



## RESIDENT RIGHTS AND PROTECTIONS IN A FAMILY-TYPE HOME FOR ADULTS

IF YOU FEEL THAT ANY OF THESE RIGHTS AND PROTECTIONS ARE BEING VIOLATED, YOU MAY CONTACT YOUR COUNTY DEPARTMENT OF SOCIAL SERVICES.

The home you are residing is in \_\_\_\_\_ county.

The county department of social services may be reached at \_\_\_\_\_

**OR** call the New York State Office of Children and Family Services at: **518-473-7857** **OR** the New York State Justice Center at: **855-373-2122**

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The Social Services Law gives you certain rights as a resident in a Family-Type Home.

### YOU HAVE THE RIGHT TO:

- ◆ receive courteous, fair, and respectful care and treatment, and not to be physically, mentally or emotionally abused or neglected in any manner.
- ◆ exercise your civil rights and religious liberties, and to make personal decisions, including your choice of physician, and to have the assistance and encouragement of the operator in exercising these rights and liberties.
- ◆ have private written and verbal communications or visits with anyone of your choice, or to deny or end such communications or visits.
- ◆ authorize those family members and other adults who will be given priority to visit, consistent with your ability to receive visitors.
- ◆ send and receive mail or any correspondence unopened and without interception or interference.
- ◆ present grievances or recommendations on your own behalf or on behalf of other residents to the operator, the department of social services, other government officials, or any other parties without fear of reprisal or punishment.
- ◆ join other residents or individuals inside or outside the home to work for improvement in resident care.
- ◆ confidential treatment of personal, social, financial and health records.
- ◆ have privacy in treatment and in caring for personal needs.
- ◆ receive a written statement (Admission Agreement) of the services regularly provided by the operator, those additional services which will be provided if you need, or ask for them, and the charges (if any) for these additional services.
- ◆ manage your own financial affairs.
- ◆ not be coerced or required to perform work; and if you work, to receive fair compensation from the operator.
- ◆ have recorded on the home's accident or incident report your version of the events leading to the accident or incident.
- ◆ neither physically restrained, nor locked in a room at any time.
- ◆ allow you to leave and return to the home at reasonable hours.

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### SOCIAL SERVICES LAW AND REGULATIONS ALSO PROVIDE OTHER PROTECTIONS. THESE IMPORTANT PROTECTIONS INCLUDE REQUIREMENTS THAT THE OPERATOR OR AGENT OF THE OPERATOR:

- ◆ provide to you, before or at the time of admission interview, a copy of the Admission Agreement explaining resident rights and protections, and a copy of any home rules relating to resident activities, and tell you of your obligation to comply with these rules.
- ◆ provide to you at least a 30-day written notice of any change in the home's rate or charges for supplemental services.
- ◆ provide to you, your next of kin or representative of your choice at least a 30-day written notice of the operator's intention to terminate your Admission Agreement. The notice must indicate the reason for termination and the date of termination.
- ◆ allow you to terminate your Admission Agreement, subject to the conditions for notice established in your Admission Agreement.
- ◆ guarantee that you keep from any Supplemental Security Income (SSI) payments you receive a personal needs allowance to buy any items the operator is not required to provide to you.
- ◆ offer each SSI recipient the opportunity to keep personal allowance funds in a home-maintained account.
- ◆ maintain complete records on your personal allowance account and upon request, or at least quarterly, show or give you a statement that has all deposits, withdrawals, and the current balance in the account.
- ◆ allow you to review upon request the local department of social services inspection report, excluding any confidential attachments, for the most recent two-year period.
- ◆ maintain a system for accepting and responding to grievances and recommendations for changes or improvement in home operations.
- ◆ neither require from you, nor accept from you, any gratuity (i.e., tip or gift) in any form.

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### YOU HAVE THE RESPONSIBILITY.

Social Services Law provides that you are responsible for obeying all reasonable rules of the home and for respecting the personal rights and property of the other residents in the home.

Pursuant to the Americans with Disabilities Act, the New York State Office of Children and Family Services will make this material available in an appropriate format upon request.