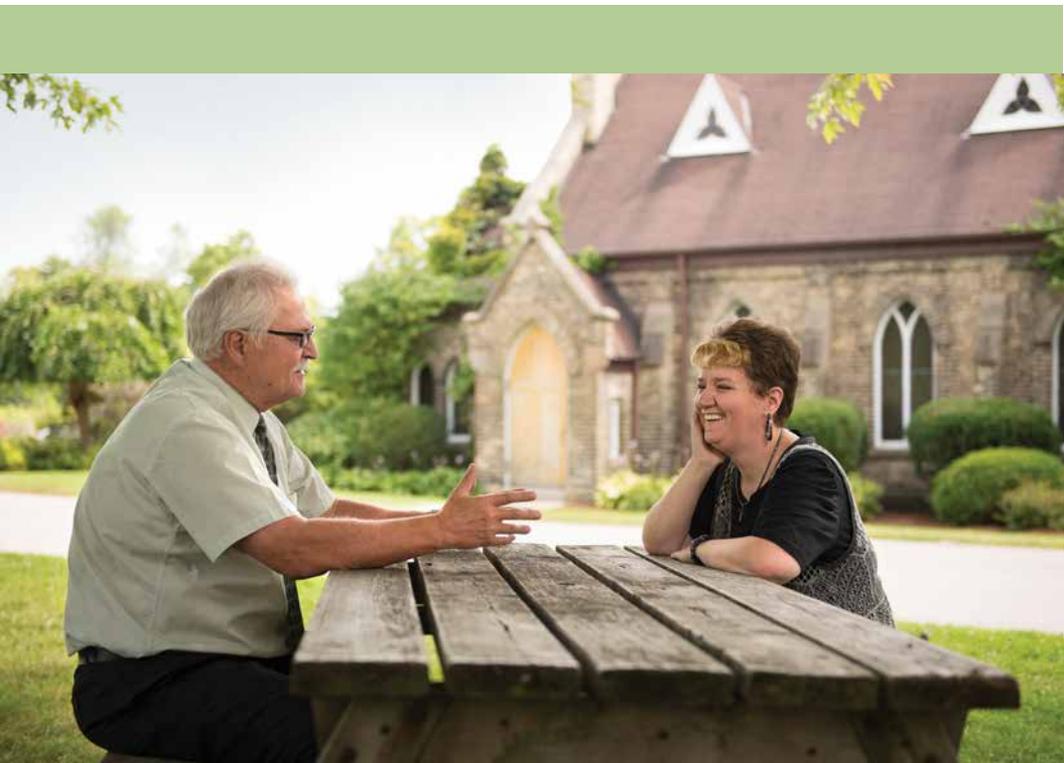


Mental Health Care Patient Bill of Rights



St. Joseph's Mental Health Care Patient Bill of Rights

Acknowledgements:

St. Joseph's Health Care London (St. Joseph's) and the mental health care Patient Council acknowledges, with appreciation, the work of the Centre for Addiction and Mental Health (CAMH) and the CAMH Empowerment Council on their Bill of Client Rights from which this Bill was based in large part; and to the Ontario Association of Patient Councils, for its work in advocating for a Bill of Client Rights in each facility that serves mental health care patients in Ontario.

Thank you to the following who helped to make the Bill of Rights a reality:

Patients
Families
Staff
Father Michael Prieur
Laurie Hardingham
Family Advisory Council
Psychiatric Patient Advocate Office
St. Joseph's mental health care Operational Leadership
Patient Bill of Rights Coordinating Committee

The Bill of Rights ties into St. Joseph's Health Care London's Statement of Patient and Resident Values. To learn more about the Statement of Patient and Resident Values go to:
www.sjhc.london.on.ca/patientandresidentvalues

Introduction

The Bill of Rights is a project of the Patient Council in collaboration with the Family Advisory Council and St. Joseph's mental health care programs and services. Its purpose is to promote awareness and the dignity and worth of mental health care patients. The Bill is based on the understanding that patients have the same rights as every Canadian.

The patients, families and staff who have worked together to develop the Patient Bill of Rights wish it to be a living document which will grow and evolve as it helps to continue to create an organizational culture of mutual respect and trust.

St. Joseph's is committed to upholding all the rights of persons under the law. The rights outlined in this Bill 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.

St. Joseph's mental health care Operational Leadership endorses the Patient Bill of Rights and, in so doing, creates a number of expectations: that the organization and staff, volunteers and students respect and uphold the Patient Bill of Rights and promote awareness and understanding of it.

