



## Client Rights, Responsibilities, And Grievance Procedures

### **Client Rights Officer**

Kirsti Mouncey, 216-614-6194 ext. 118

Our Mission: To support survivors of rape and sexual abuse, promote healing and prevention, and advocate for social change.

## Client Rights

Rule 5122:2-1-02(D) of the Administrative Code

### **It is the responsibility of Cleveland Rape Crisis Center's Client Rights Officer to enforce these rights:**

- (1) The right to be treated with consideration and respect for personal dignity, autonomy, and privacy;
- (2) The right to service in a humane setting which is the least restrictive feasible as defined in the treatment plan;
- (3) The right to be informed of one's own condition, of proposed or current services, treatment or therapies, and of the alternatives;
- (4) The right to consent to or refuse any service, treatment, or therapy upon full explanation of the expected consequences of such consent or refusal. A parent or legal guardian may consent to or refuse any service, treatment or therapy on behalf of a minor client;
- (5) The right to a current, written, individualized service plan that addresses one's own mental health, physical health, social and economic needs, and that specifies the provision of appropriate and adequate services, as available, either directly or by referral;
- (6) The right to active and informed participation in the establishment, periodic review, and reassessment of the service plan;
- (7) The right to freedom from unnecessary or excessive medication;

## Client Rights

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(8) The right to freedom from unnecessary restraint or seclusion;

(9) The right to participate in any appropriate and available agency service, regardless of refusal of one or more other services, treatments, or therapies, or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity which precludes and/or requires the client's participation in other services. This necessity shall be explained to the client and written in the client's current service plan;

(10) The right to be informed of and refuse any unusual or hazardous treatment procedures;

(11) The right to be advised of and refuse observation by techniques such as one-way vision mirrors, tape recorders, televisions, movies, or photographs;

(12) The right to have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense;

(13) The right to confidentiality of communications and of all personally identifying information within the limitations and requirements for disclosure of various funding and/or certifying sources, state or federal statutes, unless release of information is specifically authorized by the client or parent or legal guardian of a minor client or court-appointed guardian of the person of an adult client in accordance with rule 5122:2-3-11 of the Administrative Code;

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(14) The right to have access to one's own psychiatric, medical or other treatment records, unless access to particular identified items of information is specifically restricted for that individual client for clear treatment reasons in the client's treatment plan. "Clear treatment reasons" shall be understood to mean only severe emotional damage to the client such that dangerous or self-injurious behavior is an imminent risk. The person restricting the information shall explain to the client and other persons authorized by the client the factual information about the individual client that necessitates the restriction. The restriction must be renewed at least annually to retain validity. Any person authorized by the client has unrestricted access to all information. Clients shall be informed in writing of agency policies and procedures for viewing or obtaining copies of personal records;

(15) The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event;

(16) The right to receive an explanation of the reasons for denial of service;

(17) The right not to be discriminated against in the provision of service on the basis of religion, race, color, creed, sex, national origin, age, lifestyle, physical or mental handicap, developmental disability, or inability to pay;

(18) The right to know the cost of services;

## **Client Rights**

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(19) The right to be fully informed of all rights;

(20) The right to exercise any and all rights without reprisal in any form including continued and uncompromised access to service;

(21) The right to file a grievance; and

(22) The right to have oral and written instructions for filing a grievance.

## Grievance Procedure

Cleveland Rape Crisis Center (CRCC) is committed to ensuring that client rights are protected and that quality services are provided to all clients in any CRCC program.

CRCC acknowledges that differences or disagreements may arise during the treatment process, and wishes to resolve such instances in an expeditious and prudent manner for the benefit of the client, agency, and all affected parties.

If a client, significant other, or legal guardian has a concern or complaint, CRCC supports discussion and resolution of the concern. More serious concerns are also known as “grievances.” Grievances should be brought to the attention of the Client Rights Officer (CRO), who will assist in the grievance process.

