

Shadowfax

Title	Individual Rights
Policy Number	DAY.5008.000.000
Initiating Authority	Executive Director, Day Supports
Approved By	Compliance Committee
Origin Date	November 30, 2021
Revision Date	
Effective Date	TBD 1, 2021
Next Review Date	July 2022
Associated Policies	DAY.5010.000.000 Individual Grievance, DAY.5005.000.000 Individual Service Plan, ORG.1003.000.000 Civil Rights, ORG.1021.000.000 Sexual Health, Personal Relationships, and Sexuality Guidelines
Associated Procedures	
Associated Documents	

I. POLICY STATEMENT

Shadowfax Corporation (“Shadowfax”) is committed to person-centered services, including caring for an individual’s physical and emotional health, safety, dignity and personal choices; therefore, Shadowfax has created a policy for the Day Supports program (DAY) to protect and support the rights of each individual within the program.

II. PURPOSE

The purpose of this policy is to provide guidance on an individual’s rights while they are in the DAY program.

III. SCOPE

This policy applies to all individuals within the DAY program, and to services delivered in Shadowfax facilities or in the community.

Shadowfax

IV. GENERAL

This policy is based on the standards set by PA Code Title 55 Chapters 6100, 2380, 2390 and PA Code Title 6 Chapter 11.

V. POLICY

Informing of Rights

DAY encourages each individual within the program to understand and exercise their rights. DAY shall inform and explain individual rights and the process to report a rights violation to each individual in the program, and to persons designated by the individual, upon entry into the program and annually thereafter; the explanation will be made verbally in a language understood by the individual and their designated person(s).

DAY shall keep a statement signed by the individual, or the individual's court-appointed legal guardian, acknowledging receipt of the information on individual rights.

DAY shall post a in prominent place in the facilities the list of client rights in English and other predominant language(s) of the community.

Individual Rights

An individual within the DAY program:

1. may not be discriminated against because of race, color, creed, disability, religious affiliation, ancestry, gender, gender identity, sexual orientation, national origin or age.
2. has civil and legal rights afforded by law, including the right to vote, speak freely, practice the religion of the individual's choice and practice no religion.
3. may not be abused, neglected, mistreated, exploited, abandoned or subjected to corporal punishment.
4. shall be treated with dignity and respect.
5. may make choices and accept risks.
6. may refuse to participate in activities and services

Page 2 of 5 DAY.5008.000.000 Individual Rights Policy

Note: The term "Individual" is synonymous with resident, client, patient, consumer, or participant.

Shadowfax

7. may control their own schedule and activities, including participating in or choosing not to participate in religious services.
8. may have privacy for themselves and their possessions. Individuals may access their own possessions and have the right to security of their possessions.
9. may choose a willing and qualified provider.
10. will receive services designed to promote the individual's functional ability to the optimal level and to encourage independence.
11. may choose where, when and how to receive needed services, including choosing to end participation in the DAY program at any time.
12. may voice concerns about the services they receive, including the ability to contact and meet privately with representatives of the Long-Term Care Ombudsman Program.
13. may have assistive devices and services to enable communication at all times.
14. may participate in the development and implementation of the individual plan. Individuals will be fully informed regarding the services to be provided, including frequency of services and treatment objectives. Individuals or their responsible party will be asked to make a written acknowledgement of their individual plan.
15. may access their records and also may designate persons who have the right to access the individual's record.
16. may have unrestricted and private access to telecommunications.
17. may manage and access their own finances.
18. may make their own health care decisions.

Exercise of Rights

1. An individual may not be deprived of rights as provided in this policy and associated applicable Shadowfax policies
2. Shadowfax shall educate, assist and provide the accommodations necessary for individuals to make choices and understand their rights.

Shadowfax

3. Individuals may not be reprimanded, punished or retaliated against for exercising their rights.
4. A court's written order that restricts an individual's rights shall be followed.
5. A court-appointed legal guardian may exercise rights and make decisions on behalf of an individual in accordance with the conditions of guardianship as specified in the court order.
6. An individual who has a court-appointed legal guardian, or who has a court order restricting the individual's rights, shall be involved in decision-making in accordance with the court order.
7. An individual has the right to designate persons to assist in decision-making and exercising rights on behalf of the individual.

Negotiation of Choices

1. An individual's rights shall be exercised so that another individual's rights are not violated.
2. If there are issues when individuals are making choices, DAY shall assist the affected individuals to negotiate choices in accordance with the provider's procedures for the individuals to resolve differences and make choices
3. An individual's rights may only be modified in accordance with Chapters 6100.223(9), 2380.185 and 2390.155, relating to content of the individual plan, to the extent necessary to mitigate a significant health and safety risk to the individual or others.

VI. **OVERSIGHT**

Shadowfax's Compliance Committee or their designee(s) (the "Approved By") shall be in charge of the administration of this Policy. The Approved By responsibilities include:

1. Identifying the action steps to come into compliance and directives to maintain compliance and implement the action steps.

Page 4 of 5 DAY.5008.000.000 Individual Rights Policy

Note: The term "Individual" is synonymous with resident, client, patient, consumer, or participant.

Shadowfax

2. Periodically reviewing this Policy and monitoring compliance to it.
3. Training responsible parties on their obligations under the Policy.

Revision History

Name	Date	Reason for Changes	Version