

In addition to your rights as a patient at this healthcare facility, listed below are additional rights specifically to your stay in the behavior health unit per WAC 246-341-0600.

You have the right to:

- Receive services without regard to race, creed, national origin, religion, gender, sexual orientation, age or disability. Individual participants have the right to refuse participation in any religious practice;
- Be reasonably accommodated in case of sensory or physical disability, limited ability to communicate, limited English proficiency, and cultural differences;
- Be treated with respect, dignity and privacy, except that staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises or to address risk of harm to you or others. “Reasonable” is defined as minimally invasive searches to detect contraband or invasive searches only upon the initial intake process or if there is reasonable suspicion of possession of contraband or the presence of other risk that could be used to cause harm to self or others;
- Be free of any sexual harassment and have access to protective services;
- Be free of exploitation, including physical and financial exploitation;
- Have all clinical and personal information treated in accord with state and federal confidentiality regulations;
- Participate in the development of your individual service plan and receive a copy of the plan if desired.
- Make a mental health advance directive consistent with Washington state law;
- Review your individual record in the presence of the administrator or designee and be given an opportunity to request amendments or corrections; and
- Submit a report or lodge a complaint to the Department of Health if you feel the agency has violated your rights or a WAC requirement regulating behavioral health agencies.
- At time of admission and upon your request, the hospital must provide you with information on how to file a report to the Department of Health if you feel your rights or requirements of this chapter have been violated.

For Voluntary Inpatients: You have the right to be released unless involuntary commitment proceedings are started. If you leave against medical advice, you will be asked to sign an Against Medical Advice form after speaking with your physician and care team.

For Involuntary Inpatients: (RCW 71.05.217)-In addition to the rights above:

- You have the following rights so long as no danger is created for you, other patients, or staff:
 - To wear your own clothes and to keep and use personal possessions except when removal of these items is essential to protect your safety or other persons;
 - To keep and be allowed to spend a reasonable sum of your money for potential expenses and small purchases if allowed in the plan of care;
 - To have access to individual storage space for your use;
 - To have visitors at reasonable times as long as visitors adhere to facility rules;
 - To have reasonable access to a telephone, both to make and receive confidential calls;
 - To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mail;
 - To have the right to individualized care and adequate treatment;
 - To discuss treatment plans and decisions with professional persons;
 - To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;
 - Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(4) or the performance of electroconvulsant therapy or surgery except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to the following standards and procedures;
 - The administration of antipsychotic medication or electroconvulsant therapy shall not be ordered unless the petitioning party proves by clear, cogent, and convincing evidence that there exists a compelling state interest that justifies overriding your lack of consent to the administration of antipsychotic medications or electroconvulsant therapy, that the proposed treatment is necessary and effective, and that medically acceptable alternative forms of treatment are not available, have not been successful, or are not likely to be effective.
 - The court shall make specific findings of fact concerning:
 - The existence of one or more compelling state interests.
 - The necessity and effectiveness of the treatment; and
 - Your desires regarding the proposed treatment. If you are judged to be unable to make a rational and informed decision about consenting to or refusing the proposed treatment, the court shall make a substituted judgment for you as if he or she were competent to make such a determination.

