



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: HUMAN RIGHTS COMMITTEE (HRC) POLICY 5.10

Authority: 42 CFR 483.10
42 CFR 483.440
Chapter 71A RCW

BACKGROUND

People with developmental disabilities who live at the Residential Habilitation Centers (RHCs) have the same constitutionally guaranteed rights as other citizens. All persons with developmental disabilities are presumed competent to exercise their individual rights unless a determination of incompetence has been made by a court of law.

PURPOSE

This policy specifies a process to assure protection of the human rights of people with developmental disabilities residing at the RHCs.

SCOPE

This policy applies to all RHCs operated by the Division of Developmental Disabilities (DDD).

POLICY

The Superintendent at each RHC shall appoint and maintain in active status a Human Rights Committee (HRC) to review and monitor issues pertaining to client rights. The committee shall make recommendations to the Superintendent regarding:

- A. HRC Membership
 - 1. Appointments to the HRC shall be made by the Superintendent. The members shall be appointed for two (2) year, staggered terms. Vacancies shall be filled for the remainder of the term of the position.

2. In appointing non-RHC members, the Superintendent shall request nominations from parents and other advocates.
 3. The membership of the committee will represent clients, parents or guardians, RHC staff, professionals, and advocates.
 4. Appointments shall be made in writing with a copy to the committee chair.
 5. All committee members must, upon appointment, sign the RHC's confidentiality statement which shall be kept on file. Members are responsible to follow federal and state laws and the RHC's procedures relating to confidentiality of client information.
 6. The chair shall be selected by the committee members.
 7. For the committee to conduct business, at least one representative from each of the following groups, including the chair or designee, must be present: clients, parents/guardians, advocates, and RHC staff.
 8. The chair shall submit timely records to the Superintendent or designee on all matters acted upon by the committee.
- B. The HRC shall:
1. Designate standing issues of the committee or its members.
 2. Hold regularly scheduled meetings at least once every two (2) months at a time and place designated by the chair. The chair may call special meetings as necessary. Such meetings may be conducted by telephone conference calls; and
 3. Consult as requested with the Superintendent, any client, parent or guardian, or other individual on issues pertaining to client rights.
- C. Responsibilities of the HRC shall include:
1. Review and approval of program interventions that place clients at risk, including all restrictive procedures and behavior support plans referred by the Interdisciplinary Team (IDT) or Qualified Mental Retardation Professional (QMRP) and all prescribed chemical restraints/ psychoactive medications in accordance with division policies;

2. Review and approval of all facility wide policies, procedures, and/or individual intervention plans that have the potential to interfere with human and civil rights including, but not limited to, the following issues: privacy, personal possessions, choices, movement, association, participation, sexual expression, alarms, finances, calorie diets, medication or treatments.
3. Investigation and review of complaints or appeals by clients, their parents or guardians, and authorized representatives referred by the Superintendent;
4. Review of client rights issues related to proposed research programs;
5. Advising the Superintendent regarding facility procedures that deal with consent, conditions of treatment, and client rights; and
6. Responding to other issues as requested by the Superintendent.

SUPERSESION

Division Policy 5.10

Issued December 3, 1993

Division Policy Directive: 330

Issued November 1986

Approved: /s/ Linda Rolfe
Director, Division of Developmental Disabilities

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