The rights presented in this document are human rights for every person and are consistent with the mission, vision and values of St. Joseph's, the standards of the Canadian Council of Health Services Accreditation and values identified in the Health Ethics Guide - Catholic Health Association of Canada and Bill 46, Excellent Care for All Act, 2010.

Every patient has the right to access the Bill and assistance in understanding it.

The Ten Rights are:

1. Every patient has the right to be treated with respect.
2. Every patient has the right to freedom from harm.
3. Every patient has the right to dignity and independence.
4. Every patient has the right to quality services that comply with standards.
5. Every patient has the right to effective communication.
6. Every patient has the right to be fully informed.
7. Every patient has the right to make an informed choice, and give informed consent to treatment.
8. Every patient has the right to support.
9. Every patient has rights in respect of research or teaching.
10. Every patient has the right to complain.

Right #1 - Right to be treated with respect

Every patient:

- 1) is a person first, and therefore has equal value and dignity and is to be treated with respect, especially when they are vulnerable;
- 2) has the right to be treated in a respectful manner, regardless of their 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 their privacy respected;
- 4) has the right to respect of their needs, wishes, values, beliefs and experience.

Right #2 - Right to freedom from harm

Every patient:

- 1) has the right to a safe environment while a patient at St. Joseph's;
- 2) has the right to care based on support and healing;
- 3) has the right to be free from discrimination, harassment, retribution, punishment and exploitation;
- 4) has the right not to be coerced;
- 5) has the right not to be detained except where permitted by law;
- 6) has the right to be free from physical, sexual, verbal, emotional and financial abuse;
- 7) has the right to be free from locked seclusion, environmental, chemical and mechanical restraint except where permitted by law (i.e. when a patient is a danger to self or others). Only the minimum amount necessary of restraint or locked seclusion is allowed and only after alternative methods of resolution have been unsuccessful. Patients have the right to be informed of how they can be released from restraints or seclusion.

St. Joseph's will use its best efforts to protect patients from harm.

St. Joseph's will assist patients who experience abuse.

Right #3 - Right to dignity and independence

Every patient:

1) has the right to be informed promptly that they are no longer an involuntary patient when the patient successfully appeals a form of involuntary admission (They must be informed that they 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 their choice, and to exercise religious and spiritual observances, rituals, customs and dress (This is characterized by sensitivity and respect for their varying spiritual and religious needs and their opportunity to participate in the life of a faith community);

6) has the right to retain and use personal possessions, with access to secure storage, in keeping with safety requirements and other patients' rights;

7) has the right to wear their own clothing;

8) has the right to manage their own financial resources unless found to be financially incapable (This right includes access to their money and to accurate information about their hospital account);

9) has the right to request to share a room with a spouse who is also a patient within the practical limitations of resources or therapeutic best interests of each patient;

10) has the right to be recognized as having needs for privacy and intimacy, including sexual expression and this is an integral part of being human (This includes access to privacy, information and education regarding sexuality and public health issues);

11) 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;

12) has the right to all freedoms in accordance with the law.

Right #4 - Right to quality services that comply with standards

Every patient:

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 patient 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 judgments and unprofessional labelling;

- 6) has the right to access care without undue difficulty to meet basic needs; every patient 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 patient 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 them, 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 access toilet facilities with all possible privacy;
- 16) has the right to participate in creating an individualized, written plan of care and service and receive a copy of it;
- 17) has the right to seek an additional clinical opinion;
- 18) 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;

19) has the right to be involved in their discharge/transfer planning and to be notified in a timely way of the discharge/transfer date (This may include, upon the request of the patient, notification of a person of their choice);

20) has the right to have access to information about various support options available in the community, including peer support and self-help organizations.

Right #5 - Right to effective communication

Every patient:

1) has the right to effective communication in a form, language and manner that assists the patient to understand the information provided (Where necessary, this includes the right to an interpreter);

2) has the right to an environment that enables both patient and provider to communicate openly, honestly and effectively.