CRCC observes the following protocol for clients to express and resolve complaints they may have about decisions made by CRCC staff and/or quality of services provided:

1. First, the client or primary caregiver should talk about the problem with the staff member with whom they have the problem. If a client feels it is resolved, no further action is required.
2. If this does not resolve the issue to the client’s satisfaction, the staff member will provide the client with the name and availability of the CRO, who will assist in filing a formal complaint. If the CRO is unavailable when a client makes contact with CRCC to initiate a complaint, they should leave their contact information. Should the CRO be the subject of the complaint, the CEO/President will function as an alternate CRO.

## Grievance Procedure

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3. Upon expressing to the CRO one's desire to file a complaint, the complainant is entitled to a private conference with the CRO. Such a conference will be scheduled within three (3) working days of the complainants request. At this conference, the CRO go over CRCC's Client Complain Policy and provide a grievance form to complete.
4. The complainant will be asked to describe their complaint in writing, outlining the relevant facts that inform the basis of the grievance on the grievance form. The CRO is available to assist the complainant in preparing a written complaint as necessary.
5. Following receipt of a complaint from a client or another person acting on behalf of a client at CRCC, within three (3) working days the CRO will acknowledge receipt of the complaint in writing to the person responsible for filing.
6. THE CRO shall investigate the complaint and provide the complainant with a signed and dated summary of any findings and the proposed resolution within twenty-one (21) days of the written filing. A copy of any such findings will be provided to the CEO/President.
7. If the proposed resolution is not satisfactory to the complainant, they, accompanied by the CRO, will meet with the CEO/President to promote resolution complaint. Such meetings must be requested within five (5) working days of the notification of findings and will be scheduled within five (5) working day of the request. Following the meeting, the CEO/President will investigate the complaint and will render a decision within five (5) days from the time of the meeting.

## Grievance Procedure

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8. If the grievance remains unresolved to the complainants satisfaction, the client has a right to contact either/both of the following agencies, with assistance from and with information forwarded by CRCC, if necessary:

***To file a general complaint or grievance against CRCC, contact:***

Ohio Department of Mental Health (ODMH)  
Division of Program & Policy Development  
30 East Broad St., 8th Floor  
Columbus, Ohio 43215-3430  
(614) 466-2596  
Toll Free Bridge 1-800-750-0750  
[www.mhstate.oh.us](http://www.mhstate.oh.us)

***To file a complaint or grievance against a social worker or counselor, contact:***

Counselor, Social Worker and Marriage & Family Therapist Board  
50 West Broad St., Suite 1075  
Columbus, Ohio 43215-9515  
(614) 466 0912  
Ohio Relay at 1-800-750-0750  
[www.cswmft.ohio.gov](http://www.cswmft.ohio.gov)

## Client Responsibilities

CRCC believes that client treatment is always enhanced when clients are partners in the treatment process. Therefore, it is a client's responsibility to:

- **Provide Information:** Providing necessary information to your therapist will assist in the therapeutic process.
- **Participate actively:** Actively participate in the therapeutic process through development of goals and focus on identified concerns.
- **Ask questions:** You should feel free to ask any questions in order to have a full understanding of our services.
- **Follow instructions:** All clients have a treatment plan to follow which is developed with client input.
- **Accept and understand consequences:** As a client, you are responsible for any outcomes that may arise if you do not follow the treatment plan.
- **Follow rules and regulations:** CRCC has certain rules and regulations that must be followed to ensure the efficient and safe delivery of services for all clientele.
- **Meet financial obligations:** Clients are expected to meet any financial obligation they may have regarding treatment services. The type of payment required may differ on a case-by-case basis.
- **Show respect and consideration:** Please be considerate of other clients as well as CRCC staff and property.
- **Attend scheduled appointments:** Attend your appointments on a regular basis. If you must cancel an appointment, do so as far as possible in advance.

