



### **Participant Rights & Responsibilities**

**All NMCS programs and staff shall recognize and respect the rights of our program participants**

Our mission is to empower youth, adults and families in our diverse community to achieve well-being, growth and success, and we envision a strong community with opportunities for all. We have been serving the community since 1972, and our daily work is guided by our values of cultural humility and equity, integrity, excellence, collaboration and teamwork, and fostering a learning environment. Thank you for choosing North Marin Community Services. We ask that participants read the following rights and responsibilities, and sign below. Please let staff know if you have any questions. Thank you.

#### **Participant Rights**

- To be treated with respect and dignity and receive services that are free from discrimination, harassment, intimidation, persuasion, or force.
- Be informed of these rights and program fees (when applicable) at the start of services and exercise these rights without fear of reprisal or punishment.
- NMCS does not discriminate on the basis of race, ethnicity, color, gender, gender identity, or expression, sexual orientation, religion, creed, national origin, age (except when program eligibility is restricted to children/transitional age youth, adult or older adults), immigration status, marital status, genetics, AIDS/HIV, medical condition, political affiliation, disability, status as a victim of domestic violence/assault/stalking, or military/veteran status. If you feel you have been discriminated against or treated unfairly, you may report the incident to a staff member and/or file a grievance (see Grievance Procedures).
- Consent to or refuse any care or treatment (see age of consent for minor children), except in a medical emergency or otherwise permitted by law.
- As part of an integrated model of service delivery, with a signed consent or authorization form, NMCS staff may coordinate services. You have the right to provide or withdraw consent at any time by providing written notification.
- Participate in developing a plan and goals related to the services you receive, choose from available services and supports consistent with the plan, participate in periodic review, and receive a copy.
- Be informed of alternative treatments and services, and the right to refusal as well as the risks and benefits of doing so. Make treatment and service decisions, including the right to accept or reduce mental health treatment and the right to request a change in service or providers.
- Confidentiality of treatment and clinical records, unless otherwise required by law (see Confidentiality).
- As appropriate, be assessed for suicide risk and be involved in the development of a safety plan with support of a trained professional.
- Request in writing to review your participant records and/or receive a copy, comment on any portion of your records, and determine who can read your records to the extent permitted by law.
- Allow staff to view records as necessary to do their jobs and allow outside reviewers to review records for quality assurance or otherwise as permitted by law.
- Report any incident of abuse or neglect without any form of retaliation. Grievances will be investigated in a fair manner, with the opportunity to appeal.



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- **Participant Responsibilities**

**In addition to the rights that are afforded to you as a participant of NMCS services, there are certain responsibilities you have in order to ensure appropriate delivery of services. Your responsibilities include but are not limited to the following:**

- Be honest about your medical and family history; report any changes in your health or living situation. Be sure you understand or ask questions about program services when needed.
- Respect NMCS policies, property, staff, volunteers, visitors, and other participants, and abide and comply with all rules and regulations, including Department of Social Services, Community Care Licensing and CA Department of Education requirements for childcare participants. Harassment of any kind or the threat thereof will not be tolerated.
  - NMCS services will be suspended, terminated or refused if there are threats, threatening language or any other acts of aggression/violence made toward or by any NMCS participant, visitor, staff or volunteer.
  - For purposes of this policy, a threat includes (but is not limited to) any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation, or other acts of aggression not listed.
  - To the extent permitted by law, all people present on NMCS premises are prohibited from carrying weapons on our property.
  - Further, NMCS does not tolerate defamation of character toward any NMCS participant, visitor, staff, or volunteer. For purposes of this policy, defamation of character is defined as spreading false information (verbally or in writing) stated as fact, which harms an individual's personal or professional reputation or causes other damages, including financial loss and emotional distress.
- Provide relevant information, to the fullest extent possible, which is accurate and complete when it impacts the services you are receiving.
- Actively participate in the services and work on the goals outlined in your care, educational or service plan.
- Make an appointment and agree to show up on time, with regular attendance, as applicable. Abide by cancellation, attendance and rescheduling policies.
- When applicable, pay for all services at your appointment and/or complete NMCS Billing/Fee Agreement. Promptly meet any financial obligations agreed to with NMCS including staff working with third party payers.
- Should noncompliance of NMCS Participant Rights & Responsibilities occur, NMCS staff will investigate each situation to determine the continuation and/or possibility of future services should suspension or termination occur. We reserve the right to make exceptions case by case.



