

The Centre for Addiction and Mental Health Bill of Client Rights

Preamble

The Bill of Client Rights has been developed to assert and promote the dignity and worth of all of the people who use the services of the Centre for Addiction and Mental Health (CAMH). The Bill of Client Rights expresses the truth that clients are first and foremost human beings with the same rights as every Canadian. The clients, families and staff of CAMH who have worked together to develop the Bill of Client Rights want it to be a living document that will grow and change as it helps to create an organizational culture of mutual respect. The Bill of Client Rights is intended to emphasize the rights of clients rather than organizational convenience. Policies at CAMH should be consistent with the Bill of Client Rights.

CAMH is committed to upholding all the rights of people under the law. The rights outlined in the Bill of Client Rights may be restricted by law or by order of a court or Review Board; or, they may be restricted reasonably to ensure the protection of the rights and safety of the individual and/or others. The restriction of some rights leaves other rights intact.

The Board of Trustees of the Centre for Addiction and Mental Health endorses the Bill of Client Rights and, in so doing, creates a number of expectations: that the Centre for Addiction and Mental Health and every one working at CAMH – including volunteers and students – will respect and uphold the Bill of Client Rights; will promote awareness and understanding of the Bill of Client Rights; and will interpret the Bill of Client Rights as broadly and generously as is consistent with its responsibility to clients collectively. Every client has the right to be provided with a written copy of, and assistance in understanding the Bill of Client Rights, and to have it posted at CAMH's main entrances and wherever clients receive services.

Right #1 Right to be Treated with Respect

Every client:

- 1) is a person first, and has the right to be treated with respect.

- 2) has the right to be treated in a respectful manner, regardless of her/his race, culture, colour, religion, sex, age, mental or physical disability, class/economic position, sexual orientation, gender identity, diagnosis, inpatient status, or legal status.
- 3) has the right to have her/his privacy respected.
- 4) has the right to respect of her/his needs, wishes, values, beliefs and experience.

Right #2

Right to Freedom from Harm

Every client:

- 1) has the right to a safe environment while a client at CAMH.
- 2) has the right to be free from physical, sexual, verbal, emotional and financial abuse. CAMH will use its best efforts to protect clients from harm. CAMH will assist clients who experience abuse.
- 3) has the right to be free from discrimination, harassment, retribution, punishment and exploitation.
- 4) has the right not to be coerced or detained except where permitted by law.
- 5) has the right to be free from locked seclusion, environmental, chemical and mechanical restraint except where permitted by law. (i.e. when a client is a danger to self or others). Only the minimum necessary amount of restraint or locked seclusion is allowed and only after alternative methods of resolution have been unsuccessful. Clients have the right to be informed of how they can be released from restraints or seclusion.
- 6) has the right to care based on support and healing.

Right #3

Right to Dignity and Independence

Every client:

- 1) has the right to be informed promptly that she/he is no longer an involuntary patient when the client successfully appeals a form of involuntary admission. She/he must be informed that she/he may leave the hospital and be allowed to leave.
- 2) has the right to have services provided in a manner that respects the dignity, independence and self-determination of the individual.
- 3) has the right to private communication with others in accordance with the law.
- 4) has the right to confidentiality about personal information and records in accordance with the law.

- 5) has the right to contact with clergy or other spiritual advisors of her/his choice, and to exercise religious and spiritual observances, rituals, customs, and dress.
- 6) has the right to retain and use personal possessions, with access to secure storage, in keeping with safety requirements and other clients' rights.
- 7) has the right to wear their own clothing.
- 8) has the right to manage her/his own financial resources unless found to be financially incapable. This right includes access to her/his money and to accurate information about her/his hospital account.
- 9) has the right to be recognized as having needs for privacy and intimacy, including sexual expression between consenting adults. This includes access to privacy, information and education regarding safer sex, and forms of contraception and protection from sexually transmitted diseases.
- 10) has the right, if eligible, to vote in any election, and to receive the necessary information to be enumerated and to vote, as well as assistance in getting to the polling station, if on hospital premises.
- 11) has the right to all freedoms in accordance with the law.

Right #4

Right to Quality Services that Comply with Standards

Every client:

- 1) has the right to have services provided in a manner that complies with legal, professional, ethical, and other relevant standards.
- 2) has the right to identify their own needs, to have those needs form the basis of the development of a plan for services, and to have services provided in accordance with that plan.
- 3) has the right to fair and equitable access to a range of services.
- 4) has the right to a choice of services, and will not be denied other options if the client does not choose one treatment or service.
- 5) has the right to have their record identify sources of data, record only relevant and useful facts, and avoid unfounded conclusions, prejudice, value judgements and labelling.
- 6) has the right to access care without undue difficulty to meet basic needs. Every client has the right to reasonable accommodations required to access services.
- 7) has a right to choose the least restrictive care.
- 8) has the right to have services provided in a manner that minimizes potential harm, and optimizes quality of life.
- 9) has the right to co-operation and collaboration among providers to ensure quality and continuity of client centred care (including integration with other healing practices), in support of wellness and recovery.

