

LAKE COUNTY BOARD OF DD/DEEPWOOD

BOARD POLICY

Reviewed and Adopted by the Board:

Date: February 28, 2022

Signature on File

Elfriede Roman, Superintendent

I. SUBJECT: RIGHTS OF PERSONS WITH DEVELOPMENTAL DISABILITIES

II. PURPOSE:

To assert and ascertain the rights of persons with developmental disabilities across all programs operated directly by or under contract with the Board, , Providers of Supported Living certified pursuant to section 5123.161 of the Revised Code, and Providers of services funded by Medicaid Home and Community-Based Services Waivers administered by the Ohio Department of Developmental Disabilities (DODD).

III. REFERENCES:

42 CFR 483.10 Resident Rights

ORC 5123.62 Rights of Persons with a Developmental Disability

ORC 5123.63 Distributing Copies of Rights

ORC 5123.64 Enforcement Duties

ORC 5126.06 Resolution of Complaints

LCBDD/Deepwood Policy A-6 Informal Concern/Complaint Resolution

LCBDD/Deepwood Policy A-20 Human Rights Committee

LCBDD/Deepwood Policy C-1 Administrative Resolution of Complaints

IV. POLICY:

A. Individuals with developmental disabilities have the same rights as all other citizens of the same age. A description and listing of the rights of persons with developmental disabilities as adopted by law is appended.

B. All individuals served, their parents, guardians, and advocates shall be informed of the individual's rights upon enrollment in any program(s), and annually thereafter, if the individual has an annual plan.

If the individual is under the age of 18 or has a legally appointed guardian, the parent or guardian, shall acknowledge review of these rights at the individual's annual plan meeting by signing an Individual Rights Statement (Attachment "A"). If the parent or guardian is unable to attend the individual's annual plan meeting at which time the rights are

reviewed, alternative arrangements (e.g., conference, mailing) shall be made to ensure that a signed acknowledgment is obtained.

If the individual is 18 years of age or older and is his/her own guardian these rights shall be reviewed with the individual. The individual shall acknowledge review of these rights at his/her annual plan meeting by signing the Bill of Rights for People with DD-Easy to Read Guide (Attachment "B"). Should the individual's parent or advocate be present when the rights are reviewed with the individual, they shall also sign as a witness.

Reasonable and appropriate means will be used to assist any individual who requires special accommodation to understand his/her rights. If the individual's team determines that the individual is not capable of understanding these rights, every effort shall be made to ensure that these rights are reviewed with the parent or advocate and that they acknowledge said review by signing Attachment B.

- C. The Human Resource Department shall review these rights with all new employees as a part of the pre-employment process. The new employee shall acknowledge review of these rights by signing an Employee Acknowledgment of the Individual Rights (Attachment "C"). All current employees shall review these Individual Rights and shall sign an Employee Acknowledgment form on an annual basis. Signed acknowledgments shall be placed in the employee's staff-development file maintained by the Training Coordinator.
- D. A copy of these rights, the telephone number of the Lake County Board of Developmental Disabilities/Deepwood, the Ohio Department of Developmental Disabilities, and Disability Rights Ohio shall be posted at all times in each program area in a place accessible to all individuals receiving services (Contact Agencies Posting-Attachment D). Procedures for resolving complaints of violations, per Board Policies A-6 and A-20, shall be readily accessible to all individuals receiving services.

V. DISTRIBUTION:

All Board Members
All Management Staff
All Staff (Via Department Managers)
LEADD President

VI: REVIEWED:

2/22, 2/21, 9/16, 9/14, 9/12, 9/10, 10/08, 4/08, 5/06, 5/04, 5/02, 5/00, 7/92

VII. Attachments

Attachment A – Individual Rights Statement
Attachment B – Bill of Rights for People with DD-Easy to Read Guide
Attachment C - Employee Acknowledgement of Individual Rights
Attachment D - Contact Agencies Posting