

I think my rights were inappropriately denied. What can I do?

Please call us as soon as possible. We will make every effort to resolve your concern. If we cannot quickly resolve your concern, there is a grievance and complaint process available to formally address treatment concerns.

What is the Patient Advocacy Program?

We are dedicated to ensuring the rights of behavioral health clients.

Behavioral health clients have the same legal rights afforded to every American citizen.

Information & Assistance

(619) 282-1134 or 1-800-479-2233

Fax: (619) 282-4885

www.jfssd.org/patientadvocacy

Hours: 8:00am–5:00pm, Monday–Friday



Patient Advocacy

For behavioral health clients receiving services in San Diego County

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For a copy of our Notice of Privacy Practices, please visit our website or contact us.



Patient Advocacy

Denial of Rights



The Patient Advocacy Program is funded by the county of San Diego



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What are my rights?

Persons with mental illness have the same legal rights guaranteed to all other persons by the Federal and State Constitutions and laws. Each person admitted to any psychiatric facility for evaluation or treatment – voluntarily or involuntarily – has rights.

Your rights are protected.

- A patient's parent, guardian, or conservator cannot tell the doctor or facility to deny a patient their right(s).
- Less restrictive measures must at least be considered prior to denying a right.
- If any of your rights are denied, you must be told the reason for the denial and it must be documented in your medical record. Your rights must be reinstated as soon as the reason for the denial no longer exists.
- A patient cannot be forced or threatened to give up any rights as a condition for being admitted or discharged from a facility.
- The reason used to justify the denial of a patient's right must be related to the specific right denied. A right shall not be denied as a punitive measure, nor shall a right be considered a privilege to be earned.
- Hospital policy cannot supersede the denial of rights process.

For additional information about your rights, please contact the Patient Advocacy Program.

Authority Cited: California Welfare and Institutions Code Sections 5325, 5325.1, 5326; Title 9 California Code of Regulations Sections 865.2, 865.3, 865.5

Rights which may only be denied for "Good Cause":

- Wear your own clothes; to keep and use your own personal possessions including your toilet articles; and to keep and be allowed to spend a reasonable sum of your own money for small purchases.
- Have access to individual storage space for your private use.
- See visitors each day.
- Have reasonable access to telephones, both to make and receive confidential calls or to have such calls made for you.
- Have ready access to letter writing materials, including stamps, and to mail and receive unopened correspondence.

What does "Good Cause" mean?

Good cause for denying a patient a right exists when the doctor has good reason to believe:

- (1) That the exercise of the specific right would be injurious to the patient; or
- (2) That there is evidence that the specific right, if exercised would seriously infringe on the rights of others; or
- (3) That the institution or facility would suffer serious damage if the specific right is not denied; and
- (4) That there is no less restrictive way of protecting the interests specified in (1), (2), or (3).

Rights that cannot be denied:

- The right to treatment services which promote the potential of the person to function independently.
- The right to dignity, privacy, and humane care.
- The right to be free from harm, including unnecessary or excessive physical restraint, isolation, medication, abuse, or neglect.
- The right to prompt medical care and treatment.
- The right to religious freedom and practice.
- The right to participate in appropriate programs of publicly supported education.
- The right to social interaction and participation in community activities.
- The right to physical exercise and recreational opportunities.
- A right to be free from hazardous procedures.
- The right to receive services from a patient advocate.



**Need Assistance? Have Questions?
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