

**ALEXANDRIA L. WESTFALL, MA, LPA  
115 Market Street, Suite 360-F  
Durham, NC 27701**

## **YOUR RIGHTS**

**PLEASE NOTE: This material informs you about your rights, does not constitute legal device or findings with respect to those rights, and should not be considered as granting or denying any right guaranteed by law.**

**When you receive services through** Alexandria Westfall, MA, LPA, you have certain rights. This page will tell you about those rights and what to do if you have problems or questions.

**Your rights are guaranteed by law:** Unless you have been declared incompetent by a court, you have the same basic civil rights and remedies as other citizens, including the right to buy or sell property, sign a contract, register and vote, sue others who have wronged you, and marry or get a divorce. You also have other rights guaranteed by North Carolina General Statutes 122C, Article 3, including the right to dignity, privacy, humane care, and freedom from physical punishment, abuse, neglect, and exploitation. It is the responsibility of the program that you are receiving services from to provide you or your legally responsible person a written summary of your rights within your first three visits to the agency (or your first 72 hours if you are in a 24- hour facility).

**You have the right to a treatment plan:** A written treatment plan, based on your individual needs, must be implemented within 30 days of admission. You have the right to treatment in the most normal, age-appropriate, and least restrictive environment possible. You have the right to take part in the development and periodic review of this plan. You are entitled to review your treatment plan and obtain a copy of it from your therapist or medical records.

**You have the right to be informed about medications:** You have the right to have medication administered in accordance with accepted medical standards and upon the order of a physician. When medication is needed, you have the right to receive it in the lowest possible therapeutic dose. You could not be treated with experimental drugs or procedures without your written permission and without being informed of the risks, benefits, and alternatives. You may refuse to take medication; however, you will be informed of the risks associated with doing this. Medication cannot be used for punishment, discipline, or staff convenience.

**You have the right to refuse treatment:** Before you agree to your plan, you will be informed of the benefits or risk involved in the services you will receive. You have the right to consent to treatment and may withdraw your consent at any time without threat or termination of services. If you have asked to receive services, you always have a right to agree to refuse any specific treatment. The only time you can be treated without your consent is in an emergency situation or when it has been court ordered or if you are a minor and your parents have given permission.

**You have the right to confidentiality:** The confidentiality of your care and treatment is protected by law. Except as allowed by law and agency regulations, your records and other information about you will not be released without your permission. Circumstances under which we may be required to share information with another about the services you receive include:

- If you give permission we may share information with any person that you name.

- Your next of kin may be informed that you are a client, if it is in your best interests. With your permission, your next of kin, a family member with a legitimate role in your services, or another person whom you name it may be given other information about your care.
- A client advocate may review your record when assigned to work on your behalf.
- The court may order us to release your records. Our attorney may need to see your file because of legal proceedings.
- Another public agency may need to receive your files when your care is transferred. If you become in prison we may share your file with prison officials.
- In an emergency another professional who is treating you may receive your records. A physician or other profession who referred you to our facility may receive your files.
- If we believe that you are a danger to yourself or to others, or if we believe that you are likely to commit a crime, we may share information with law enforcement.

**Special rules may apply** if you have a legal guardian appointed, are a minor, or receiving treatment for substance abuse.

**You have the right to see your own records** except under certain circumstances, specified by law. You have the right to have those circumstances explained to you.

**You have the right to be informed of the rules:** You have the right to be informed of the rules that you are expected to follow in the programs in which you are involved. The information will be provided when you enter the program. You have the right to be free from unwarranted suspicion or expulsion from programs and services. If you are discharged from service(s), you are entitled to a copy of your discharge plan.

**You have the right to know your treatment costs:** Fees for services should be discussed with you at your first visit. If this does not occur, please let us know. A listing of charges for services is available to you upon request. Flexible payment options are available for Wake County Residences only, to help meet your financial obligations. Please call our Finance Office at 919-834-2000 to discuss these options. Although it is your responsibility to make arrangements to pay your bill, you will never be denied services because of inability to pay.

**You have the right to privacy:** You have the right to be free from any unwarranted search of your person or property. At the time of admission to a 24-hour facility, staff may search you and your belongings to prevent dangerous or illegal substances from being brought to the facility. The facility itself may be searched if dangerous or illegal substances are reasonably believed to be present, and staff may search clients who are minors. Should search and seizure apply to a program from which you are receiving treatment, these specific procedures will be explained when you enter the program.

**You have the right not to be abused:** At the time of admission to a specific program, you will be informed of the types of interventions that are approved for use by this program. The program cannot administer any potentially painful procedure or stimulus to reduce the frequency or intensity of a behavior and at no time is corporal punishment allowed. Employees must protect clients from harm and report any form of abuse, neglect, or exploitation.

In an emergency situation, if your behavior is dangerous to yourself or others, or to property, Ms. Westfall will not use restrictive interventions such as restraint, seclusion, or isolation time-out. Ms. Westfall staff is certified in Non-violent Crisis Intervention techniques to assist in de-escalation of potentially harmful situations, and will not engage in any physical contact. The gravity of some emergencies may require law-enforcement assistance or initiation of **involuntary commitment** procedures.

**You have the right to treatment, including medical care and habilitation, regardless of age or degree of MH/IDD/SA disability:** If your primary need is related to the fact that you have been diagnosed with Intellectual Disability and are placed in a residential facility, you are entitled to assistance and finding another place to live if your original placement can no longer serve you. This right exists unless you have broken the rules you agree to follow or if we offer another place that can meet your needs and you refused that offer. The facility must give you; your legal guardian and this agency 60 days advance notice if it intends to discharge you. This right does not apply if you live in a privately-operated ICF-MR facility.

**You have the right to make instructions for your treatment in advance:** in the event that you become incapacitated and unable to make decisions about your treatment, you may prepare a document which outlines your intentions for treatment, and a person to make decisions based on your instructions. If you are interested in exercising this right, please contact the Consumer Rights Program at 212-7155.

**You have the right to make a complaint:** if you are dissatisfied with a Mental Health, Developmental Disabilities and Substance Abuse service delivered through Ms. Westfall or a contract agency affiliate, you have the right to state a complaint or file a grievance at any time. Before stating a written complaint, we urge you to first discuss the matter with staff providing the service and allow them an opportunity to help resolve it. If this is unsuccessful, we encourage you to complete and forward to us a complaint form for which you may request from staff or any MH/DD/SAS program or contract affiliate.

**You have a certain appeal rights:** If you have Medicaid, you have the right to request an appeal hearing if you are denied a requested service, or if current services are reduced, suspended, or terminated.

**If you have questions or problems contact:**

Alexandria L. Westfall, MA, LPA.  
115 Market Street, Suite 360-F.  
Durham, NC 27701  
Phone: (919) 443-5076

Alliance Behavioral Healthcare  
4600 Emperor Boulevard, Suite 200  
Durham, NC 27703  
Phone: (919) 651-8401

This office assures that consumers are informed of their rights and that the agency protects those rights.

### **Disability Rights North Carolina**

2626 Glenwood Avenue Suite 550  
Raleigh, NC 27608  
Telephone Voice (919) 856-2195  
Toll Free Voice (877) 235-4210  
TTY 888-268-5535  
Fax: (877) 235-4210  
Email: [info@disabilityrightsn.org](mailto:info@disabilityrightsn.org)

This statewide agency is designated under federal and state laws to protect an advocate for the rights of persons who have disabilities.