

Notice of Your Rights as a Person in the Custody or Temporary Custody of the Commissioner of Mental Health

1. You have the right to be treated with dignity, respect and consideration at all times. You have the right to humane care and treatment in a safe setting and to be free from all forms of abuse or harassment.
2. You have the right to take part in planning your treatment. If you take part in your treatment planning, your treatment team needs to respect your ideas and what you know about what has helped you in the past. You may also have a support person or others you choose join you in treatment planning meetings with your treatment team. You have the right to ask for the opinion of another expert at your own expense.
3. You have the right to see your medical record within a reasonable timeframe, unless your doctor decides it would put you or others at risk. You also have the right to request changes to your medical record if you believe that what it says is inaccurate. If your physician disagrees and thinks the record is accurate, you may either provide a written statement to be added to the record or your team will note in your record that you do not agree.
4. You have the right to be free from seclusion or restraint except in emergencies. Seclusion and restraint are used only to protect your safety or the safety of others if your behavior shows that you are at immediate risk of causing serious bodily injury. Restraint can be a physical restraint or a medication that is being used as a restraint. Seclusion is putting a person alone in a room or area against their will where they are prevented from leaving.
5. You have the right to have a family member or support person that you choose told that you have been admitted to this hospital.
6. You have the right to refuse medications and specific treatments, except in an emergency or when a court has ordered it after a hearing. If you choose to refuse medication or treatment, you will be told how refusing will affect you medically.
7. You have the right to have visitors, make telephone calls, use sealed mail, and use e-mail and the Internet, within reason. You have the right to privacy. You have the right to talk with others privately. Your doctor may limit your visitors or the hours you have visitors, if that is in your treatment plan. Your doctor must say in writing if you are going to have any limits on your phone use or on visiting.
8. When your medical condition allows it, you may be moved to another place but only after someone tells you why you are going to that other place and where else you might be able to go or what else could happen instead of going there. The place where you are going must first agree to take you.
9. You have the right to vote while in the hospital and to get help to vote.

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10. You have the right to receive services without regard to race, religion, color, gender (including, for women, pregnancy) or gender identity, sexual orientation, national origin, disability or age.
11. You have the right to proper transport under Vermont law.
12. You have the right to fill out a paper called an “Advance Directive”. With an Advance Directive you can say what kind of treatment you want or do not want if you become too ill to speak for yourself. The hospital must tell you about Advance Directives and has to help you fill out the papers if you need help. You can also get help from Disability Rights Vermont at 1-800-834-7890.
13. If you are an involuntary patient, you have the right to have a court review your hospitalization. You have the right to be represented at involuntary treatment hearings by a lawyer that the court will give you, free of charge. Your lawyer or legal representative can have reasonable access to you and the areas where you receive treatment. You also have the right to ask for a hearing before a judge to determine whether your involuntary hospitalization is legal.
14. The **Mental Health Law Project of Vermont Legal Aid** has lawyers to help you while you are being involuntarily treated. Their number is **1-800-889-2047**. They can be reached during normal business hours Monday to Friday. You may also call **Disability Rights Vermont at 1-800-834-7890**. They have lawyers and advocates trained to help patients in the custody of the commissioner. These agencies are not connected to the hospital or the state. They will help you at no cost to you.
15. You have the right to complain, which is called filing a grievance, about the hospital if you are unhappy about any part of your treatment or of you feel your rights have been violated. The hospital has a grievance procedure, which they must explain to you. If you need help filing a grievance, ask a hospital staff member to help you. You have a right to complain and file a grievance without fear of punishment.

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Who Can Help You

You may request help from Disability Rights Vermont with filing a grievance or complaint by calling or writing:

Disability Rights Vermont
141 Main Street, Suite 7, Montpelier, Vermont, 05602
1-800-834-7890

You also can file a complaint of abuse, neglect, or exploitation by calling or writing:

VT Department of Disabilities, Aging, & Independent Living: Division of Licensing and Protection
280 State Drive, HC 2 South, Waterbury, VT 05671-2060
1-800-564-1612 or 802-241-0342

You may also complain about your mental health treatment to:

VT Department of Health, Board of Medical Practice
P.O. Box 70, Burlington, Vermont 05402
1-802-657-4220 or 1-800-745-7371

Or to:

VT Department of Mental Health
280 State Drive, NOB 2 North, Waterbury, Vermont 05671-2010
1-802-241-0090

To file a complaint about the quality of health care you have received, contact:

Livanta, BFCC-QIO Program, Area 1
9090 Junction Drive, Suite 10, Annapolis Junction, MD 20701
Toll-free: 1-866-815-5440 TTY:1-866-815-2289
<http://bfccqioarea1.com>

If you need or want legal help, you may reach the Mental Health Care Ombudsman at Disability Rights Vermont at:

Disability Rights Vermont
141 Main Street, Suite 7, Montpelier, Vermont, 05602
1-800-834-7890

Or, you may contact a mental health patient representative to assist you. To find out who this is, call or write to:

Vermont Psychiatric Survivors
1 Scale Avenue, Rutland, VT 05701
802-775-6834

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Patient Signature

Date

Patient refused to sign

Provider Signature

Date