



GENERAL = Licensed (CCD.)
Personal Assistance services (PAS)

**POLICY: CLIENTS RIGHTS AND RESPONSIBILITIES
AND SERVICE AGREEMENT**

POLICY NUMBER: III.C

EFFECTIVE DATE: 07/01/01

REVISION DATE: 06/01/06

POLICY: Outreach Health Services will adopt, implement and enforce the provisions of the Human Resources code, Chapter 102 (relating to Rights of the Elderly). OHS will provide each client with written notice of all policies governing client conduct and responsibility and client rights, Rights of the Elderly, how to file a complaint with DHS, how to access care from agency or another health care provider after regular business hours, charges for services, if applicable, and consent for services prior to furnishing care to the client or during the initial evaluation visit before the initiation of services. OHS shall recognize and respect the rights of each client prior to and during the provision of care/services. All clients shall sign for consent to services and assignment of benefits, if applicable, prior to services.

PURPOSE: To provide a mechanism of ensuring the client's rights and consent to services.

PROCEDURE:

1. **CONSENT TO SERVICES:**

- a. On the initial visit or before service initiation, the nurse and/or supervisor (PAS) shall read and explain the admission to services paperwork to the client or legal representative.
 - 1) The nurse and/or supervisor (PAS) assures that the client understands all conditions of the admission as stated in the Client Acknowledgment of Understanding and Service Agreement and Client Welcome Packet, the liability of those services, and release of medical information; (Refer to Release of Medical Information/Confidentiality Policy # II.A)
 - 2) The nurse and/or supervisor obtains the client (or the client's legal guardian's) signature and date. The nurse and/or supervisor signs the consent as Outreach Health Services' representative.
 - 3) The original admission paperwork and the Client Acknowledgment of Understanding and Service Agreement forms shall be filed in the client clinical record. The client will keep the Client Welcome Packet along with a copy of the Client Acknowledgment of Understanding and Service Agreement.

2. **CLIENT RIGHTS:**

- a. Prior to providing care and before the initiation of treatment/services the agency staff will review with the client or caregiver verbally and provide written information (Client Acknowledgment of Understanding and Service Agreement and Client Welcome Packet) regarding client rights and responsibilities.



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- 1) At the time of admission, prior to providing care, the agency will provide the client with written information regarding their rights and responsibilities. The “Client Welcome Packet” contains the following:
 - i. Client confidentiality statement;
 - ii. Natural disaster information;
 - iii. Human Resources Code, Chapter 102 (Rights of the Elderly) for clients 60 years of age and older;
 - iv. OBRA Rights of the Patient;
 - v. Complaint Resolution Procedure/Abuse Policy;
 - vi. Grievance and complaint policy/procedure;
 - vii. Advance Directives policy;
 - viii. Information on a declaration for Mental Health treatment;
 - ix. Drug Abuse policy;
 - x. Recommendations for securing property and valuables;
 - xi. Infection control for families at home;
 - xii. Elementary home safety review;
 - xiii. General Hepatitis Virus information;
 - xiv. Things your attendant may not do;
 - xv. Services, medical supplies, equipment, etc. to be provided;
 - xvi. Frequency and Duration of services to be provided;
 - xvii. Supervision by the agency of services provided;
 - xviii. Plan for service initiation date; and
 - xix. Agency charges for services rendered if the charges will be paid in full or in part by the client or the family or on request;
 - xx. Assignment of benefits;
 - xxi. Authorization to release information to OHS. Refer to Admission Criteria Policy # III.F, III.F.a.
 - 2) The client will participate in the development of the plan of care/ISP. In the event the client refuses all or part of the proposed care/ISP the client will be informed of the expected consequences of such refusal. The Administrator and DPC as well as the caseworker will be informed of the client’s refusal. In state contracted programs the contract will be followed in addressing this issue. Refer to ISP Policy # III.J.2.a.
 - 3) The client will be informed on how to file a complaint. (Client Welcome Packet) Refer to Client Complaint Policy # VIII.C
 - 4) The client will be educated by OHS in how to access care from the agency or another health care provider after regular business hours. Refer to Policy # II.K (Back – Up Services).
- b. Documentation by way of the signed Client Acknowledgment of Understanding and Service Agreement will be placed in the client record.



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- c. In the event the client does not fully understand the client rights, this information will be reviewed with them on subsequent visits. Documentation will be made in the clinical/client record regarding repeated instruction on client rights. If a family member/caregiver is available then staff will review this information with them and documented in the client record.
- d. The client will be notified of changes in payment of services expected as soon as possible, but no later than 30 days from the date that the agency became aware of the change. There is no charge to the client for Medicaid programs.
- e. In the event the agency can not meet the client's required higher level of care due to a severe or complex illness, the agency will notify the client's case worker and assist as needed with making arrangements for alternative care to meet the client's needs. The client and physician, if applicable, are informed of the need for possible alternatives for care to meet the client's needs. The client, client's family, and caseworker make the final determination regarding alternative resources or transfer to another organization. Refer to Discharge Policy # III.I
- f. The agency recognizes the client's right to choose to participate or decline participation in investigation studies or clinical trials.
- g. The client's family or guardian may exercise the client's rights when the client has been judged incompetent.