

**Washington County**  
**Behavioral Health Division**

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**Policy on Individual Rights and Responsibilities**

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Policy Number: ADMIN 150

Responsible Team: Administration

Origination Date: 12/24/2007

Next Review Date: 05/06/2027

Revision history: 08/11/2008, 12/14/2009, 12/04/2010, 12/28/2011, 12/24/2014,  
12/31/2016, 11/24/2017, 03/05/2018, 08/16/2020, 05/17/2021,  
05/17/2023, 05/06/2025

Related Documentation: ADMIN 150 – ADMIN 158 Policies on Individual Rights and Responsibilities, ADMIN 151a - ADMIN 157a Procedures on Individual Rights and Responsibilities, Individual Rights and Responsibilities Form, OAR 309-019-0115 Individual Rights, and ORS 179.505 Disclosure of Written Accounts by Health Care Services Provider.

**OBJECTIVES**

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The purpose of this policy is to define Washington County Behavioral Health (WCBH) Staff's responsibility around a client's Individual Rights and Responsibilities.

**SCOPE/APPLIES TO**

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Washington County Behavioral Health (WCBH) staff, contracted staff, volunteers, and interns (referred to collectively hereafter as "staff").

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**POLICY**

**DEFINITION(S)**

**Client:** A person who is receiving behavioral health services in Washington County.

**Individual:** Refers to a person or client being considered for services and supports in Washington County.

Review Frequency: **Biennial**

## Washington County Behavioral Health Division

### POLICY STATEMENT

Washington County Behavioral Health (WCBH) staff strive to promote and uphold the interests and well-being of clients and individuals and assure that all are treated with dignity and respect. The Behavioral Health Division, as a holder of a Certificate of Approval issued by the State of Oregon's Health Systems Division, follow the standards for Individual Rights and Responsibilities outlined in OAR 309-019-0115 on Individual Rights.

Clients receiving behavioral health treatment services receive a copy of their *Individual Rights and Responsibilities* upon enrollment. Behavioral health staff provide a written copy of *Individual Rights and Responsibilities* upon entering and receiving care coordination services from one of our programs (Choice, Intensive Care Coordination, Wraparound). Staff will inform and explain these rights and responsibilities to clients and or their guardians.

1. In addition to all applicable state laws and constitutional rights, every individual receiving services has the right to:
  - a. Choose from services and supports that are consistent with the assessment and service plan, culturally competent, provided in the most integrated setting in the community under conditions that are least restrictive to the individual's liberty, that are least intrusive to the individual, and that provide or the greatest degree of independence.
  - b. Be treated with dignity and respect.
  - c. Participate in the development of a written service plan, receive services consistent with that plan and participate in periodic review and reassessment of service and support needs, assist in the development of the plan, and receive a copy of the written service plan.
  - d. Have all services explained, including expected outcomes and possible risks.
  - e. Confidentiality and the right to consent to disclosure; ORS 107.154, 179.505, 179.507, 192.515 192.507, 42 CFR Part 2 and 45 CFR Part 205.50.
  - f. Giving informed consent (in writing) at the start of services, except in a medical emergency or as otherwise permitted by law. Minor children may give informed consent to services in the following circumstances:
    - (A) Under age 18 and lawfully married.

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- (B) Age 16 or older and legally emancipated by the court; or
- (C) Age 14 or older for outpatient services only. For purposes of informed consent, outpatient service does not include service provided in residential programs or in day or partial hospitalization programs.
- g. Inspect their record in accordance with ORS 179.505.
- h. Refuse participation in experimentation.
- i. Receive medication specific to the individual's diagnosed clinical needs, including medications used to treat opioid dependence.
- j. Receive prior notice of transfer, unless the circumstances necessitating transfer pose a threat to health and safety.
- k. Be free from abuse or neglect and to report any incident of abuse or neglect without being subject to retaliation.
- l. Have religious freedoms.
- m. Be free from seclusion and restraint.
- n. Be informed at the start of services and periodically thereafter of the rights guaranteed by this rule.
- o. Be informed of the policies and procedures, service agreements and fees applicable to the services provided, and to have a custodial parent, guardian, or representative assist with understanding any information presented.
- p. Have family and guardian involvement in service planning and delivery.
- q. Have an opportunity to make declaration for mental health treatment, when legally an adult.
- r. File grievances, including appealing decisions resulting from the grievance.
- s. Exercise all rights set forth in ORS 109.610 through 109.697 if the individual is a child, as defined by these rules.
- t. Exercise all rights set forth in ORS 426.385 if the individual is committed to the Authority; and
- u. Exercise all rights described in this rule without any form of reprisal or punishment.

These rights and responsibilities will also be made available in alternate formats or language upon request and free of charge.

Staff will provide appropriate levels of assistance to clients who wish to exercise their rights. Clients will be free from retaliation for exercising their rights.

The list of *Individual Rights and Responsibilities* is posted in WCBH's main lobby and on our website under [Behavioral Health Forms](#) for clients to view at any time.