

# Individual Notice of Rights/Choices

Abundant Quality Care believes in and is committed to ensuring that people with disabilities have the opportunity to make decisions in all aspects of their lives. Historically, people with disabilities and their families were offered few, if any, choices over their lives. Families of children with severe disabilities had two options: they could institutionalize their children or keep them at home with no publicly funded assistance or education. With the establishment of a federally guaranteed right to education and the expansion of community services, the options available to people with disabilities and their families slowly started to expand. Nevertheless, many people continue to be denied the opportunity to make choices about the most basic aspects of their lives.

Choice means that people with disabilities, regardless of the severity of disability, are able to enjoy the same choices and options available to other people in society. A public commitment to choice means that public funds and programs support people in making these choices and selecting these options. An example would be the cost vs. benefit of saving money for a future purchase.

All people have the right to make informed choices over various aspects of their lives based on personal preferences, dignity of risk, and financial ability. For adults, major choices include decisions about:

- Which communities and neighborhoods in which to live.
- Whether to live alone or with others and, in the case of the latter, the specific person or persons with whom to live.
- Friendships and participation in community activities and associations.
  - From whom and how to receive personal assistance and support.
  - Sexuality and sexual relations.
  - Where to work.
- Medical treatment and choice of providers.
  - Therapeutic interventions.

People can make decisions about day-to-day events as well, such as:

- Food choices.
- Daily routines.
  - Activities.
- Careers, jobs or volunteer opportunities.
  - Hair styles.
  - Clothing.
- Where to shop or bank,
  - Hobbies

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#### INDIVIDUAL RIGHTS

People with developmental disabilities have the same rights as all other persons living in the State of Nebraska and in the United States.

Abundant Quality Care acts to ensure that these rights are protected. They cannot be modified or abridged without due process.

People with developmental disabilities carry the responsibilities which correspond with the rights they exercise.

The following are the desired rights based on Personal Outcomes:

- To choose personal goals.
- To choose where and with whom to live.
  - To choose where to work.
- To have intimate relationships.
- To be satisfied with services.
- To be satisfied with personal life situations.
  - To choose a daily routine.
- To have time, space, and opportunity for privacy.
- To decide when to share personal information and with whom.
  - To use their environments.
  - To live in integrated environments.
- To participate in the life of the community.
- To interact with other members of the community.
  - To perform different social roles.
    - To have friends.
    - To be respected.
    - To choose services.
  - To realize personal goals.
- To be connected to natural support networks.
  - To be safe.
  - To exercise rights.
  - To be treated fairly.
- To have the best possible health.
- To be free from abuse and neglect.
- To experience continuity and security.

Abundant Quality Care acts to ensure both in policy and practice that all people supported in services have the right to:

1. Be treated with dignity and respect.
2. Receive services without regard to race, color, religion, sex, disability, marital status, national origin or age.
3. Receive a program orientation which includes, but is not limited to:
  - A tour of potential service areas;
  - A review of rules;
  - A review of rights;
  - A review of the Abundant Quality Care complaint mechanism;
  - A review of typical daily activities; and
  - An introduction to all persons in support in each environment.
4. Be informed of decisions affecting them, including the right to participate in the decision making and the right to legal counsel/representation.
5. Receive appropriate education and supports designed to maximize developmental potential.
6. Live, work, and recreate in the least restrictive setting.
7. Live and work in safe and sanitary environments.
8. Exercise the same civil rights as other citizens.
9. Have privacy and be respected.
10. Own and access personal possessions.
11. Own and access personal funds as desired.
12. Communicate freely by sealed mail, telephone, or other forms of communication.
13. Be protected from exploitation when engaged in training and productive work, in accordance with state and federal wage and labor laws.
14. Be free from neglect, abuse and harassment (physical, verbal, psychological or sexual).
15. Have an appropriate and nutritious diet.
16. Receive appropriate medical treatment in a timely manner.
17. Receive due process in the handling of complaints, or the modification/denial of rights.
18. Be free from aversive stimuli to manage or change behavior unless the interdisciplinary team, the behavior management committee, the Program Ethics Committee, and the physician agree that the persistent and intractable behavior would cause severe and/or irreversible harm to the person receiving services.
19. Move about freely with access to all environments.
20. Receive services and assistance which present opportunities to increase independence, interdependence, productivity, and integration into the community.
21. Live, work, and recreate with people in the least restrictive environment
22. Receive age and environment appropriate services.
23. Develop and maintain personal relationships, choose friends, and select living companions.

24. Receive reasonable accommodation as required by the Americans with Disabilities Act, including Title II.

25. Receive sixty (60) days written notice of service termination. With the termination notice, the provider must send information outlining the rationale for the action and the complaint mechanism.

### **Restrictions**

If restrictive measures are required The restrictive measure must be least restrictive as possible

1. The restriction must be documented in IPP
2. The restriction must be for the safety of the individual
3. Restriction must be goal of reducing and eliminating restriction
4. Must not be used for punishment, for convenience of staff, or as substitute for habilitation
5. Restriction for individual must not affect other individual receiving service living in the same home
6. Must be evidence documented that other less restrictive methods were applied but failed
7. Restriction must be reviewed and approved by IPP team and Right Review Committee before implementation
8. Consent form must be signed by individual and guardian

### **Procedural Requirements Regarding Rights**

AQC will ensure that rights and responsibilities are specified, and the specifications will not conflict with Title 404.

Everyone served through AQC will be treated with dignity and respect.

Individuals will not be denied any rights or privileges of the constitution of the United States.

\*These rights can only be modified or suspended according to state and federal law.

\*To be renewed annually

Individual Signature \_\_\_\_\_

Date \_\_\_\_\_

Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

Admin Signature \_\_\_\_\_

Date \_\_\_\_\_