by a court that you must attend MHMR, you have the right to know the possible consequences of you refusing to continue receiving services.

You have the right to refuse to participate in any research program that might be taking place in a MHMR program. This decision will not change the services you are getting at MHMR.

You have the right to refuse any of the following: surgical procedures, electroconvulsive therapy, unusual medications, behavior therapy, hazardous assessment procedures, audiovisual procedures and any other procedure that you have to give consent to receive.

Mental Health Code

If you are receiving mental health services you also have all the rights that are in the Texas Mental Health Code. You must be told about these rights in a language that you clearly understand. If you have impaired hearing, your rights will be communicated to you so that you will clearly understand them. If you are a minor, this information about your rights will be given to the person who is legally responsible for you. Contact the MHMR Rights Officer, (817) 569-4429, if you would like to be told more about your rights in the Texas Mental Health Code.

Your Responsibilities

While receiving help at MHMR:

1. You have the responsibility to be on time. If you cannot make it to your appointment, contact the program at least 24 hours before your appointment time.
2. You have the responsibility not to behave in a way that is dangerous to you or other people. MHMR staff may respond to any dangerous activity by calling the appropriate people (security and/or local law enforcement).
3. You have the responsibility to follow the rules of any program that you enter and/or receive services. If you have questions about the rules violating your rights, you can contact the Rights Officer (817) 569-4429.
4. You have the responsibility to tell your program coordinator or other staff helping you about what you need, including reasonable accommodations, dietary restrictions, or religious accommodations.
5. You have the responsibility to tell MHMR about any medication(s) you are taking upon entering the program.
6. You have the responsibility to follow and work with any treatment plan or service plan that was written by you and the program.

7. You are responsible for any money that you owe to MHMR; however, you may not be denied services because you cannot afford to pay.

8. You have the responsibility not to verbally abuse, physically abuse or harass any individual at MHMR, including staff, volunteers, visitors or other persons receiving services. If this is not followed, your services might be reduced, restricted and/or stopped.

Any person receiving services from MHMR, who also works as an employee at MHMR, will also be held responsible for his/her actions as outlined in the MHMR Policies.

Clinic Site Phone Numbers

| | |
|---|--------------|
| ACT Clinic | 817-569-4200 |
| Arlington Clinic | 817-569-4900 |
| Circle Drive Clinic | 817-569-4750 |
| Homeless Clinic | 817-569-5400 |
| Mid-Cities Clinic | 817-569-5800 |
| Northwest Clinic | 817-569-5000 |
| Pennsylvania Square Clinic | 817-569-4555 |
| Western Hills Clinic | 817-569-5980 |
| Pine Street | 817-569-4600 |
| Project R.A.P.P. | 817-569-5050 |
| Community Addiction Treatment Services (CATS) | 817-569-4620 |
| Harmon Road Recovery Center | 817-569-5750 |
| The Youth Center | 817-569-5900 |
| The Campus | 817-569-4270 |

ICARE Crisis Line

Emergency Mental Health and Substance Use Disorder Information, Referrals

24 hours a day, 365 days a year; Call 817-335-3022 or 1-800-866-2465

If you have a medical emergency, call 911.



ICARE Call Center
call or text

local (817)335-3022
toll free (800)866-2465
tty (817)569-4488

