



## **Resident Rights and Privileges**

The following lists rights afforded within the Protection and Advocacy for Individuals with Mental Illness Act (42 USC Ch. 114 §10841 ). In general, these rights include:

1. The right to get the treatment you need in a setting and way that supports your personal liberty and restricting such liberty only to the extent for treatment needs, requirements of applicable law, and ordered by a court.
2. The right to your own written plan for treatment or recovery, and you can ask to change it if needed.
3. The right to help plan your mental health services and to understand:
  - a. What is going on with your mental health.
  - b. What the treatment aims to do.
  - c. What unwanted reactions might happen if you get the recommended treatments.
  - d. Why a certain treatment is chosen.
  - e. Why some visitors may not be allowed.
  - f. Other options for treatment that you can consider.
4. The right to say “no” to a mode or course of treatment if you did not freely agree in writing to it, except during an emergency situation or under applicable law if ordered by a court.
5. The right to not be part of alternative treatment experimentation if you do not want to unless you say it is okay in writing. If you change your mind later, you have the right to revoke such consent.
6. The right to not be isolated or held down, also known as, seclusion or restraint, except during an emergency or part of your treatment that is documented by written order of a responsible mental health professional in charge.
7. The right to be in a safe and caring place where you are protected from harm and where your privacy is respected when it comes to your personal needs.
8. The right to keep your treatment records private, even after you finish or leave the place of treatment. It is important to know that your information is kept confidential to protect your privacy.
9. The right to ask for and get your mental health care records when you want to see them or if you need them.
10. The right, if you are staying in hospital or residential care, to talk with others privately, to have access to the phone and mail easily, and to see visitors during set visiting hours unless a treating mental health professional had ordered it for treatment purposes, provides written explanation and terms in your treatment plan and informs you about why a specific visitor is not allowed.
11. The right to be told about your rights described in this document clearly when you first arrive and from time to time after that, in words that you can easily understand. This includes knowing your rights according to the laws of your state.
12. SAMHSA envisions that people with, affected by, or at risk for mental health and substance use conditions receive care, achieve well-being, and thrive.

13. The right to speak up if you feel your rights are not being respected. Your concerns should be listened to fairly, quickly, and through a fair process set up by the program or place you are receiving treatment in.
14. The right to talk privately with any available rights protection program in the setting you are in, to the rights protection service within the state mental health system, and to groups created to protect people with mental health conditions, along with qualified advocates.
15. The right to get help understanding and protecting your rights without facing any punishment, like being denied any acceptable and available treatments you need.
16. The right to be recommended to other mental health providers when you leave.

In addition to the rights guaranteed by federal law, residents in certified housing programs have the right:

17. To receive services in a sanitary and safe setting that is free from drugs and alcohol.
18. To not be denied admission or services because of race, national origin, gender, religious preference, marital status, disability, sexual orientation, veteran status, or age.
19. To be treated with dignity and addressed in a respectful, age-appropriate manner.
20. To be free from abuse, neglect, corporal punishment and other mistreatment such as humiliation, threats or exploitation.
21. To consult with a private, licensed practitioner at one's own expense.
22. To have private visits from a lawyer or clergy at reasonable times.
23. To have an examination by a private doctor or dentist at the resident's own expense.
24. To be evaluated and cared for in the least restrictive environment.
25. To prepare or have access to my own nourishing, well-balanced and varied meals.
26. To not participate in non-therapeutic labor, other than chores necessary to maintain the house.
27. To attend religious services if one so chooses.
28. To keep and be allowed to spend a reasonable sum of one's own money for purchases.
29. To communicate by sealed mail or otherwise with persons including agencies inside or outside the facility.
30. To have opportunities for physical exercise and outdoor recreation.
31. To have reasonable, prompt access to current newspapers, magazines and radio and television programming.

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Printed Name

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Signature

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Date