



Your Rights and the Grievance Procedure

*For customers receiving services in Wisconsin for Mental Illness, Alcohol or Other
Drug Abuse and Developmental Disabilities
La Crosse County Human Services Department*

Mission Statement:

“Enhancing self-sufficiency and quality of life with respect for the dignity of the person served.”

- ◇ We are further committed to the provision of high quality services which ensure the rights of the customer are protected.
- ◇ Persons served, and/or their representatives, need to be involved in the planning and review of their service program.
- ◇ Services need to be provided in a manner that will maximize recovery/rehabilitation while providing protection for both the individual and the community.
- ◇ Services should be offered and delivered in a respectful and professional manner under full recognition of the legal need for strict confidentiality.

Communications & Privacy Rights:

- ◇ You may contact public officials, your lawyer or advocate.
- ◇ You may not be filmed or taped unless you agree to it.

Some rights may be limited or denied for treatment, safety or legal reasons. Your wishes and the wishes of your guardian, if you have one, should be considered. If any of your rights are limited or denied you must be informed of the reasons for doing so. You may ask to talk with staff. You may also file a grievance about any limits of your rights.

Personal Rights:

- ◇ You must be treated with dignity and respect free of any verbal, physical, or sexual abuse.
- ◇ You have the right to have staff make fair and reasonable decisions about your treatment and care.
- ◇ You cannot be treated differently because of your race, national origin, sex, age, religion, disability, sexual orientation, tattoos or piercings.

Treatment and Related Rights:

- ◇ You must be provided prompt and adequate treatment, recovery/rehabilitation and educational services appropriate for you within the limits of available resources.
- ◇ You must be allowed to participate in the planning of your treatment and care.
- ◇ You must be informed of your treatment and care, including alternatives and possible side effects of medication.
- ◇ No treatment or medications may be given to you without your consent unless it is needed in an emergency to prevent serious harm to you or others or a court orders it. (If you have a guardian, however, your guardian can consent to treatment and medications on your behalf.)
- ◇ You must not be given unnecessary or excessive medications.
- ◇ You cannot be subject to electroconvulsive therapy or any drastic treatment measures such as psychosurgery or experimental research without your written informed consent.
- ◇ You must be informed of any costs of your care and treatment you or your relatives may have to pay.



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Record Privacy and Access Laws:

Under Wisconsin Statute sec. 51.30 and HSS 92, Wisconsin Administrative Code.

- ◇ Your treatment information must be kept private (confidential).
- ◇ Your records cannot be released without your consent, unless the law specifically allows for it.
- ◇ You can ask to see your records. You must be shown any records about your physical health or medications. Staff may limit how much of the rest of your records you can see while you are receiving services. You must be informed of the reason for such limits. You can challenge those reasons in the grievance process. After discharge, you can see your entire record if you ask to do so.
- ◇ If you believe something in your records is wrong, you can challenge its accuracy. If staff will not change the part of your record you have challenged, you can put your own version in your record.

Right of Access to Courts:

- ◇ You may sue for damages or other court relief if you believe any of your rights have been violated.
- ◇ Involuntary patients can ask a court to review the order to place them in a facility.

Grievance Procedure:

- ◇ Any grievance procedure is in addition to and does not limit your rights to pursue other remedies, including the courts. The following procedure is used by the LA CROSSE COUNTY HUMAN SERVICES DEPARTMENT.
- ◇ You or any other person (including employees of provider agencies) acting on your behalf may use the grievance procedure.
- ◇ There is no limit to the number of grievances which you may submit.
- ◇ The first grievance made will be investigated before any additional complaints you make, except in emergencies.
- ◇ Complaints by several persons about the same issue may be investigated together.
- ◇ Grievance proceedings may end at any time if all parties concerned agree.
- ◇ Forms for filing complaints are available to you. You can also file a grievance verbally.
- ◇ No person may be punished for using the grievance procedure.

If you feel your rights have been violated, you may have the right to complain, to use a grievance procedure, or to bring a court action.

You are encouraged to first discuss any problems you have with the people involved. If you still have a problem, you may obtain a complaint form and submit it to the Clients Rights Grievance Coordinator (CRGC) within 45 days of the incident.

Within 3 days of receipt of a complaint/grievance related to program services, the CRGC will assign a Client Rights Specialist (CRS) to investigate the problem. (All customer service-related complaints will be investigated by the CRGC directly.)



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Stage 1 — Informal Discussion

The Client Rights Specialist (CRS) will first attempt to informally resolve whatever problem is the basis for your complaint. This may involve discussion between yourself and any staff members involved. Your participation is optional, but it may help to resolve your difficulty.

Stage 2 — Decision of County's CRS

If the complaint is not resolved, the CRS will conduct an investigation and within 30 days, issue a report to the appropriate manager and other parties involved, including yourself.

Stage 3 — Decision of Deputy Director

You may appeal the CRS' decision to the Human Services Deputy Director within 14 days of this decision. The Deputy Director will issue a decision within 30 days of your appeal.

Stage 4 — State Level Review

You may appeal the agency decision to a State Grievance Examiner within 14 days of the receipt of the agency decision. The examiner's decision may be appealed to the appropriate Division Administrator within 14 days of the receipt of the examiner's decision.

You may, at the end of the process or at any time during it, choose to take the matter to court. The commencement of a court action will terminate any pending grievance on the same issue.

*YOUR LA CROSSE COUNTY
CLIENT RIGHTS GRIEVANCE COORDINATOR IS:*

Jennifer Buchholtz

for Mental Health, Alcohol/Other Drug Abuse, and Developmental Disabilities

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