



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: CLIENT RIGHTS POLICY 5.06

Authority: 42 CFR 483.420 (a)
Title VI, Civil Rights Act of 1964
RCW 7.70, 11.88, 28A.13, 70.122, 71A.10
Chapters 275-26, 275-27, 388-81 WAC
DSHS Administrative Policies 7.02, 8.01, 8.04
Americans with Disabilities Act of 1990

BACKGROUND

Federal and state laws have been promulgated to assure that the civil rights of all people are recognized and protected. The Civil Rights Act of 1964 mandates protection of the civil rights of persons who have a developmental disability.

PURPOSE

This policy clarifies and establishes procedures for the protection of the civil rights of all clients served by the Division of Developmental Disabilities (DDD).

SCOPE

This policy applies to all facilities, programs, and contractors providing services to clients of the DDD.

POLICY

All facilities, programs, and contractors receiving funding from DDD shall not violate the civil, constitutional and/or other rights of clients. These rights include, but are not limited to:

- A. Provision of adequate food, shelter, clothing, and medical care;
- B. Freedom from unnecessary medications, restraints, and restrictions;

- C. Legal protections from mental, physical, and sexual abuse;
- D. Full Title XIX services and benefits as eligible;
- E. The right to associate with and communicate privately with persons of their choice;
- F. Freedom from discrimination on the basis of race, color, creed, national origin, religion, age, disability, marital status, or sexual orientation;
- G. Information concerning all rules and regulations governing conduct and responsibilities of themselves and others with whom they reside, or who provide services for them;
- H. Information regarding services available and any related charges for these services;
- I. The right to participate in the development of the plan for services and medical treatment, including the right to formulate Advance Directives, and to approve or reject any parts;
- J. The right to participate in research only upon prior informed and written consent of the client and/or parent or guardian;
- K. The right to exercise their rights as citizens, including participation in elections;
- L. The right to register complaints and recommendations without interference or reprisal;
- M. The right to legal assistance or advocate representation;
- N. The right to manage personal financial affairs or designate other persons to manage them;
- O. The right to participate in programs involving the use of restrictive or aversive procedures only with the informed consent of the client and/or parent or guardian;
- P. Confidential treatment of all information contained in individual client records;
- Q. The right to participate in activities of social, religious, and community groups;
- R. The right to retain and use personal clothing and possessions; and
- S. The right to be compensated for work at prevailing wages and commensurate with one's abilities.

TITLE:

CLIENT RIGHTS

POLICY 5.06

SUPERSESSSION

Policy Directive 330.0
Issued November 1986

Approved: /s/ Norm Davis
Director, Division of Developmental Disabilities

Date: 10/29/1993