

Montgomery County Community Rights Handbook

**For Adults Who Use Mental
Health Services**

**Effective: August 7, 2006
Revised: September 20, 2017**

The Community Support Program (CSP) of Montgomery County is pleased to present the Community Rights Handbook. The Advocacy Subcommittee of the CSP worked from December 2005 to April 2006 to create this guide of rights, recovery, self-advocacy and support as a reference for people who use mental health services, family members and providers.

The CSP Committee wishes to thank the following individuals, committees and organizations for their support and advocacy in helping to establish the Community Rights Handbook:

Community Advocates of Montgomery County

Community Advocates Advisory Committee

Consumer Satisfaction Team of
Montgomery County

Eric Goldstein, MH/MR/D&A/BH, former
Administrator of Montgomery County
Mental Health Committee of Montgomery
County

North Penn Community Health Foundation
Nancy Wieman, former Deputy MH
Administrator of Montgomery County

The CSP Committee meets on a monthly basis and is comprised of a network of people who use mental health services, family members and mental health providers. The CSP Committee strives to make improvements to the mental health system in Montgomery County. CSP principles require services to be: person-centered/ empowering, culturally competent, meeting special needs, community-based and incorporating natural supports, flexible, coordinated, accountable, and strengths-based. Anyone who is interested is welcome to attend the meetings.

The CSP Committee would like to thank the Consumer Rights Task Force convened by the Philadelphia Office of Mental Health/Mental Retardation, whose 1995 Consumer Rights Handbook inspired the creation of this Community Rights Handbook.

**Community Rights
For
Adults Using Mental Health Services**

As a person recovering from mental illness in Montgomery County, I have the right to:

1. Be treated with dignity and respect.
2. Be treated in accordance with recovery principles.
3. Confidentiality.
4. Choose the services and programs in which I participate based upon informed choice.
5. Have an active voice in all decisions about all treatments and all services.
6. Have the services of a language or American Sign Language interpreter during all treatments and mental health procedures and meetings.
7. Be informed of the name of the medication I am taking, why I am taking it, and what its possible side effects may be.

8. Refuse to take medication, if I choose.
9. See a psychiatrist within 24 hours in case of emergency or severe side effects from medication.
10. Ask questions and get answers about services in a timely manner.
11. Request changes in treatment or services and receive a written response.
12. Receive treatment in the least restrictive setting – one that contributes the most to my recovery.
13. Refuse treatment or service unless ordered by the Court to participate.
14. Receive assistance in obtaining housing which is safe, comfortable and of my choosing.

15. Make complaints, have them heard, get a prompt response, and not receive any repercussions; and to follow up if I am not satisfied with the response to a complaint.
16. Be assisted by an advocate of my choice, such as a family member, friend, case manager, mental health advocacy committee or organization, in any mental health matter.
17. Have my family or significant supporters involved in my recovery plans, or refuse their participation, if I choose.
18. Review my records.
19. Decide who can see my records, with several exceptions.
20. Manage my own financial affairs, if I choose, unless I am deemed incompetent by a court or psychiatrist, and a guardian or payee is appointed.

21. Be informed of the maximum amount of money, or percentage of my income, that a residential facility may charge me for rent and expenses. If the facility received my check, I should be told the amount of spending money remaining.
22. Be paid a fair wage for any work I do that benefits an agency facility, except for personal housekeeping tasks, shared household chores, or participation in a work-oriented day program.
23. Visit and communicate privately with family and friends, at home, at facilities, and in the community (unless restricted by previously agreed upon service plan); send and receive personal mail unopened; have access to a telephone.
24. Meet and participate with social, religious and community groups of my choice.
25. Keep and use personal clothing and possessions as space permits, unless it infringes upon others.

26. Exercise all civil and legal rights of citizens of the United States; for example, vote, marry, get a driver's license, work, make a will, make a Medical Advance Directive, etc.
27. Make a Mental Health Advance Directive and have it honored.
28. Not be discriminated against on the basis of race, age, sex, religion, national origin, sexual orientation, disability, or marital status.

What is the meaning of “recovery” in the mental health system?

The Pennsylvania Office of Mental Health Substance Abuse Services (OMHSAS) endorsed in 2005, the following definition of recovery created by a work group of stakeholders from across the state:

“Recovery is a self-determined and holistic journey that people undertake to heal and grow. Recovery is facilitated by relationships and environments*

that provide hope, empowerment, choices and opportunities that promote people reaching their full potential as individuals and community members.”

*Holistic recovery encompasses the varied aspects of an individual’s life including mind, body, spirit and community factors.

Montgomery County’s Partnership for Recovery

The Montgomery County Office of Behavioral Health/Developmental Disabilities/Early Intervention has embraced recovery. Here are the county’s Vision Statement and Principles for Recovery created by people who have mental illness, family members and providers.

Montgomery County Recovery Vision Statement

To promote wellness and recovery by creating an environment where all people are empowered to have freedom to make choices about their lives, to pursue their personal goals, and to do so with dignity, and the respect of others.

Principles for Montgomery County's Partnership for Recovery

These guiding principles have been developed as the basis for Montgomery County's Partnership for Recovery. These principles were created by Consumers, Family Members and Providers with the belief that an environment promoting recovery requires successful partnerships among the participants.

