

**Policy:**

Palmer's Home Care, LLC, will protect the rights of all the individuals that it supports in accordance with federal and state statutes, regulations and the Department of Mental Health's Division of Developmental Disabilities rules and guidelines by following 9 CSR 45-3.030, RSMo. Sections 630.110, 630.115 and 630.120 and 42 CFR 441.301 (c)(1) at all times and will not presume that individuals supported are incompetent or limit their rights, responsibilities or obligations of citizenship as a consequence of receiving evaluation, care, treatment, habilitation for intellectual and developmental disabilities.

All employees of Palmer's Home Care, LLC are expected to be familiar with, respectful of, and advocate for the rights of individuals in our care. Employees/contracted support staff will protect, defend, and advocate for the rights of individuals supported, and encourage self-advocacy as well.

By Missouri Law, Individuals receiving services from the Division of Developmental Disabilities are entitled to the following rights without limitation. All employees of Palmer's Home Care, LLC will be supporters, advocates, educators, and protectors of these rights of individuals in the care of Palmer's Home Care, LLC, and of individuals with developmental disabilities in general. Failure to do so can result in corrective action up to immediate termination depending on the severity. It is the responsibility of the employee to understand and conduct self in a way that does not infringe on these rights or to seek supervision/education from administration when assistance is needed.

**Comments:**

**All individuals supported by Palmer's Home Care, LLC are entitled to the following rights and privileges without limitation, unless otherwise provided by law:**

- a) To be treated with respect and dignity as a human being.
- b) To have the same legal rights and responsibilities as any other citizen.
- c) To receive services regardless of race, creed, marital status, national origin, disability, religion, sexual orientation, gender, or age.
- d) To be free from physical, emotional, sexual, and verbal abuse, and financial exploitation.
- e) To receive services and supports to achieve the maximum level of independence.
- f) To have access to all rules, policies, and procedures governing the operations of the Division of Developmental Disabilities in an accessible format, and to have those rules, policies, and procedures explained in a manner that is easily understood.
- g) Within one's financial means, to have a choice of where to live and whether or not to share a home with other people.
- h) To direct one's own person-centered planning process and to choose others to be included in that process.
- i) To participate fully in the community.
- j) To communicate in any form and to have privacy of communications.
- k) To accept or decline supports and services.
- l) To have freedom of choice among Division of Developmental Disabilities approved providers.
- m) To seek employment and work in competitive integrated settings.
- n) To participate or decline participation in any study or experiment.

- o) To choose where to go to church or place of worship, or to refuse to go to a church or place of worship.
- p) To have rights, services, supports, and clinical records regarding services explained in a manner that is easily understood and in an accessible format.
- q) To have all of an individual's records maintained in a confidential manner.
- r) To report any violation of one's rights free from retaliation and without fear of retaliation.
- s) To be informed on how to make an inquiry, file a complaint, or report a violation of one's rights, and to be assisted in these processes, if requested.

A person receiving services and/or the person's parents, guardian or authorized representative shall be informed of the person's rights in language that is easily understood on an annual basis, at the time of the implementation of the new Individualized Support Plan, and when an individual enters services with Palmer's Home Care, LLC.

### **Individual's supported rights in people first language:**

#### **DUE PROCESS**

- Whenever you apply for Individualized Supported Living, Personal Assistance and Community Networking services at Palmer's Home Care, the agency will give you or your parents, guardian, or any other person you choose a written copy of your rights. You will receive a copy of your rights every year after that or at your request.
- Palmer's Home Care has rules in place to provide you with the best help. Palmer's Home Care has rules to make sure you learn and understand your rights, and that no one takes your rights away before you have a chance to speak for yourself or have someone you choose to speak for you. This is called due process.
- Someone from Palmer's Home Care will read and explain your rights to you in a way you understand, and a copy will always be available at your home for you to look at any time and as questions as you need to.
- You have the same legal rights and responsibilities as any other person unless the court says you do not. For example, if you have a guardian, you do not have the same legal rights as people without a guardian.
- You have the right to be treated with respect and dignity as a human being.
- You have the right to get help. You cannot be denied help because of your race, your religion, your disability, or your age. It does not matter if you are a man or woman, married or single.
- Before your rights or services can be limited or taken away, you have the right to be heard or to have someone you choose to speak for you. This is called due process.

#### **SERVICES AND SUPPORTS AND ADVOCACY:**

- You have the right to get your services and supports in the most integrated setting and in a way that best meets your needs. To determine those services, these people may be involved: you, your parents, your guardian, or any other person of your choice.
- You have the right to know what Palmer's Home Care's rules are for the services and supports you receive.
- You have the right to have your services, supports and personal records explained so you understand them.
- You have the right to receive and read your personal records.
- You have the right to receive and sign a copy of your personal plan.

- You have the right to have your records kept private.
- You have the right to be a member of external advocacy groups such as People First and Real Voices Real Choices, among others, so that you can be informed and educated about your rights and be empowered to take control of your independence and supports.

**ABUSE AND NEGLECT**

- You have the right not to be abused or neglected. Abuse can be physical, verbal, mental, sexual, or financial. Neglect is not getting the things you need to be healthy and safe.

If you think you are being abused, neglected, or your rights taken away, you, your parents, your guardian, or any other person you choose can immediately contact Palmer's Home Care's CEO and owner at (573) 529-4708 or Central Missouri Regional Office at (573) 441-6278 for help. You can also call the clients rights monitor in Jefferson City at 1-800-364-9687 or TT: 573-526-1201 for help or Missouri Protections and Advocacy at 1-866-777-7199. People who work for Palmer's Home Care must report any abuse or neglect that they see or that people report to them.

**Other rights you have under Missouri law (Section 630.110 RSMo) include:**

1. To wear your own clothes and to keep and use your own personal possessions.
2. To keep and be allowed to spend a reasonable sum of your own money for expenses and small purchases.
3. To communicate by sealed mail or otherwise with persons including agencies inside or outside the facility.
4. To receive visitors of your own choosing at reasonable times.
5. To have reasonable access to a telephone both to make and receive confidential calls.
6. To have access to your medical records.
7. To have opportunities for physical exercise and outdoor recreation.
8. To have reasonable, prompt access to current newspapers, magazines and radio and television programming.
9. To receive visits from your attorney, physician or clergyman, in private, at reasonable times.
10. Notwithstanding any limitations authorized under this section on the right of communication, you shall be entitled to communicate by sealed mail with the Department of Mental Health, legal counsel and with the court, if any, which has legal representation of you.

Palmer's Home Care's Program Manager will review with you these rights every year or at your request at any time. We will ask you or your guardian to sign the Individual Rights Form that is part of Palmer's Home Care's individual supported consents after reviewing the rights with you. By signing the form, you or your guardian will agree that your rights have been explained to you and that you understand them.

**Responsibilities:**

- You will be asked to cooperate with Palmer's Home Care staff in achieving your goals and objectives as stated in your Person-Centered Plan.
- You will be asked to assist our agency in developing an initial and/or annual Person-Centered Plan for you.
- You will be asked to be polite and courteous to our staff.

**GRIEVANCE PROCEDURES:**

If you encounter a problem with our services and/or wish to voice a complaint, please notify the owner right away by calling (573) 529-4708. We will make every effort to take care of the problem right away. You can also call the client rights monitor in Jefferson City at 1-800-364-9687 or TTY: 573-526-1201 to report complaints/grievances, as well as the Central Missouri Regional Office at (573) 441-6278. As a participant of the Medicaid and Medicare programs, Palmer's Home Care agrees to protect and promote each of the rights contained in this document.