

Questions?

If there is any information in this pamphlet that you do not understand, please ask for help. You may ask the person responsible for your care, such as your therapist, teacher, aide, group home manager, or facility director.

If at any time, for any reason, you feel that you have been denied your rights, or that you cannot get the information or help you need, you may want to contact a family member, friend, client advocate or attorney.

You can also get help about your rights from:

- Governor's Advocacy Council for Persons with Disabilities at 1-800-821-6922
- Advocacy and Customer Services- Division of MH/DD/SAS at 919-715-3197.
- The N.C. Mental Health Consumer's Organization, Inc. at 1-800-326-3842
- The N.C. CARELINE 1-800-662-7030.

Each of these toll-free numbers is open Monday through Friday between 8:00 a.m. and 5:00 p.m.

For your information:

If you want to create a Health Care Power of Attorney and Advance Instruction for Mental Health Treatment, your therapist or care coordinator can help you.

You may also contact your local Department of Social Services (DSS) office.

You have the right to complain if you feel:

- your rights have been violated;
- you are not getting the services you should have;
- the quality of your services is unacceptable; or
- your services are being mismanaged.

Our Customer Services staff is available during normal business hours to assist you with your concern. If you prefer not to be identified as the source of a complaint, Customer Services staff will protect your identity unless legally required to do otherwise. Usually complaints can be resolved informally, but, if necessary, we will conduct a formal investigation or refer to an appropriate agency for investigation.

To get help with your concern or complaint:

1. Call 1-888-757-5726; or
2. Mail your written complaint to:

SMC Customer Services
44 Bonnie Lane
Sylva, NC 28779



Toll-free Access to Services
24 hours a day, 7 days a week
1-800-849-6127

www.smokymountaincenter.com

Your Rights as a Consumer of Mental Health, Substance Abuse, or Intellectual/Developmental Disability Services



A summary of the provisions of Article 3, Chapter 122C of the North Carolina General Statutes

When you receive mental health, substance abuse, or intellectual/developmental disability services you have certain rights. This pamphlet tells you about your rights, what to do if you have questions about your rights, and what to do if you have problems practicing your rights.

The current notice will be posted in every Smoky Mountain Center facility, and on our website at www.smokymountaincenter.com. Revised notices are available upon request. **This notice takes effect on July 1, 2012 and replaces previous versions.**

As a consumer of mental health, substance abuse, or intellectual/developmental disability services, you have the right:

- to be treated with respect;
- to dignity, privacy, humane care, and freedom from mental and physical abuse, neglect, and exploitation;
- to live as normally as possible while receiving care and treatment.
- the same civil rights as any other citizen of North Carolina, unless a court decision has taken away some of your rights. These may include the right to vote, marry, divorce, make a will, buy, sell, and own property, and decide all things about your life.

You have certain specific rights related to your care, services, and treatment.

- You have the right to receive age-appropriate treatment for your illness or disability.
- You and the person legally responsible for you, if any, have the right to be informed in advance of the benefits or risks of the treatment choices.
- You have the right to be informed of the cost of services; the cost of services and insurance issues should be discussed at your first visit, or when you schedule your first appointment.
- You have the right to an individualized written treatment or habilitation plan which is implemented within 30 days of admission.
- You have the right to be free from the threat of unwarranted suspension or expulsion from treatment.

- You have the right to be free from corporal punishment, abuse, neglect, and exploitation.
- You have the right to be free from unwarranted searches of your person or seizure of your possessions.
- You have the right to be free from unnecessary or excessive medication. Medication shall not be used for punishment, discipline, or staff convenience. Medication shall be administered in accordance with accepted medical standards and only upon the order of a physician or other medical practitioner as documented in your record.
- You have the right to consent to or refuse treatment involving electroshock therapy, the use of experimental drugs or procedures, or surgery other than emergency surgery. The right to consent to or refuse treatment applies to the person who is legally responsible for you; for example, your parent if you are a minor.
- You (or the person legally responsible for you) have the right to consent to or refuse any other treatment except in the following circumstances:
 - in an emergency; or
 - involuntary commitment, which is a legal proceeding in which it is determined that without the treatment, a person would be likely to harm self or others.
- You may have additional rights as part of your services. If your services involve additional rights, those rights will be provided in writing and explained to you.

You have certain specific rights if you disagree with Smoky Mountain Center (SMC) or your provider about the services you need.

Authorization for a service you request may be denied, or authorization for a service you currently receive may be reduced, suspended, or terminated if we find that you do not meet requirements for the service.

If you are a Medicaid recipient, you have the right to appeal such decisions, and you will be provided with written information concerning your Medicaid appeal rights.

If you are not a Medicaid recipient:

- You will receive a letter if your service is denied because we find that you do not meet clinical requirements for the service, or if funding for the service is not available.
- If you disagree with the decision and wish to have it reconsidered, you may file a complaint with SMC Customer Services within 10 days of the date of the letter notifying you that services were not authorized. To file a complaint, call 1-888-757-5726, or mail a letter to:
SMC Customer Services
44 Bonnie Lane
Sylva, NC 28779
- You will be notified of the decision within 7 days of the date that you file your complaint.