



**Health Care Agency  
Behavioral Health Services  
Policies and Procedures**

Section Name: Client's Rights  
 Sub Section: Informing Materials  
 Section Number: 02.06.03  
 Policy Status:  New  Revised

	SIGNATURE	DATE APPROVED
Director of Operations Behavioral Health Services	<u>Signature on File</u>	<u>8/3/16</u>

**SUBJECT:** Medi-Cal Consumer Rights Under the Orange County Mental Health Plan

**PURPOSE:**

To outline the rights of Medi-Cal consumers with the County of Orange Behavioral Health Services (BHS) Mental Health Plan (MHP).

**POLICY:**

The County of Orange BHS MHP shall comply with affording Medi-Cal consumers all rights to which they are entitled.

**SCOPE:**

These procedures apply to all MHP Medi-Cal consumers and parent/guardian/conservator receiving Specialty Mental Health Services (SMHS) within BHS County and County Contract operated mental health clinics.

**REFERENCES:**

- Code of Federal Regulations (CFR) Title 42, Section 438.10
- CFR, Title 45, Sections 164.524 and 164.526
- CFR, Title 42, Sections 438.206-210
- Title IX Specialty Mental Health Services
- Orange County's Contract with Department of Health Care Services
- Administrative Policy and Procedures Manual
- Behavioral Health Services Policy and Procedure Manual

**PROCEDURES:**

The following rights are accorded to Medi-Cal consumers of the MHP and shall be respected by all BHS County and County Contracted staff:

- I. The right to receive information in accordance with CFR, Title 42, Section 438.10. This section provides that all enrollment notices, informational materials, and instructional materials relating to enrollees and potential enrollees must be provided in a manner and format that may be easily understood.
- II. The right to be treated with respect and with due consideration for his/her dignity and privacy.
- III. The right to receive information on available treatment options and alternatives presented in a manner appropriate to his/her condition and ability to understand.
- IV. The right to participate in decisions regarding his/her health care, including the right to refuse treatment. Exceptions to this are specified in regulations and laws.
- V. The right to be free from any form of restraint or seclusion used as a means of coercion, discipline, convenience, or retaliation, as specified in federal regulations on the use of restraints and seclusion.
- VI. The right to request and receive a copy of his/her Protected Health Information (PHI) and the right to request that his/her PHI be amended.
- VII. The right to be furnished health care services in accordance with CFR, Title 42, Sections 438.206-210.