

KNOW YOUR RIGHTS

THINGS TO KNOW AS A PA PSYCHIATRIC PATIENT

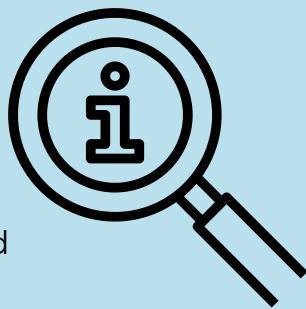
1) RIGHTS WHILE GETTING ADMITTED



- The hospital staff will ask a lot of questions about why you are there, what lead you to be there, etc. You have the right not to answer.
- Hospital staff have often been known to lie about the conditions of psychiatric wards, especially how long you have to be there. It is important to keep in mind that their goal, often, is to have you admitted, so ask as many clarifying questions as possible and do some google searches if you have the ability to.
- The hospital often will tell patients that they only will be in a psychiatric ward for 72 hours -- this is not a guarantee. There is never an 100% guarantee of a 72-hour stay.
- You do have the right to refuse the treatment plan they suggest (being admitted, for example). However, if they think that you are a danger to yourself or to others, they could involuntarily commit you.
- See next page on the difference between involuntary and voluntary.

2) RIGHT TO INFORMATION AND ATTORNEY

- You have the right to be informed of your rights in treatment, as well as the rules and regulations of the facility.
- You have the right to decide who they release your medical forms to.
- You have the right to be informed of diagnoses, tests, procedures, and the amount that they cost.
- You have the right to an attorney to help you advocate during your stay and you have the right to speak to them over the phone while in treatment.



3) RIGHT TO COMMUNICATION



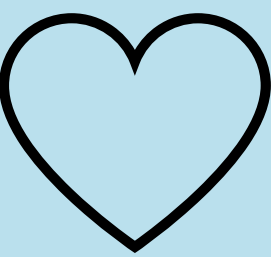
- You have the right to receive visitors of your own choice daily. As long as it is during visiting hours. You have the right to talk to them with "reasonable privacy", unless the staff thinks that the visitor wants to interfere with your treatment plan.
- You have the right to send mail without it being opened by the staff.
- Incoming mail can only be opened if there is suspected contraband, and it must be noted in the record. Staff cannot read the mail.
- You have the right to writing utensils and mail supplies.
- You have the right use telephones at your own expense for public or patient use. It is suggested, in state law, that the facility provides phones.
- In times of a personal emergency, you are allowed to make a phone call no matter the cost or distance of the call.

4) RIGHT TO ABSTAIN

- You have the right to refuse medication if you hold a "substantiated" religious belief against the use of medication, as long as the facility deems the patient to be capable of understanding the use of medication.
- You have the right to request a diet for religious practices.
- You have the right to abstain from religious practices in the facility.



5) RIGHT TO A HUMANE ENVIRONMENT



- You have the right to handle your personal affairs. Admission to a psychiatric ward does not mean that you can no longer file for divorce, get your drivers permit, etc.
- A patient cannot be deemed unable to control personal affairs solely because of admission to a psychiatric ward.
- Every patient has the right to be treated humanely and with consideration by all staff members. Any negligent or intentional conduct of staff which causes or may cause emotional or physical harm to a patient is a violation of this right.

6) RIGHT TO TREATMENT

- You have the right to receive treatment that is designed to promote healing and recovery from mental illness.
- You have the right to an individualized treatment plan. This plan needs to be developed within 72 hours of you being admitted.
- You have the right to participate in the planning of your treatment, to a "feasible" extent. Your treatment plan has to be written in "understandable" language and fully explained to you.



7) RIGHTS TO DISCHARGE

- You have the right to be discharged when treatment and care is no longer necessary.
- Your treatment should also include appropriate post-discharge services available in your community.

8) OTHER IMPORTANT RIGHTS

- You have a right to your personal belongings, as long as the facility does not have reason to believe that they could be used to hurt yourself or others.
- You cannot be subject to the withholding of privileges, nor to any system of rewards, except as part of an individualized treatment plan.
- You have the right to keep and wear your own clothing, unless there are reasonable grounds for why not to. You also have the right to bathrooms.
- You have the right to have a bed, bedding, nutritional food, and daily activities.



DIFFERENCE IN 302 AND 201 FORMS

201

How do you sign a 201 form?

- Usually in a hospital setting, after arriving at an emergency room for evaluation.
- If you are in the emergency room and voluntarily commit to staying at a ward for your mental health and safety, you will be asked to sign a 201 form.

What does it require?

- There are no hearings required for a voluntary admission.
- No information is submitted to the police.
- It does NOT go on your permanent record.

What does it mean?

- When a patient who was admitted with a 201 form wants to leave the hospital, they have to sign a form giving staff a 72-hour notice before leaving.
- The staff may decide, even if a 72-hour form is signed, that the patient still needs to stay in the facility, and then can ask the patient to take away their 72-hour form, or they can involuntarily commit the patient to continued treatment.
- There is no time-limit for the amount of time a voluntary admitted patient can stay.

Under the age of 14:

- If you are under the age of 14, you can be voluntarily admitted by a parent or legal guardian.
- Parents and legal guardians can sign a 201 form for someone under the age of 18, but only if this person is already in an emergency room and it is recommended by doctors.

302

How is a 302 form signed?

- A 302 form is an application for emergency evaluation and treatment.
- It is filled out when it is believed that a person is a danger to themselves or to others due to a mental illness.
- It is not signed by the person or patient themselves.
- It is an application process, so it needs to be approved in order to be put into action.
- Someone else can apply for another person if they are concerned about that person.

How is a 302 form approved?

- If a danger to self is shown. If the person has attempted or talked about attempting suicide. If they are unable to take care of themselves, or if they have mutilated themselves or other people.
- If a danger to others is shown. If the person has inflicted or attempted to inflict serious physical harm on someone else or is continually threatening to do so.

How is it used?

- It may require the involvement of family members, crisis professionals, and doctors.
- A police officer and doctor have the power to initiate a 302 form without prior approval from a medical board.
- Once a 302 form is initiated, the patient can be involuntarily admitted to the hospital, picked up in an ambulance, or taken to the emergency room.
- There is a time limit on this -- patients are not allowed to stay for over 120 hours unless a 303 form is signed.
- It does go on your permanent record.

What are other forms I might be asked to sign?

- Always ask extensively about the form that you are being asked to sign. If it feels overwhelming, ask the staff to give you time with the form.
- A 303 form is an Extended Emergency Involuntary Treatment form which can be signed after the original 120-hour period for an involuntarily admitted patient. A hearing is held at the hospital to determine if additional hours beyond the 120 are needed.
- A 304b form is a Longer-Term Inpatient Treatment form is used when the doctors determine that an involuntarily admitted patient needs more time in the hospital than the 20 days that are allowed from the 303 form. The hospital must file a petition and host another hearing for this form to be approved. Further treatment cannot exceed 90 days.
- A 305 form is considered after a 304b form, when it is determined that an involuntarily committed patient needs further treatment after the 90 days allowed from the 304b form. Another petition needs to be submitted and another hearing needs to be held. Treatment with this form cannot exceed 180 days.