RIGHTS OF PEOPLE RECEIVING SERVICES IN OUTPATIENT PROGRAM

As a person receiving outpatient clinic services at Endeavor Health Services, you are entitled to the rights outlined below:

a. To receive services that are responsive to individual needs in accordance with an individualized treatment/recovery plan, which the person receiving services helps develop and periodically update to the fullest extent consistent with their capacity.
b. To receive a full explanation of the services provided in accordance with their treatment/recovery plan.
c. That participation in treatment and services is voluntary and people receiving services are presumed to have the capacity to consent to such treatment. The right to participate voluntarily in and to consent to treatment shall be limited only pursuant to a court order or in accordance with applicable provisions of law.
d. To receive services from provider staff who are competent, respectful of the person receiving services' dignity and personal integrity, and in sufficient numbers to deliver needed services consistent with regulatory requirements.
e. To receive clinically appropriate care and treatment that is suited to their needs and skillfully, safely and humanely administered with full respect for their dignity and personal integrity.
f. To receive services in a therapeutic environment that is safe, sanitary, and free from the presence of addictive substances.
g. To know the name, position, and function of any person providing treatment or services to the person receiving services, and to communicate with the provider director, medical director, board of directors, other responsible staff or the Commissioner of New York State Office of Addiction Services and Supports.
h. To receive information concerning treatment, such as diagnosis, condition or prognosis in understandable terms, and to receive services requiring a medical order only after such order is executed by an appropriate medical professional.
i. To receive information about provider services available on site or through referral, and how to access such services.
j. To receive a prompt and reasonable response to requests for provider services, or a stated future time to receive such services in accordance with an individual treatment/recovery plan.
k. To be informed of and to understand the standards that apply to their conduct, to receive timely warnings for conduct that could lead to discharge and to receive incremental interventions that are strength-based, person centered and trauma-informed for conduct contrary to program rules.
l. That while a person receiving services' full participation in treatment is a central goal, an individual/guardian's objection to their treatment plan, or disagreement with any portion thereof, shall not, in and of itself, result in their termination from the program unless such objection renders continued participation in the program clinically inappropriate or would endanger the safety of the individual or others.
m. To receive in writing the reasons of a recommendation of discharge and to be informed of the process to appeal such discharge recommendation.
n. To be informed of Endeavor Health Services' grievance policies and procedures, and to voice a grievance, file a complaint, or recommend a change in procedure or service to provider staff and/or the New York State Office of Mental Health and/or New York State Office of Addiction Services and Supports, free from intimidation, reprisal or threat.
o. To examine, obtain a receipt, and receive an explanation of provider bills, charges, and payments, regardless of payment source.
p. That the confidentiality of the person receiving services' clinical records shall be maintained in accordance with applicable State and Federal laws and regulations, which may include, but are not limited to section 33.13 of the Mental Hygiene Law, article 27-F of the Public Health Law, the Health Insurance Portability and Accountability Act (HIPAA), and 42 CFR part 2.
q. To receive a copy of the person's records, including their diagnosis, for a reasonable fee, consistent with section 33.16 of the Mental Hygiene Law and applicable Federal requirements.
r. To receive culturally appropriate and affirming care that acknowledges and respects their cultural environment and is responsive to the culture, race, ethnicity, sexual orientation and gender identity of the person receiving services. This includes the provision of language assistance services at no cost to the individual and/or collaterals and all necessary documents available in the person receiving services' preferred language.
s. To have access to auxiliary aids and services that are readily available, Americans with Disabilities Act (ADA) compliant, and responsive to the needs of people receiving services with physical, cognitive, and/or developmental disabilities (e.g., sign language interpreters, teletypewriter (TTY) lines).
t. To be free from harassment and/or discrimination, in both admission and receipt of services, including based on the factors specified below. Specifically, no individual that meets level of care criteria for admission shall be denied admission to any program based solely on the following factors, including but not limited to:
    i. prior treatment history
    ii. referral source
    iii. pregnancy
    iv. history of contact with the criminal justice system
    v. Human immunodeficiency virus (HIV) status
    vi. physical or mental disability
    vii. lack of cooperation by significant others in the treatment process
    viii. toxicology test results
    ix. use of any substance, including but not limited to, benzodiazepines
    x. use of medications for substance use disorder prescribed and monitored by an appropriate practitioner
    xi. actual or perceived gender or gender identity
    xii. national origin
    xiii. race or ethnicity
    xiv. actual or perceived sexual orientation
    xv. marital status
    xvi. military status
    xvii. familial status
    xviii. religion, or
    xix. age.
u. To have a maximum amount of privacy consistent with the effective delivery of services.
v. To be free from physical, verbal or psychological abuse and mistreatment, including by employees.