Hope

Hope is the foundation for recovery – the belief in an individual’s potential to experience a full and satisfying life and the belief that change is possible.

Individuality

Recovery is a unique and personal journey. It embraces the individual rather than dwelling on the illness. Recovery respects individuals’ cultural and spiritual differences as well as their special needs.

Choice

Individuals are encouraged to make their own informed choices about their lives and their support systems. These choices are respected.

Peer Support

Peer support is a highly valued resource, which offers hope through the unique empathy and understanding that come from peer relationships.

Community Focus/Integration

A recovery supportive environment provides the opportunity to live in, be connected to and flourish within the community of one’s choosing, with access to those community supports and resources that will best promote one’s own recovery.

Personal Responsibility

Everyone is responsible for his or her life decisions and membership in the community at large. Recovery is directed by the individual, with support from contributing partners.

Meaningful Life

Everyone is entitled to an individually determined life that allows for the pursuit of roles, interests and activities that add richness and meaning to his or her life.

Advocacy

Everyone is offered opportunities to be his or her own advocate and a voice for recovery.

Resources

Access to a variety of community resources, including behavioral health services, is necessary in promoting wellness and recovery. Resources can also include self-help, education, peer support and information.

SELF-ADVOCACY

“Now that I know my rights, what do I do when I feel my rights have been ignored, not respected, or violated?”

Speak up! Or, ask someone like a friend, family member, advocate, or case manager to help you. If you think you are not being treated fairly, you're probably right. There are different ways to handle every situation, so prepare yourself before you tackle the problem. Here are some tips:

- Break down the problem.
What is the problem?
- What do I want to happen?
- What action should I take?
- Decide who to approach.

Now, decide how to present the problem - in person, by telephone or by letter.

Remember attitude is everything! **Be assertive.** That means state positively what you want. Being passive will get you nowhere. Being aggressive – loud, yelling, threatening – doesn't work most of the time.

When you negotiate with someone, try to:

- Be calm. Control your emotions.
- Keep your complaint short by focusing on the complaint facts.
- Focus on solutions, not complaints.
- Have in mind a second option that you are willing to accept.
- Restate any actions decided upon so that you and the other person are clear.
- Ask for any agreements in writing.
- Set a time line for action. A time line is the expected times and dates you expect to have the action completed.
- Be prepared to leave without resolving the negotiation.
- Practice negotiating with friends or support groups.

If you need more information about advocating for yourself, the Community Advocates of Montgomery County offers Self-Advocacy Training Workshops. Please call 610-270-0375 for more information.

Mental Health Advance Directive

A Mental Health Advance Directive is a tool that focuses on wellness and recovery planning. According to Act 194 which became effective in January 2005, you can create a Mental Health Advance Directive – which can include a Declaration and/or a Mental Health Power of Attorney – to plan ahead for mental health services and supports that you might want to receive during a crisis if you are unable to make decisions.

Making a Complaint

If you are not able to resolve the problem on your own, you can ask someone to assist you. You may ask a family member, friend, advocate, case manager, or anyone else you choose to help you. If you feel you need the assistance of an advocate, you may call the Community Advocates of Montgomery County or you may choose from the list of advocacy groups at the end of this booklet.

How do I make a complaint?

If you feel comfortable, tell the person you think has treated you unfairly that you have a complaint. Explain to him or her what you think was wrong and what you want to change. If you feel you cannot discuss the issue with this person, you may want to speak to his or her immediate supervisor instead.

If you are not satisfied with the response you receive, ask for a copy of the provider's complaint and grievance policy. Every provider in Montgomery County is required to have a process to hear and resolve customers' complaints. The provider's policy will explain who to see and what to do about a specific problem. Usually there are several steps in this process, ending with a decision by the executive director or chief operating officer of the agency. You may want to have a friend, family member, case manager or advocate help you with this procedure.

What happens if I cannot resolve my problem with the agency?

If you do not get the change you wanted, you may call an advocacy organization for assistance. These organizations are listed at the back of the booklet.

You may also call Magellan Behavioral Health at 1-877-769-9782 or the Montgomery County Office of Mental Health (OMH) at 610-278-3642.

What happens if the OMH or Magellan cannot help me resolve the problem?

If you are not satisfied with the OMH's decision, you can take your case to the Common Pleas Court of Montgomery County. You may call a lawyer to assist you in this process. Advocacy organizations can help you find a lawyer.

If you are not satisfied with a decision by Magellan, you may contact Magellan for its grievance process.

What if I feel I have been abused?

If you feel you have been physically, verbally or emotionally abused, please call the Montgomery County MH/DD/EI program office at 610-278-3642 immediately.

ADVOCACY ORGANIZATIONS

**Community Advocates of
Montgomery County
1210 Stanbridge Street
Suite #600
Norristown, PA 19401
610-270-0375**

**NAMI of Montgomery County
100 West Main Street
Suite #204
Lansdale, PA. 19446
215-361-7784**

**Mental Health Partnerships (MHP)
1211 Chestnut Street
Philadelphia, PA 19107
1-800-688-4226**

**Disability Rights Network
1-800-692-7443
www.disabilityrightspa.org
1315 Walnut Street, Ste. 400
Philadelphia, PA 19107**

**Harrisburg location:
1414 N. Cameron St., Suite C
Harrisburg, PA 17103**