



INDIVIDUAL RIGHTS

*A Circle of Care
for Children and Families*

Every individual receiving services has a right to:

1. Choose from available services and supports, those that are consistent with the ISSP and provided in the most integrated setting in the community and under conditions that are least restrictive to the individual's liberty, that are least intrusive to the individual and that provide for the greatest degree of independence;
2. Be treated with dignity and respect;
3. Participate in the development of a written ISSP, receive services consistent with that plan and participate in periodic review and reassessment of service and support needs, assist in the development of the plan, and to receive a copy of the written ISSP;
4. Have all services explained, including expected outcomes and possible risks;
5. Confidentiality, and the right to consent to disclose in accordance with ORS 107.154, ORS 179.505, ORS 179.507, ORS 192.515, ORS 192.507, 42 CRF Part 2 and 45 CRF Part 205.50.
6. Give informed consent in writing prior to the start of services, except in a medical emergency or as otherwise permitted by law. Minor children may give informed consent to services in the following circumstances:
 - a. Under age 18 and lawfully married;
 - b. Age 16 or older and legally emancipated by the court; or
 - c. Age 14 or older for outpatient services only. For purposes of informed consent, outpatient services does not include service provided in residential programs or in day or partial hospitalization programs;
7. Inspected their Individual Service Record in accordance with ORS 179.505;
8. Not participate in experimentation;
9. Receive medication specific to the individual's diagnosed clinical needs;
10. Receive prior notice of service conclusion or transfer, unless the circumstances necessitating service conclusion or transfer pose a threat health and safety;
11. Be free from abuse or neglect and to report any incident of abuse or neglect without being subject to retaliation;
12. Have religious freedom;

13. Be free from seclusion and restraint, except as regulated in OAR 309-022-0175;
14. Be informed at the start of services, and periodically thereafter, of the rights guaranteed by this rule.
15. Be informed of the policies and procedures, service agreements and fees applicable to the services provided, and to have a custodial parent, guardian, or representative, assist with understanding any information presented;
16. Have family involvement in service planning and delivery;
17. Make a declaration for mental health treatment, when legally an adult
18. File grievances, including appealing decisions resulting from grievances;
19. Exercise all rights set forth in ORS 109.610 through 109.697 if the individual is a child, as defined by these rules;
20. Exercise all rights set forth in ORS 426.385 if the individual is committed to the Oregon Health Authority; and
21. Exercise all rights described in this rule without any form of reprisal or punishment.