

**Cottonwood, Inc.  
Policies and Procedures**

**SECTION:** General

**POLICY NO:** 02-023

**SUBJECT:** Rights, Health and Safety

**EFFECTIVE DATE:** September 1996

**Licensing Regulation  
Reference: 30-63-22**

**Policy:**

Cottonwood, Inc. is committed to the principles of promoting and protecting the rights of consumers. Each person has the right to full civil rights under the law, due process, human respect and dignity, health and safety and the right to actively and meaningfully participate in decisions affecting their lives even if those decisions carry some risk.

Cottonwood, Inc. shall at all times encourage and assist each person served to understand and exercise the person's individual rights and to assume the responsibilities that accompany these rights.

**Procedures:**

1.) Each person served shall be guaranteed the same rights afforded to individuals without disabilities. These rights may be limited only by provisions of law or court order, including guardianship, conservatorship, power of attorney or other judicial determination. These rights shall include the following:

- (A) Being free from physical or psychological abuse or neglect, and from financial exploitation.
- (B) having control over the person's own financial resources.
- (C) being able to receive, purchase, have, and use the person's personal property.
- (D) actively and meaningfully making decisions affecting the person's life.
- (E) having privacy.
- (F) being able to associate and communicate publicly or privately with any person or group of people of the person's choice.
- (G) being able to practice the religion or faith of the person's choice.
- (H) being free from the inappropriate use of a physical or chemical restraint, medication, or isolation as punishment, for the convenience of a provider or agent, in conflict with a physician's orders or as a substitute for treatment, except when physical restraint is in furtherance of the health and safety of the person.
- (I) not being required to work without compensation, except when the person is living and being provided services outside of the home of a member of the person's family,

and then only for the purposes of the upkeep of the person's own living space and of common living areas and grounds that the person shares with others.

(J) being treated with dignity and respect.

(K) receiving due process.

(L) having access to the person's own records, including information about how the person's funding is accessed and utilized and what services were billed for on the person's behalf.

2). Cottonwood, Inc. shall offer training at least annually regarding these rights and effective ways to exercise them to each person served to the guardian if one has been appointed, and to the person's parent and other individuals from each person's support network. This will take place as part of the person-centered planning process (see Policy 03-047 for staff training requirements).

3.) Cottonwood, Inc. is likewise committed to the protection of the safety and health of personnel and persons served. Health and safety are given high priority through safety orientation and ongoing training. Cottonwood, Inc. has an active Wellness Committee. Cottonwood also has several standing Committees including the Safety Committee and Emergency Response Team (ERT) that help promote safety and crisis planning. The Risk Management Plan offers a process whereby all areas of responsibility are assessed for risks and control mechanisms are monitored to assure accountability. Additionally, a "Risk Assessment" may be used to identify an individual's poor decision making and suggest interventions that may be added to help mitigate the risk.

4.) Cottonwood, Inc. cannot guarantee that all locations in the community where individuals may work, play or reside are without risk. However, with team participation, a reasonable plan (Person Centered Support Plan) can be developed for each individual that balances that person's choices and risks. Cottonwood, Inc. provides background checks, drug screens, staff training and good practice with regard to staff retention and supervision so that individuals are assisted in achieving their preferred lifestyle in as safe a manner as possible. Staff are required to report an unsafe condition when they discover it.

5.) Specific policies related to the areas of rights, health and safety are included throughout the policy manual. These policies address specific responsibilities and procedures related to each of these important areas and are reviewed annually.