- You shall be present at any hearing on a request to administer antipsychotic medication or electroconvulsant therapy filed per this subsection. You have the right:
 - To be represented by an attorney.
 - To present evidence.
 - To cross-examine witnesses.
 - To have the rules of evidence enforced.
 - To remain silent.
 - To view and copy all petitions and reports in the court file; and
 - To be given reasonable notice and an opportunity to prepare for the hearing.
- The court may appoint a psychiatrist, physician assistant working with a psychiatrist who is acting as a participating physician as defined in RCW **18.71A.010**, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician to examine and testify on your behalf.
- The court shall appoint a psychiatrist, physician assistant working with a psychiatrist who is acting as a participating physician as defined in RCW **18.71A.010**, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician designated by you or your counsel to testify on your behalf in cases where an order for electroconvulsant therapy is sought.
- An order for the administration of antipsychotic medications entered following a hearing conducted pursuant to this section shall be effective for the period of the current involuntary treatment order, and any interim period during which you are awaiting trial or hearing on a new petition for involuntary treatment or involuntary medication.
- If you are detained and subsequently refuse antipsychotic medication, you are entitled to the procedures in this subsection.
- Antipsychotic medication may be administered even if you do not consent if you are detained or committed by this chapter without a court order or under the following circumstances:
 - A person presents an imminent likelihood of serious harm.
 - Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and
 - In the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for treatment of the person, or his or her designee, if your condition constitutes an emergency requiring the treatment be instituted before a judicial hearing as authorized pursuant to this section can be held.
- If antipsychotic medications are administered over your lack of consent by this subsection, a petition for an order authorizing the administration of antipsychotic medications shall be filed on the next judicial day. The hearing shall be held within two judicial days. If deemed necessary by the physician, physician assistant, or psychiatric *advanced registered nurse practitioner with responsibility for your treatment, administration of antipsychotic medications may continue until the hearing is held.
- You may continue to dispose of property and sign contracts unless you have been adjudicated an incompetent in a court proceeding directed to that particular issue.
- Not to have psychosurgery performed on you under any circumstances.
- To not be denied access to treatment by cultural or spiritual means through practices that are following a tribal or cultural tradition in addition to the treatment otherwise proposed.
- If you are involuntarily detained or committed under the provisions of this chapter you are entitled to all the rights set forth in this chapter and retain all rights not denied under this chapter except as limited by chapter **9.41** RCW involving firearms and dangerous weapons.
- You are not presumed to be incompetent because you are receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter **10.77** RCW which focuses individuals citing criminal insanity.
- Subject to RCW **71.05.745 (single bed certification)** and related regulations, by receiving evaluation or treatment under this chapter you must be given a reasonable choice of an available physician, physician assistant, psychiatric *advanced registered nurse practitioner, or other professional person qualified to provide such services.
- Whenever any person is detained under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within 120 hours of the initial detention, a judicial hearing must be held in a superior court within 120 hours to determine whether there is probable cause to detain the person for up to an additional 14 days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm or is gravely disabled, and that at the probable cause hearing the person has the following rights:
 - To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the name and address of the attorney that has been designated.
 - To remain silent, and to know that any statement the person makes may be used against him or her.
 - To present evidence on the person's behalf.
 - To cross-examine witnesses who testify against him or her.

- To be proceeded against by the rules of evidence.
- To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost.
- To view and copy all petitions and reports in the court file; and
- To refuse psychiatric medications, including antipsychotic medication beginning 24 hours prior to the probable cause hearing.
- The judicial hearing described in the preceding paragraph must be held according to those provisions and rules promulgated by the supreme court.
 - Privileges between patients and physicians, physician assistants, psychologists, or psychiatric *advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges are waived when a court of competent jurisdiction in its discretion decides that such waiver is necessary to protect either the detained person or the public.
 - The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to decide whether it is within the scope of the waiver.
 - The record maker may not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW **5.45.020** are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.
- Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.
- Nothing in this section allows any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.
- The rights set forth under this section apply equally to 90-day or 180-day hearings under RCW **71.05.310**.

You may exercise your right to voice complaints or grievances about your care or concerns either verbally or in writing and to have prompt follow up. You may report your complaint or grievance by asking to speak to the charge nurse, department manager, or by contacting one of PeaceHealth's Patient Relations team members at the phone numbers provided below.

PeaceHealth Southwest Medical Center 400 NE Mother Joseph Place Vancouver, WA 98664 360-514-2000 Patient Relations Team 1-844-749-8817	PeaceHealth St. John Medical Center 1615 Delaware Street Longview, WA 98632 360-414-2000 Patient Relations Team 1-844-749-8817	Peace Health St. Joseph Medical Center 2901 Squalicum Parkway Bellingham, WA 98225 360-734-5400 Patient Relations Team 1-844-749-8817
Washington Department of Health Online: https://doh.wa.gov/licenses-permits-and-certificates/file-complaint-about-provider-or-facility/complaint-forms By mail: Washington State Department of Health Health Systems Quality Assurance Complaint Intake P.O. Box 47857 Olympia, WA 98504-7857 Email: HSQAComplaintIntake@doh.wa.gov		Center for Medicare and Medicaid Services (CMS) Medicare Beneficiary Ombudsman Online: www.medicare.gov/providers-services/claims-appeals-complaints/complaints https://www.cms.gov/center/special-topic/ombudsman/medicare-beneficiary-ombudsman-home Toll free: 1-800-MEDICARE (1-800-633-4227) TTY: 1-877-486-2048