Right #6 - Right to be fully informed

Every patient:

1) has the right to be informed of their rights in this Patient Bill of Rights;

2) and their substitute decision maker or appointed representative has the right to information, including written information on request, of:

- The perceived problem, diagnosis or condition
- The nature of the care that is proposed
- An explanation of the alternative care options and supports including no treatment
- An assessment of the benefits, risks (short term and long term), side effects and costs of these options
- Additional medication-related information such as drug interactions, dosages and withdrawal effects
- The results of tests and procedures;

3) has the right to honest and accurate answers to questions relating to services and supports, including questions about:

- The name and qualifications of the provider
- The recommendations for treatments or services
- How to obtain an opinion from another provider
- Where to access additional information if wanted
- Notification of developments in the area of care affecting the patient;

4) has the right to view their health record without undue difficulty;

5) has the right to have their health 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 patient at St. Joseph's, such as rules, policies and rights that apply to them, and have access to them in writing.

Right #7 - Right to make an informed choice, and give informed consent to treatment

1) No care shall be given without the patient's voluntary 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 and supports.

5) Every patient is presumed to have decision-making capacity unless found to be incapable.

6) Consent must be voluntary and not obtained by coercion, misrepresentation or fraud.

7) If a patient is legally found to be incapable of making decisions, their substitute decision maker has the same rights as the patient to informed consent.

Every patient:

8) has the right to have their prior capable wishes respected to the fullest extent that the law allows;

9) has the right to be fully involved in care decisions (including location, duration and type of care);

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

Right #8 - Right to support

Every patient:

1) has the right to visits from support persons of their 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 their choice;

4) has the right to assistance in obtaining: financial support, housing, recreation, employment supports, social support and community supports in keeping with their needs and wishes.

Right #9 - Rights in respect of research or teaching

Every patient:

1) has the right to refuse participation in research at any time and to know that refusing participation will not affect their access to care or future service provision;

2) who is not eligible for research has the right to be informed of care options available to them;

3) has the right to give informed consent to participate in research, including risks, and whether this type of care is new (or new for this purpose);

4) has the right to be advised when trainees are involved and to decline student involvement in any part of their treatment;

5) that is a research participant has the right to be informed of what the research study is about, and the opportunity to request the results of the research in summary form where possible.

Right #10 - Right to complain

Every patient:

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 Coordinator of the Program, the Director of the Program, the Vice-President for Mental Health Services, the Psychiatric Patient Advocate Office, or any other person(s);

4) has the right to inform the Patient Council or Family Advisory Council of their complaint(s), in order to seek changes in the system;

5) The patient will be informed of any relevant internal or external complaints procedures;

6) For complaints made through St. Joseph's complaint process:

- Every patient has the right to have a person of their choice to support them through the complaint process.
- Staff must facilitate the fair, simple, speedy and efficient resolution of complaints.
- The complaint will be acknowledged and documented. The patient will be informed of the progress of the patient's complaint, in writing if requested.
- All complaints resolutions will be consistent with this Patient Bill of Rights.

This is the internal St. Joseph's mechanism for complaints:

- If your concern is related to the care team (staff) associated with you and your family, you can address it with them directly.
- Input is also welcomed by the Coordinator or Director responsible for your unit. If it is not related to your care team they can still assist you in bringing your input forward.

You may, at times, wish to have your concerns or input addressed outside of your program. If this is the case you may contact any of the following:

• **Psychiatric Patient Advocate Office**

The Psychiatric Patient Advocate Office (PPAO) offers individual and systemic advocacy and education for patients. These services may be instructed by the patient or by the PPAO. The PPAO is independent of the hospital.

For more about the PPAO call:

Parkwood Institute's Mental Health Care Building:

Patient Advocate

519 646-6100, ext. 47267

Rights Adviser

519 646-6100, ext. 47220

Southwest Centre for Forensic Mental Health Care:

Patient Advocate

519 646-6100, ext. 49451

Rights Adviser

519 646-6100, ext. 49447

• **Patient Council**

The Patient Council is a group of current and former patients of St. Joseph's that volunteer their time to serve as a voice for the ongoing improvement of the quality of life and care of patients.

In addition, the Patient Council provides educational, volunteer, and support services.

For more information about the Patient Council and the services offered call:

Parkwood Institute's Mental Health Care Building:
519 646-6100, ext. 47064

Southwest Centre for Forensic Mental Health Care:
519 646-6100 ext. 49646

- **Family Advisory Council**

The Family Advisory Council offers advocacy, education and supports for families.

For more about the Family Advisory Council and the services offered call:

519 646-6100, ext. 47440

- **Patient Relations Office**

519 646-6100 ext. 64727

- **Vice President of Mental Health Services**

519 646-6100, ext. 47202