

# Do you know your rights?

Regardless of whether you receive services for a mental illness, intellectual disability, or substance use disorder, you have the same rights as all other citizens of the state of Alabama. The programs which provide your services are expected to safeguard your rights but you should take the time to know and understand each right so that you can recognize if yours are being violated. Your rights fall into two categories: **Civil/Legal/ Personal Rights and Treatment Rights.**

## CIVIL / LEGAL / PERSONAL RIGHTS

### you have the right to:

**Be Informed About Your Rights.** Staff should inform you of your rights but if they do not or if you have any questions, please call your advocate.

**Due Process.** Your rights cannot be taken away without justification.

**File a Writ of Habeas Corpus.** If you believe that you are being held at the facility illegally, you have the right to file a petition for a Writ of Habeas Corpus with the attorney of your choice.

**Education.** If you are school age, you have a right to receive a free and appropriate public education.

**Complain.** If you feel your rights have been violated you should notify staff or your advocate.

**Legal Competency.** You have the right to be treated as a legally competent individual unless a court had determined that you are not.

**Safe and Humane Environment.** You have the right to receive services in an environment which is safe, clean, and where staff treat you respectfully.

**Protection From Harm.** You should not be physically or mentally abused or neglected by staff.

**Privacy/Confidentiality.** Your treatment should be conducted in a respectful manner and your privacy should be maintained.

**Freedom of Movement.** You should not be unnecessarily restrained or restricted in your movement unless it is for your safety or the safety of others.

**Personal Possessions.** You have the right to wear your own clothing. You do have the right to keep your personal possessions however, there may be some restrictions placed on what can be brought to the place where you receive services.

**Communications and Social Contacts.** You have the right to have visitors, use the telephone, and send and receive mail. The program may have some established guidelines and appointed times for you to observe while exercising this right.

**Religion.** Should you wish to practice a religion, you have the right to do so. You also have the right to choose not to practice any religion.

**Confidentially of Records.** Records of your treatment and care should be kept confidential.

**Not to Perform Labor.** You should not be forced to perform any type of labor as a condition of your participation in services or without adequate compensation.

**Disclosure of Services Available.** When you have been admitted, you should be informed of the cost of the care and services you will receive.

## TREATMENT RIGHTS

### you have the right to:

**Quality Treatment.** You have the right to receive quality treatment and care from trained professionals, regardless of your age, sex, national origin or handicap.

**Individualized Treatment.** Your plan of services should be designed just for you. It should be based on your individual abilities, needs and wishes.

**Participation in Treatment.** You should be allowed to actively participate in your treatment.

**Least Restrictive Conditions.** You should receive the least restrictive treatment and be placed in the least restrictive settings necessary and available for your treatment and care.

**Refuse Research and Experimentation.** You have the right to refuse to participate in research and experimental projects.

**Informed Consent.** Your voluntary, written, informed consent should be obtained for the treatment, care, and services you receive.

YOUR RESPONSIBILITIES

**Realizing that the freedom to exercise rights carries with it the need to accept some responsibilities, the following list of responsibilities is expected of each person who is in the care of a program operated or certified by the Alabama Department of Mental Health within the limits of his/her abilities:**

- Provide, to the best of your knowledge, accurate and complete information regarding your medical history including: present and past illnesses, medications, hospitalizations, etc.
- Be responsible for your actions should you refuse treatment or do not follow instructions.
- Be familiar with and follow rules and regulations governing your care and conduct.
- Attend scheduled activities and keep appointments.
- Be considerate of the rights of others.
- Be respectful of the property of others and of the facility.
- Take an active part in planning for your treatment/habilitation program and discharge.
- Ask questions when you do not understand instruction, treatment, etc.
- Help take care of and clean up your living area.
- Help keep yourself clean and dressed.
- Obey the laws which apply to all citizens.

The Alabama Department of Mental Health has a legal and ethical responsibility to safeguard the rights of individuals receiving services within its facilities and programs. Based on the department's philosophy to provide quality care, treatment and habilitation, the Rights Protection and Advocacy Program evidences our continued commitment to the delivery of quality services and rights protection for our citizens.

**For More Information Contact:**

**The Alabama Department of Mental Health  
Office of Rights Protection & Advocacy**

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ALABAMA DEPARTMENT OF  
**MENTAL HEALTH**

**Do you know  
your rights?**

RIGHTS PROTECTION & ADVOCACY PROGRAM  
"Rights Are Our Business"

