

## Rights Statement

Approved by “Speak Up and Speak Out” Self-Advocacy group at The Arc Ontario

The golden rule is that all people should be treated the same way. All people should treat people how they want to be treated, in a friendly and respectful way.

Everyone Has The Same Rights No Matter If They Are:

Male or female, a different race, speak a different language, think different things, believe in different religions or no religion, own more or less than others, are born in a different country or state, married/ divorced or not married, have children or not, come from a different culture and any sexuality.

*For people who live in homes operated by The Arc Ontario you will be asked to review and sign the Lease Agreement which includes additional rights and situations where there may be limitations.*

These rights include:

1. To have information shared with you in a way that you understand, for example, people speak to you or forms are provided to you in the same language you speak or using other ways of communication that works for you.
2. To decide where to live and who to live with.
3. To have privacy in private areas (bedroom, bathroom) and that people will ask if it is OK before they come in those rooms with you. To be allowed to lock your bedroom door if you want to and it is safe for you to do that.
4. To have visitors at any time, while also respecting the activities of others at the site.
5. To have a choice about the people you want to have relationships with (friends, boyfriend, girlfriend). You have the right to information about relationships and ways to not have a baby, if you do not want to have a baby.
6. To belong to any group of your choice, including church, hobbies, learning or political groups.
7. To talk about your religion freely, to change it and to practice it either on your own or with other people.
8. To call, write and visit with anyone either inside or outside of our programs. To have privacy during phone calls, visits with family or friends and opening your own mail.

9. To be told about different choices that you have, and to be told the possible good and/or bad that may happen with each choice. To have your team make sure you understand these things as much as possible, support you in your choices and not make choices for you.
10. To be respected and accepted for who you are; not hurt, abused, bullied or made to do something that you do not want to do. You have the right to report any abuse or poor treatment by anyone else at any time. (*See attached sheet about Keeping You Informed about Safety in our Services*).
11. To privacy about information about your health, any disabilities you may have or services you receive. You can ask to look at this information at any time and you can decide who else can have this information (unless a law says otherwise).
12. To have the right amount of medication you need, not too much, so that you can do the things you normally do.
13. To be able to move freely and not have any equipment that keeps you from freely moving your arms and legs.
14. To choose who you would like to make decisions about your health care, if you were not able to make those decisions yourself. You get to say what you want those decisions to be and have them written down (in a Health Care Proxy, Do Not Resuscitate order).
15. To be healthy and stay healthy, to get medical care from doctors you choose, at times that you prefer. You have the right and responsibility to talk to your doctor, health care workers and staff about your questions, concerns, medications and your health needs. You have the right to refuse care, but have to take responsibility if that choice will make you sicker or not feel well.
16. To have healthy food to help keep you in good health. To have choices in the types of food you want to eat and be able to get to that food when you want.
17. To have a safe and clean environment and information about staying safe. You have the responsibility to follow safety rules for your own health and safety as well as the safety of others.
18. To have the same legal rights as others, (if charged with a crime, the courts must consider that you did not do the crime until it is proven that you did <are guilty>). You have the right to defend yourself in court or have a lawyer of your choice help you.

19. To know about how much money you have, your bills and assistance that you need or want to help you manage your money.
20. To spend your money to buy your own things and not have people take them from you.
21. To decide who you want to be on your “team” when you are deciding your services, including family, friends, staff or others.
22. To Person-Centered Planning and a Person-Centered Plan of Service. You have the right to tell your team at The Arc Ontario your goals and the types of things you would like to do. You can change these goals or things at any time by telling any staff person on your team. To ask to talk with your team, at a time and place that you decide, to talk about any changes or things you are not happy about in your plan.
23. To call our **Customer Service Hotline phone number at (585) 394-6798** and leave us a message if you want to let us know about any concerns you may have about our service but don't feel comfortable telling us in person. You do not need to leave your name if you do not want to.
24. To be part of politics by talking with others, voting for politicians who have ideas like yours or joining in public service.
25. To file a concern or complaint (grievance) if you are not happy with your programs, services or The Arc Ontario home. (See below for details)

If there is something you want or something people on your team want for you and you do not all agree, you can count on your staff from The Arc Ontario to keep your best interests, wants and needs first. We will help you to make your feelings known and we will work on finding a solution to disagreements within your team.