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### **Confidentiality for Mental Health Services**

A basic right of every person is the right to confidentiality. Confidentiality is both an ethic and a law for those accessing mental health services which prevents disclosures about care received without expressed permission, except in medical emergencies, cases of suspected child or elder abuse, threat to the lives of self (suicidal) or others (homicidal); if there is disclosure of a sexual nature involving minors that meets the criteria for a report; upon the receipt of a court order; in the event of a valid medical emergency; and when there is a general concern for your safety or that of others. More detail is available in our Notice of Privacy Practices available at the time of intake or from your therapist. (HIPAA Privacy Rule, ORS 107.154, 179.505, 179.507, 192.515, 192.507, and 42 CFR Part 2 & 45 CFR Part 205.50).

**For Minors:** You may not need your parents' permission to access certain services if you are 12 years or older and seeking outpatient mental health, substance use services or reproductive health care. See

<http://teenhealthlaw.org/wpcontent/uploads/2019/08/2019CaMinorConsentConfChartFull.pdf> for more information. If you are under these ages, you must have parental consent to receive services. Services will be confidential unless releasing certain information is required by law. Talk with your therapist to understand the extent of your confidentiality.

### **Confidentiality for all NMCS Services**

All employees, volunteers, and applicable contractors of North Marin Community Services are "mandated reporters" who are required by law to report the following categories or types of abuse/neglect (known or suspected) to the appropriate law enforcement or social service agency: child abuse and neglect; elder and dependent adult abuse.

Certain NMCS staff also have a professional responsibility and have received specialized education and training to fulfill a role of ensuring safety when they have reason to believe that a person may be a danger to themselves or others, or may be gravely disabled, meaning that someone is no longer able to provide for their own food, clothing, or shelter because of a mental health disorder. Additionally, staff can (or must) break confidentiality, and take other appropriate actions, as warranted, in certain other situations, including if a child under 16 years old is the victim of a crime, and if ordered to do so by a court of law.

### **Grievance Procedures**

NMCS strives to provide high-quality programs. There is always the potential that the care received by a participant may not be perceived by that person as fair or appropriate. All participants of NMCS will be free from retaliation for any complaints or grievances filed against NMCS staff or the agency itself. Complaints and grievances will be investigated and resolved within 30 days. Any concerns regarding services should first be expressed to the NMCS staff person you are working with. For any unresolved



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complaints or concerns, please submit your grievance through our confidential website at <https://www.northmarincs.org/contact-us/>, email [HR@northmarincs.org](mailto:HR@northmarincs.org) or call (415) 892-1643, ext. 224. We also welcome your feedback and testimonials.

**Additional Grievance Information for Mental Health Services**

The Board of Behavioral Sciences receives and responds to complaints regarding services provided within the scope of practice of licensed therapists at North Marin Community Services. You may contact the Board of Behavioral Sciences online at [www.bbs.ca.gov](http://www.bbs.ca.gov) or (916) 574-7830. For clients with Medi-Cal, Marin County is committed to finding solutions to the issues you may face when receiving services from Behavioral Health & Recovery Services (BHRS). As a client of BHRS, you are encouraged (but not required) to discuss issues about your services with your provider. If you remain unhappy with the services you receive, you have the right to file a grievance. You will not be discriminated against or treated unfairly for filing a grievance, appeal, or expedited appeal. For information about filing a grievance <https://www.marinhhs.org/consumer-grievance-resolution>.

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Name (signed)

\_\_\_\_\_  
Date

IF UNDER 18 YEARS OF AGE – PARENT SIGNATURE REQUIRED (in addition to youth signature, above)

\_\_\_\_\_  
Parent name (signed)

\_\_\_\_\_  
Parent name (printed)

\_\_\_\_\_  
Date