w. To be treated by providers or staff members who are not under the influence of substances that would impair their ability to perform the duties stated in their job description.
x. To be free from any coercion, undue influence, intimate relationships, and personal financial transactions by staff or other people receiving services.
y. To be free from performing labor or personal services solely for provider or staff benefit, that are not consistent with treatment goals, and to receive compensation for any labor or employment services in accordance with applicable state and federal law.
z. People receiving services referred to a faith-based provider have the right to be given a referral to a non-faith-based provider.
aa. Individuals have the right to treatment and support in gender-segregated settings based on their gender identity or expression. Decisions are made to protect safety, privacy, and dignity, and concerns are reviewed individually in accordance with nondiscrimination laws.
bb. The following rights with regard to access to medication for substance use disorder treatment:
    i. To be offered or maintained on all forms of approved medication for substance use disorder treatment when admitted or seeking admission to any New York State Office for Addiction Supports and Services (OASAS) certified program, in accordance with guidance issued by OASAS.
    ii. To be educated about all forms of United States Food and Drug Administration (FDA) approved medications for the treatment of substance use disorders, including the benefits, risks and alternatives.
cc. To receive overdose prevention education and naloxone education and training, and a naloxone kit or prescription, in accordance with guidance issued by OASAS
dd. That each individual receiving telehealth services:
    i. Is informed and made aware of the role and license information of the telehealth practitioner and any staff at the site where the individual is physically located while receiving telehealth services when not the individual's residence, who are responsible for follow-up or ongoing care.
    ii. Is informed and made aware of the location where the provider rendering the service using telehealth is located and all questions regarding the equipment, the technology, etc., are addressed.
    iii. Has the right to have appropriately trained staff immediately available to them while receiving the telehealth service to attend to emergencies or other needs.
    iv. Has the right to be informed of all parties who are present at each end of the telehealth transmission.
    v. If the person receiving services is a minor, the person receiving services and their parent or guardian are given the opportunity to provide input regarding who is in the room with the person receiving services when telehealth services are provided.

Endeavor Health Services requests that you let us know of any concerns that you have about the treatment services you receive. Initially you should inform your primary counselor of your concern who will attempt to resolve the issue. If your concern is not answered to your satisfaction, you should request to speak with the program supervisor. If your concern remains unresolved, you may contact the Vice President of Clinical Operations. You may contact the President and Chief Executive Officer of Endeavor Health Services if the previous steps do not successfully resolve the concern. You can also make a formal written grievance at any time during this process.

If your concern remains unresolved to your satisfaction, you have the option of contacting one or more of the following:

Erie County Department of Mental Health
95 Franklin Street
Buffalo, NY 14202
(716) 858-8530

Genesee County Mental Health Department
5130 East Main Street Rd., Suite 2
Batavia, NY 14020
(585) 344-1421

Monroe County Department of Mental Health
1099 Jay Street, Building J, Suite 201
Rochester, NY 14611
(585) 753-6047

Niagara County Department of Mental Health and Substance Abuse Services
5467 Upper Mountain Rd, Suite 200
Lockport, NY 14094
(716) 439-7410

New York State Justice Center
For the Protection of People with Special Needs
161 Delaware Avenue
Delmar, NY 12054
(518) 549-0200
Abuse Hotline: (855) 373-2122

Orleans County Department of Mental Health
14014 Route 31 West
Albion, NY 14411
(585) 589-7066

National Alliance on Mental Illness
Buffalo & Western New York Chapter
737 Delaware Ave., Suite 217
Buffalo, NY 14209
(716) 226-6264

National Alliance on Mental Illness
Rochester Chapter
344 N. Goodman Street
Rochester, NY 14607
(585) 423-1593

Protection and Advocacy for Individuals with Mental Illness
1021 Broadway, 5th Floor
Buffalo, NY 14212
(716) 886-1242

New York State Office of Mental Health
Western New York Field Office
737 Delaware Ave., Suite 200
Buffalo, NY 14209
(716) 533-4075

NYS Office of Addiction Services and Supports
Western New York Regional Office
100 Seneca Street, 4th Floor
Buffalo, NY 14203
(716) 847-3037

Commissioner
NYS Office of Addiction Services and Supports
1450 Western Ave.
Albany, NY 12203-3526

New York State Office of Addiction Services and Supports
Patient Advocacy
501 7th Ave.
New York, NY 10018
1 (800) 553-5790

Endeavor Vice President of Clinical Operations
(716) 895-6700 ext. 4502

Mental Health Legal Hygiene Service
Buffalo Area
438 Main Street, Suite 400
Buffalo, NY 14202-3211
(716) 845-3650

Mental Health Legal Hygiene Service
Rochester Area
M. Dolores Denman Courthouse
50 East Avenue, Suite 402
Rochester, NY 14604
(585) 530-3050

Endeavor Corporate Compliance Officer
(716) 895-6700 ext. 4307

GRIEVANCES:
Endeavor Health Services, Inc. recognizes each person's right to file a grievance of any kind. Our policy and process require that grievances must be made in writing. We have a specific process for obtaining and responding to grievances of any kind, including concerns related to discrimination, or related to the disclosure of a persons served protected health information.

Questions and allegations related to Protected Health Information (PHI) privacy violations should be reported directly to Endeavor's Corporate Compliance and Privacy Officer: (716) 895-6700, Ext. 4307. If a person receiving services becomes dissatisfied with this experience, the person may contact the Office for Civil Rights with the contact information below:

Office for Civil Rights
U.S. Department of Health and Human Services
200 Independence Avenue, SW, Room 509F, HHH Building
Washington, D.C. 20201
Toll-free: (800) 368-1019
TDD toll-free: (800) 537-7697
Email: OCRMail@hhs.gov