

Policy:

Palmer's Home care, LLC strives to advocate and provide for individuals rights without limitations; however, in cases in which an individual's choices inhibit their health or safety- despite best efforts by staff to educate and redirect-the due process may be engaged. An individual's rights may not be restricted by a provider of targeted case management or home and community-based services, without due process. The individual has a right to an appeal and Palmer's Home Care, LLC staff will assist the individual in identifying an external advocate, if requested.

Comments:

Due Process will be followed for any individual that requires a rights restriction. This will include the following:

- Justification – purpose and rationale
- Conditions – under which the restriction is applied
- Teaching or Support Strategies
- Monitoring Methods
- Criteria for restoration
- Review schedule
- Notice of right to due process

All rights restrictions will be presented before the Behavioral Resource Team at CMRO or appropriate Regional Office for review and approval before being implemented. Guardians, Support Coordinators, and the Provider will all have to agree to the restriction. In the event that the service coordinator, guardian, or any other team member does not believe that an action is a possible restriction, yet Palmer's Home Care, LLC, believes that it may be a restriction, Palmer's Home Care, LLC, will seek the recommendation of CMRO or appropriate Regional Office due process committee by submitting the action in question.

If an individual has any emergent health (by physician order) or behavioral concern develop, a rights restriction may be utilized prior to due process review if it is deemed necessary by the provider, case management, and guardian. If this is deemed necessary, then the team will put it in place with an amendment from the service coordinator, signed by the team. It will be put forth before the Due Process team as soon as possible.

Palmer's Home Care, LLC, will review the individual's plan annually with the team to seek possible restrictions and will review each new action at the time of implementation to ensure rights are not restricted without due process.

Approved by: _____


Robert Palmer, RN, BSN, Owner PHC