

# **RIGHTS & RESPONSIBILITIES HANDBOOK**



**Developmental  
Services**



# Introduction

Developmental Services (DS) provides support services for people with intellectual and/or developmental disabilities and their families.

All people have the same rights that are protected by law. You make your own decisions when it comes to your rights. Staff are trained to help guide and teach you. They will go over your rights with you often.

This handbook tells you about your rights and responsibilities.

## Words to Know

**Consent:** This is when you are asked to agree to do something.

**Due Process:** A meeting to look at information to make sure your rights are protected and not taken away without a good reason.

**Guardian:** Someone who helps you and looks out for you. They can help you make decisions if you need it.

**Interpreter:** A person who can turn English words to the language you speak.

**Responsibilities:** Are things you do to be in the program.

**Rights:** A rule about what you are owed by law.

## Understanding Rights and Responsibilities

These are some basic rights and responsibilities:

**Right:** You have the right to be treated with respect all the time.

**Responsibility:** You should treat people the same way you want to be treated.

**Right:** You have the right not to be hurt.

**Responsibility:** You should not hurt others.

**Right:** You have the right to be heard.

**Responsibility:** You should tell staff what you need.

# Your Plan

Talk about what helps or does not help with your services or care.

- You have the right to choose someone to help you make choices for your plan
- You can ask that your plan be changed if you don't like it.



## Know Your Rights

Sometimes knowing your rights can be hard. Your parents, guardian and Developmental Services staff will help support your rights.

- You have the right to make choices.
- You have the right to get help if you need it.
- You have the right to have information shared with you in a way you can understand and meets your needs.
- You have the right to say what you want when you want.



## Basic Rights

- You have the right to vote.
- You have the right to food, clothing, shelter and medical care.
- You have the right to go to school and learn.
- You have the right to practice your own faith.
- You have the right to be safe from harm. This is the right to be safe from abuse and neglect (physical, sexual, or emotional). If any of these things happen to you, tell someone you trust right away.



# Your Personal Rights in the Program

- You have the right to have friends and keep in contact with people. You can keep in touch with people any way you want (phone, text, email, letters, visits, etc.)
- You have the right to have paper, pencils, pens or other writing materials, envelopes, and postage.
- You have the right to send and get unopened mail.
- You have the right to have a private place to have visitors or use the phone.
- You have the right to choose if you want your picture taken.



## Money Rights

- You have the right to work and get paid for the work you do.
- You have the right to have your own money and choose how to spend it.
- You can choose who you want to help handle your money.
- You have the right to buy things and keep them. For example, have your own clothes and books.





# Your Rights Where You Live

You have the right to choose where you live and be in a safe place. You can

- Choose where you live.
- Be free to move around in the house (backyard, kitchen, etc.).
- Have a key to your house.
- Walk places like the store, park or around the block.
- Have visitors at any time.
- Use a taxi or a bus.
- You may choose to watch tv, read newspapers, magazines, and books.
- You have the right to know why you live in a place.
- You have the right to know if you are moving.
- You have the right to a “Due Process” review if you have to live in a place you don’t want to.



## Medical Rights

You have the right to the right care and supports:

- You have the right to look at your medical record.
- You can agree in writing to let someone else look at your medical record.
- You can agree in writing to share your medical information.
- You have the right to choose to join (or not to join) medical research.



# Consent

You have the right to know all about your care and supports. You have the right to agree (consent) before support and care start.

- You can stop agreeing at any time.
- You have the right to use an interpreter if you need it.
- A legal authority is the police, a lawyer, or a judge. You can have a lawyer with you during any legal review.



## Legal Guardianship

You have the right to have help from your guardian. There are many kinds of legal guardianship. You may have a different kind of guardianship than another person to help protect you. You can read about the different kinds below:

### Person Only:

Your guardian is only responsible for your personal/medical choices. You will make all choices about your money. You can choose another person to make these choices for you.

### Estate Only:

Your guardian is only responsible for your money (financial) choices. You can make personal and health care choices.

### Person and Estate:

Your guardian works for both the person and the estate.

NOTE to parents and guardians – The rights the protected person chooses should be upheld. When the team cannot agree on these rights, a legal path may be used.



# **Your Guardian's Responsibilities**

Your guardian can make certain choices for you. Your guardian might make choices about:

- Your money.
- Where you live.
- What services you will receive.
- If you agree (consent) to medical treatment.

Your guardian should:

- Let you make choices if you can.
- Treat all staff and providers with respect.
- Sign all required forms and confirm services were completed.

Your guardian is responsible to tell staff and your provider about:

- Changes to your insurance, Medicaid, or Medicare.
- Changes to your medical care needs or personal information.
- Changes to your schedule.
- When a provider misses visits.
- Request to change providers.
- Any complaints you have about your services.
- Anything that does not seem right.
- Any medical orders for life if you have one.

Your guardian should not request a provider to:

- Work more than the hours allowed on your plan.
- Give services to a non-recipient, family, or household member(s).

# Rights Restrictions

Restrictions are limits to your personal rights. These are when rights are put on hold or taken away (denied). Rights can be restricted AFTER a special review called “Due Process”. Your rights can be restricted when:

- Your personal health is in danger.
- Your choices put others in danger.
- A judge says so because some laws were not followed.
- You can’t finish some tasks, and you need help from others.
- Certain medications have been prescribed to you that get in the way with you exercising the right.



These limits will only be carried out with permission. Steps will be in a written plan to restore your rights.

## Due Process

Due Process is when the limits placed on your rights are talked about. When you request Due Process:

- You must be included in the team meeting to talk about how long the limit will be in place.
- The team must agree that the rights limit is right for you and your plan.
- You or your legal guardian must sign and agree to the limit.
- The rights limits are time limited unless a judge says so.
- You should be given the same choices as others.
- The plan will include things to teach you skills that will return your rights.
- The plan will be reviewed and approved.

Staff may need to stop one of your rights to protect the health and safety of you or other people. This is done with a Denial of Rights and will be reviewed and approved by a team.



# Complaint Process

You have the right to file a complaint. You can complain if you:

- Disagree with the decision.
- Don't think your plan is working for you.
- Don't think your services are good.
- If you are being treated badly.



Complaint Steps:

- You can ask for a special meeting with your planning team to talk about your complaint. They will work with you to try and resolve it.
- You can talk to the planning team's supervisor.
- You can complete a written complaint.
- The complaint will be reviewed by a separate team.
- You can complain at a higher level.

## Resolution

After your complaint has been reviewed, the Agency Manager or Program Manager will decide the best way to fix it. They will tell you in writing what they will do to solve the complaint. They will check in with you to make sure the plan to fix the complaint is working.



# Appeals

You can complain at a higher level if you disagree with the fix. This is called an appeal.

- You can ask that the right to be returned to continue services. You must ask for this change in writing.
- You must send it to the Aging and Disability Services Division (ADSD) within 15 calendar days of the choice being made.
- Staff can help you with the appeals process.
- Staff can give you information to contact the ADSD Administrator if you feel the problem hasn't been fixed.
- You also have the right to ask for help from the Nevada Disability Advocacy and Law Center, Inc. (NDALC).



# Important Contacts

**My advocates are:**

Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____

**ADSD Contacts:**

Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____
Name and Title: _____	Phone Number: _____