If a person feels that the individual's rights have been denied, or have a concern or problem with services which are being offered, plans for placement or any proposed changes in the plan of service the following options are open to you:

**Grievance Committee** is available to you made up of Self Advocates who can discuss things that you think are not fair in your program.

If you are having issues with another person, you can bring that to the Grievance committee made up of Program Directors.

Both committees will work with you to keep resolve the problem and will keep your concerns confidential.

Any staff can give you a form to fill out for a Grievance.

The procedure for resolving problems other than a Grievance Committee Meeting is:

- Talk first with the Program Administrator (Coordinator, Manager, Supervisor or Director) about the concern:
- If your concern is not resolved, the person or representative should contact:  
Ann Scheetz, Executive Director, (585) 919-2130  
Mary Peck, Director, Quality Improvement & Compliance (585) 919-2120

The Arc Ontario  
3071 County Complex Drive  
Canandaigua, NY 14424  
(585) 394-7500 or 1 (866) 304-7500 (toll free)

**The Objection/Appeal Process** can be used when you or your family or representative have contacted the above people and still have a concern. There is a process to resolve any objections to the Life Plan, changes to the Life Plan, plans for placement or changes in services. If you disagree with a planned change in your services, please notify Ann Scheetz at 585-919-2130 or Mary Peck at 585-919-2120 to initiate the objection process. The people listed below can also assist you if you are still not satisfied.

Kirk Maurer, Western DDSO Director 1200 East and West Road West Seneca, NY 14224 (716) 674-6300 Fax (716) 674-7488	Commissioner, OPWDD 44 Holland Avenue Albany, NY 12229 (518) 473-1997
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Mental Hygiene Legal Services 50 East Avenue, Suite 402 Rochester, NY 14604 (585) 530-3050	Willowbrook Class Members only Consumer Advisory Board 1050 Forest Hill Road Staten Island, NY 10314 (718) 477-8800
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Justice Center for the Protection of People with Special Needs.  
161 Delaware Avenue  
Delmar, New York 12054]  
(518) 549-0200

## RIGHTS STATEMENT SIGN OFF

The rights and appeals process have been explained to me and I have been able to get any of my questions answered. (Ref: Part 633.4, 633.12, 633.16)

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Individual's Signature

Date

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Parent, Legal Guardian, Correspondent

Date

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Staff Reviewing Rights Statement Signature

Date

## Keeping You Informed about Safety in our Services

We make every effort to ensure that our programs and services are as safe as possible. One of the main jobs of Quality Assurance is to look into situations that may have gone wrong in some way. We will look into these situations to find out what happened, how we can improve, make recommendations to programs and do our best to ensure things are corrected quickly. The people we support come first, and our main responsibility is always to provide quality services and support their safety.

If a serious incident or report of abuse occurs while you or your family member is receiving services you will be called or told in person, unless you have told us you do not want to be notified or your family member is a capable adult and he/she does not want us to notify you. You can request information about what has been done to protect your family member at the time of the event and as more information is known.

We must report, look into and document any significant situation which creates danger to a person's well-being, whether it happens in one of our programs or at home. The types of things we are required to report are injuries requiring more than first aid, medication errors that cause negative effects, missing persons, possible criminal acts, deaths, and other sensitive situations that put a person at risk.

We also must report any reports of abuse that come to us, whether the report is true or not. Abuse may be physical, sexual, psychological, use of restraint, seclusion, use of aversive conditioning or time-out, violation of a person's civil rights, mistreatment or neglect. A regulation from OPWDD also requires that we inform local law enforcement agencies if a possible crime has been committed. We generally report situations with the Ontario County District Attorney's office and they will determine if police involvement is necessary.

We also are required to report to OPWDD (Office of Persons with Developmental Disabilities) and other oversight agencies any of the above situations if they happen in the community or at home. In that case we may have to ask you more information about something you report to us. We will try not to pry but our rules require us to "ask."

Also, there is a law called Jonathan's Law that says "qualified persons" (legal guardians, parents, spouses or adult children who have authority to provide consent for care and treatment) may get specific records about incidents and reports of abuse that happen while a person is in our programs. "Qualified persons" will receive a Report on Actions Taken to let you know how we responded to the situation and how we plan to protect your family member in the future.

**If you have any further questions about an incident or an allegation of abuse, please call Mary Peck, Director, Quality Improvement & Compliance at (585) 919-2120.**