

MT. OLIVE COUNSELING & CLINIC

Patients Rights 8: 42 CFR

Each patient receiving service in a NJ licensed facility shall have the following rights:

1. To be informed of these rights, as evidenced by the patient's written acknowledgement, or by documentation by staff in the medical record, that the patient was offered a written copy of these rights and given a written or verbal explanation of these rights, in terms the patient could understand. The facility shall have a means to notify patients of any rules and regulations it has adopted governing patient conduct in the facility (posted in the lobby).
2. To be informed of services available in the facility, of the names and professional status of personnel providing and/or responsible for the patient's care, and of fees and related charges, including the payment, fee, deposit and refund policy of the facility and any charges for services not covered by sources of third-party payment or not covered by the facilities basic rate.
3. To be informed if the facility has authorized other health care and educational institutions to participate in the patient's treatment. The patient shall also have the right to know the identity and function of these institutions, and to refuse to allow their participation in the patient's treatment.
4. To participate in the planning of the patient's care and treatment.
5. To be included in experimental research only when the patient gives informed, written consent to such participation, or when a guardian gives such consent for an incompetent patient in accordance with law, rule and regulation. The patient may refuse to participate in experimental research, including the investigation of new drugs and medical devices.
6. To voice grievances or recommend changes in policies and services to facility personnel, the governing authority, and/or outside representatives of the patient's choice either individually or as a group, and free from restraint, interference, force, discrimination, or retaliation.
7. To be treated with courtesy, consideration, respect, and recognition of the patient's dignity, individuality, and the right to privacy, including, but not limited to, auditory and visual privacy. The patient's privacy shall also be respected when the facility personnel are discussing the patient.
8. To exercise civil and religious liberties, including the right to independent personal decisions. No religious beliefs or practices, or any attendance at religious services, shall be imposed upon any patient.
9. To not be discriminated against because of age, race, religion, sex, nationality, or to pay, or deprived of any constitutional, civil, and/or legal rights solely because of receiving services from the facility.
10. The right to be free from unnecessary or excessive medication.
11. The right to not be subjected to non-standard treatment or procedures, experimental research, psycho-surgery, sterilization, electro-convulsive therapy or provider demonstration programs, without written informed consent, after consultation with counsel or interested party of the client's choice.
 - i. If a client has been adjudicated incompetent, authorization for such procedures may be obtained only pursuant to the requirements of N.J.S.A.
12. The right to treatment in the least restrictive setting, free from physical restraints and isolation.

13. The right to be free from corporal punishment.
14. The right to privacy and dignity.
15. The right to the least restrictive conditions necessary to achieve the goals of treatment/services.

Addendum

Please initial this section if you are receiving any services other than mental health and medication management.

16. To receive from the patient's physician(s) or clinical practitioner(s), in terms that the patient understands, an explanation of his or her complete medical health condition or diagnosis, recommended treatment, treatment options, including the option of no treatment, risk(s) of treatment, and expected result(s). If this information would be detrimental to the patient's health, or if the patient is not capable of understanding the information, the explanation shall be provided to the patient's next of kin or guardian. This release of information to the next of kin or guardian, along with the reason for not informing the patient directly, shall be documented in the patient's medical record.

17. To confidential treatment of information about the patient. Information about the patient medical record shall not be released to anyone outside the facility without the patient's approval, unless another health care facility to which the patient was transferred requires the information, or unless the release of the information is required and permitted by law, a third- party payment contract, or a peer review, or unless the information is needed by the New Jersey State Department of Health for statutorily authorized purposes. The facility may release data about the patient for studies containing aggregated statistics when the patient's identity is masked.

18. To not be required to perform work for the facility unless the work is part of the patient's treatment and is performed voluntarily by the patient. Such work shall be in accordance with local, State, and Federal laws and rules.

19. To be free from mental and physical abuse, free from exploitation, and free from holds unless they are authorized by a physician for a limited period of time to protect the patient or others from injury. Drugs and other medications shall not be used for discipline of patients or for convenience of facility personnel.