



---

## PROTECTION OF INDIVIDUAL RIGHTS

### POLICY

Inspire Case Management firmly believes that all Individuals are entitled to the following, which are contained in the Individual Rights:

- Be treated with respect and dignity at all times.
- Fair and humane treatment
- To medical care including routine, follow up, and specialist care
- To a safe and clean-living environment
- To decide to participate or not participate in religious services
- To not be the subject of experimental research without his/her prior written and informed consent or that his/her parent, if a minor, or his/her guardian; except that no involuntary Individual shall be subject to experimental research.
- To decide to participate, not to participate or withdraw from any research at any time for any reason.
- To have access to consultation with a private physician at his own expense.
- To be evaluated, treated or receive residential habilitation in the least restrictive environment.
- To not be subjected to any hazardous treatment or surgical procedure unless (s)he, his/her parent, if (s)he is a minor, or his/her guardian consents; or unless such treatment or surgical procedure is ordered by a court of competent jurisdiction.
- In the case of hazardous treatment or irreversible surgical procedures, to have, upon request, an impartial review prior to implementation, except in case of emergency procedures required for the preservation of his/her life.
- To a nourishing, well-balanced and varied diet.
- To keep personal possessions and clothing.
- To have access to friends and relatives privately.
- To have time which is considered private.
- To have phone access at all times to incoming/outgoing calls which could be local or long distance and in privacy at the individual's expense.
- To send and receive unopened mail.
- To have the right to open their own mail.
- Protection of an individual's funds and property from misuse or misappropriation.
- Access to the community and the right to participate in social, religious and community activities.
- To have the same legal rights and responsibilities as any other person except as restricted by law.
- To have right to due process and a review by a human rights committee when there is a restriction on any right.
- To be free of all forms of abuse and neglect.



- To not be compelled to provide services for a provider.
- When working voluntarily for a provider, (s)he is compensated at the prevailing wage (at least minimum wage), and commensurate with the individual's abilities.
- Have all personal and medical information kept confidential.

All Case Managers will be educated on the contents of the "Individual Rights" during orientation and at least every year thereafter. Each Case Manager will sign an acknowledgement of understanding and agreement to support the "Individual Rights" as established by Inspire Case Management. The signed acknowledgement must be placed in the consultant file.

Case Managers will attend annual training on Individual Rights, code of ethics, abuse and neglect, Medication administration and incident reporting.

Individuals must be advised of Inspire Case Management's "Individual Rights" during the initial assessment visit and at least every year thereafter by a Inspire Case Management representative. A copy of the Individual Rights must be given to each Individual. The Individual or the Individual's authorized representative must sign an acknowledgement form, ensuring understanding and receipt of a copy the Inspire Case Management "Individual Rights".

#### **460 IAC 6-9-4 Systems for protecting individuals**

Authority: IC 12-9-2-3; IC 12-11-1.1-9; IC 12-11-2.1-12

Affected: IC 12-11-1.1; IC 12-11-2.1

(c) Except for providers of:

- (1) occupational therapy services;
- (2) physical therapy services;
- (3) music therapy services; and
- (4) speech-language therapy services;

Indiana Administrative Code Page 35

#### **SUPPORTED LIVING SERVICES AND SUPPORTS**

a provider shall establish a protocol for ensuring that an individual is free from unnecessary medications and physical restraints.

(d) Except for providers of:

- (1) occupational therapy services;
- (2) physical therapy services;
- (3) music therapy services; and
- (4) speech-language therapy services;

a provider shall establish a system to reduce an individual's dependence on medications and physical restraints.

(e) A provider shall establish a system to ensure that an individual has the opportunity for personal privacy.

(f) A provider shall establish a system to:



- (1) ensure that an individual is not compelled to perform services for a provider; and
- (2) provide that, if an individual works voluntarily for a provider, the individual is compensated:
  - (A) at the prevailing wage for the job; and
  - (B) commensurate with the individual's abilities;unless the provisions of section 3(c)(5) of this rule are met.
- (g) A provider shall establish a system that ensures that an individual has:
  - (1) the opportunity to communicate, associate, and meet privately with persons of the individual's choosing;
  - (2) the means to send and receive unopened mail; and
  - (3) access to a telephone with privacy for incoming and outgoing local and long-distance calls at the individual's expense.
- (h) A provider shall establish a system for providing an individual with the opportunity to participate in social, religious, and community activities.
- (i) A provider shall establish a system that ensures that an individual has the right to retain and use appropriate personal possessions and clothing.
- (j) A provider shall establish a system for protecting an individual's funds and property from misuse or misappropriation.