- 10) has the right to be informed of the name and staff title of those providing services to her/him, to express a preference and to have that preference considered.
- 11) has the right to sufficient, nutritious and palatable food, in accordance with medical and religious requirements, and with consideration of personal and cultural choices.
- 12) has the right to daily access to the outdoors.
- 13) has the right to regular, consistent access to educational and recreational activities.
- 14) has the right to a quiet, safe and secure sleeping environment.
- 15) has the right to: participate in creating an individualized, written plan of care and service; consent to it; and receive a copy of it.
- 16) has the right to seek an additional medical opinion.
- 17) has the right to assistance with meeting their basic needs, accessing education and vocational training, income, getting identification, housing, employment, social supports and health care.
- 18) has the right to be involved in their discharge planning, and to have access to information about various support options available in the community, including self-help organizations.
- 19) has the right to access toilet facilities with all possible privacy.

Right #5
Right to Effective Communication

Every client:

- 1) has the right to effective communication in a form, language, and manner that assists the client to understand the information provided. Where necessary, this includes the right to a competent interpreter.
- 2) has the right to an environment that enables both client and provider to communicate openly, honestly and effectively.

Right #6
Right to be Fully Informed

Every client:

- 1) has the right to be informed of her/his rights in this Bill of Client Rights
- 2) and substitute decision maker or appointed representative has the right to information, including written information on request, of:
 - a. The perceived problem, diagnosis or condition.
 - b. The treatment that is proposed.
 - c. An explanation of the alternative options/treatments including no treatment.

- d. An assessment of the benefits, risks (short term and long term), side effects, and costs of these options.
 - e. Additional medication related information such as drug interactions, dosages, and withdrawal effects.
 - f. The results of tests and procedures.
- 3) has the right to honest and accurate answers to questions relating to services, including questions about:
 - a. The name and qualifications of the provider.
 - b. The recommendations for treatments or services.
 - c. How to obtain an opinion from another provider.
 - d. Where to access additional information if wanted.
 - e. Notification of developments in the area of treatment affecting the client.
 - 4) has the right to view her/his clinical record without undue difficulty.
 - 5) has the right to have her/his clinical record corrected or to add a statement of disagreement to it in accordance with the law.
 - 6) has the right to information requested about services and procedures relevant to being a CAMH client, such as rules, policies and rights that apply to her/him at the CAMH, and have access to them in writing.

Right #7

Right to Make an Informed Choice, and Give Informed Consent to Treatment

- 1) No treatment shall be given without the client's informed consent, except in accordance with the law.
- 2) Consent must be for that particular treatment or plan of treatment.
- 3) Consent can be withdrawn at any time.
- 4) Information about the treatment must be provided in writing on request. Every effort must be made to promote understanding and access to information about proposed treatments.
- 5) Every client is presumed to have decision-making capacity unless found to be incapable.
- 6) Consent must be voluntary and not obtained by coercion or misrepresentation.
- 7) If a client is legally found to be incapable of making decisions, her/his substitute decision-maker has the same rights as the client to informed consent.

Every client:

- 8) has the right to have her/his prior capable wishes respected to the fullest extent that the law allows.
- 9) has the right to be fully involved in treatment decisions (including location, duration and type of treatment).

- 10) including those considered incapable of making treatment decisions, has the right to be involved in the development of her/his treatment goals, plan of care and discharge planning.

Right #8
The Right to Support

Every client:

- 1) has the right to visits from one or more support persons (e.g. family, friends, partner - including same sex partner, community support) of her/his choice, and assistance in contacting them.
- 2) has the right to request the presence of a third party during a physical examination.
- 3) has the right to access confidential support when needed: counselling, rights advice, advocacy, legal counsel, other supports of his or her choice.
- 4) has the right to assistance in obtaining: financial support, housing, recreation, employment supports, social support, and community supports in keeping with her/his needs and wishes.

Right #9
Rights in Respect of Research or Teaching

Every client:

- 1) has the right to decline involvement in research at any time and to know that declining participation will not affect her/his access to care, treatment or future service provision.
- 2) who is not eligible for research has the right to be informed of treatment options available to her/him.
- 3) has the right to give informed consent to participate in research, including risks, and whether this treatment is new (or new for this purpose).
- 4) has the right to be advised when students are involved and to decline student involvement in any part of her/his treatment, except in the case of psychiatric residents.
- 5) research participant has the right to be informed of what the research study is about, and the results of the research in summary form.

Right #10
Right to Complain

Every client:

- 1) has the right to make a complaint, access advocacy and to make suggestions and inquiries.
- 2) has the right to make a complaint without retribution.

- 3) can make a complaint to: the individual(s) who provided the service, the Client Relations Coordinator, the Psychiatric Patient Advocate Office, or any other person(s).
- 4) has the right to inform the Empowerment Council or Family Council of her/his complaint(s), in order to seek changes in the system.
- 5) The client will be informed of any relevant internal or external complaints procedures.
- 6) In the case of complaints made through the Centre's complaint process:
 - Every client has the right to have a person of her/his choice to support him or her through the complaint process.
 - Staff must facilitate the fair, simple, speedy and efficient resolution of complaints.
 - The complaint will be acknowledged and documented. The client will be informed of the progress of the client's complaint, in writing if requested.
 - All complaints resolutions will be consistent with this Bill of Client Rights.

The complaints process described above applies to the CAMH Client Relations Office. This is the internal CAMH mechanism for complaints. The Psychiatric Patient Advocate Office offers independent, individual advocacy for clients. The Empowerment Council offers independent systemic advocacy for clients.