## Restriction of and Reinstatement of Client Rights and Privileges

1. CRCC recognizes the rights of clients are non-negotiable and cannot be lost by the client or taken away. In contrast, privileges may be extended to clients as a result of conformance with program rules or due to extraordinary progress. Privileges, unlike rights, may be lost through violation of program rules or a failure to demonstrate progress in treatment.
2. As a result, in the course of providing treatment services, client privileges may be restricted to ensure the protection of CRCC workforce members, other clients, and visitors to CRCC, and/or CRCC property and to modify client behavior, such as dangerous or threatening behavior or chronic appointment canceling.
3. Restrictions of rights and privileges will be considered on a case-by-case basis.
  - A. If an employee believes that a rights or privilege restriction is indicated, the employee shall consult with the Chief Program Officer (CPO) regarding the benefit of imposing a restriction. The CPO must approve all restrictions.
  - B. If a restriction is implemented, the employee must identify the means for reinstating restricted rights and privileges at the time of implementing restrictions.
  - C. The reason for any restriction, the criteria that must be met to gain reinstatement, the duration of the restriction, and the purpose or benefit of the restriction shall be documented in the client's records. When appropriate, the employee shall update the Individual Service Plan to reflect the restriction, the criteria for having rights or privileges reinstated, and the time frame in which the restriction will be in effect and/or reviewed.

## **Restriction of and Reinstatement of Client Rights and Privileges** (Continued from page 10)

4. The employee shall notify the client in writing of the following:
  - A. The reason for the restriction;
  - B. The nature or scope of the restriction;
  - C. Their right to an appeal via the agency's grievance procedure;
  - D. The action necessary for reinstatement of rights or privileges.
5. The employee shall be responsible for regularly evaluating any restriction, the criteria for reinstatement of lost privilege, and the purpose or benefit of the restriction. The employee will again consult with the Chief Program Officer to evaluate the continued need for a restriction. Restrictions shall be reviewed when clinically appropriate, at the client's request, when there is a significant change in the clinical picture, and at least annually. The evaluations of the restriction, the purpose and benefits of continuing the restriction, and consultation with the CPO shall be documented in the clinical record.
6. Restrictions, when initiated, will be implemented for a minimum amount of time as is reasonable to address the reason or purpose that lead to the implementation of the restriction.
7. Restrictions of rights or privileges shall not be implemented as a means of retaliation or discrimination.
8. Clients may use CRCC's Grievance Policy, 1.K.4 Client Complaints, to request a reinstatement of rights or privileges at any time.

## **Our Vision:**

*Our vision is the elimination of sexual violence.*

## **Our Mission:**

*Cleveland Rape Crisis Center supports survivors of rape and sexual abuse, promotes healing, and advocates for social change.*

**Kirsti Mouncey** is Cleveland Rape Crisis Center's Client Rights Officer.

Kirsti Mouncey, CPO  
The Halle Building, 1228 Euclid Avenue, Suite 200, Cleveland Ohio 44115  
216-619-6194 ext. 118

Ms. Mouncey can be reached between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday. You may contact her via telephone to talk about your concerns or to schedule an appointment. You are welcome to walk in to talk to her; however, she may not always be immediately available to meet with walk-ins as she is sometimes off-site. If you stop in and she is not here, you may complete a complaint form and leave your contact information so that Ms. Mouncey can follow up with you upon her return.

## **Cleveland Rape Crisis Center Satellite Offices:**

### ***Ashtabula Office:***

5021 State Road,  
Ashtabula, OH 44004

### ***Chardon Office:***

At Womensafe Inc.,  
The Greenhouse  
12041 Ravenna Rd.

### ***Eastside Office:***

13209 Shaker Square  
Cleveland, OH 44120

### ***Mentor Office:***

8334 Mentor Ave, Ste 100  
Mentor, Ohio 44060

Chardon, Ohio 44024

### ***Westside Office:***

27887 Clemens Road,  
Westlake, OH 44145

Main Office Telephone: 216-619-6194

Lake, Geauga, and Ashtabula Office Telephone: 440-354-7364

Fax: 216-619-6195

24-Hour Hotline: 216-619-6192, 440-423-2020

[www.clevelandrapecrisis.org](http://www.clevelandrapecrisis.org)