Missouri Department of Mental Health

Client Rights and Privileges

Consumers of Department of Mental Health services are entitled, by Missouri law, to the following rights without limitation:

1. To humane care and treatment;
2. To the extent that the facilities, equipment, and personnel are available, to medical care and treatment in accordance with the highest standards accepted in medical practice;
3. To safe and sanitary housing;
4. To not participate in non-therapeutic labor;
5. To attend or not attend religious services;
6. To receive prompt evaluation and care, treatment, habilitation, or rehabilitation about which the individual is informed insofar as the person is capable of understanding;
7. To be treated with dignity as a human being;
8. To not be the subject of experimental research without prior written and informed consent of a parent, if a minor, or guardian; except that no involuntary committed consumer shall be subject to experimental research, except as provided by statute;
9. To decide not to participate or to withdraw from any research at any time for any reason;
10. To have access to consultation with a private physician at your own expense;
11. To be evaluated, treated, or habilitated in the least-restrictive environment;
12. To not be subjected to any hazardous treatment or surgical procedure unless the individual or a parent or guardian consents; or unless such treatment or surgical procedure is ordered by a court of competent jurisdiction;
13. In the case of hazardous treatment or irreversible surgical procedures, to have, upon request, an impartial review prior to implementation, except in case of emergency procedures required for the preservation of life;
14. To a nourishing, well-balanced, and varied diet; and
15. To be free from verbal, physical, and sexual abuse.

Missouri law gives consumers the following rights that MAY be limited based on safety or therapeutic reasons:

16. (*) To wear one's own clothes and to keep and use personal possessions;
17. To keep and be allowed to spend a reasonable sum of own money for canteen expenses and small purchases;
18. (*) To communicate by sealed mail or otherwise with persons including agencies inside or outside the facility;
19. To receive visitors of own choosing at reasonable times;
20. (*) To have reasonable access to a telephone both to make and receive confidential calls;
21. To have access to one's mental and medical records;
22. To have opportunities for physical exercise and outdoor recreation; and
23. To have reasonable, prompt access to current newspapers, magazines, and radio and television programming.

Psychiatric hospitals accredited by the Joint Commission for the Accreditation of Healthcare Organizations (JCAHO) must assure the following standards are met in serving consumers:

24. Personal dignity and services considerate and respectful of personal values and beliefs;
25. Information about hospital rules and regulations concerning conduct of consumers;
26. Informed participation in decisions regarding treatment;
27. Participation in treatment planning;
28. Appropriate assessment and management of pain;
29. Individualized treatment;
30. Personal privacy and confidentiality of information; and
31. Opportunity to identify a surrogate decision maker if a consumer is incapable of understanding a proposed course of treatment or is unable to communicate regarding treatment as part of an advance directive.

Note: Consumers committed under 552.40 RSMo shall not be entitled to the rights marked with an asterisk (*), unless the head of the facility determined that these rights are necessary for the person's therapeutic care, treatment, habilitation, or rehabilitiation

As a participant of the Medicaid and Medicare programs, this facility agrees to protect and promote each of the rights listed below:

32. To be informed of rights before furnishing or discontinuing patient care, when possible;
33. To establish a grievance procedure and inform each patient whom to contact to file a grievance;
34. To participate in the development and implementation of one's plan of care;
35. To make informed decisions regarding one's care;
36. To formulate an advance directive;
37. To have a family member or chosen representative be notified promptly of admission;
38. To personal privacy;
39. To receive care in a safe setting;
40. To be free from all forms of abuse or harassment;
41. To confidentiality of one's clinical information;
42. To access information contained in one's clinical records within a reasonable time frame;
43. To be free from restraints of any form that are not medically necessary or are used as a means of coercion, discipline, convenience or retaliation by staff.

44. Federal law provides consumers the right to reasonable access to treatment regardless of race, sex, creed, marital status, national origin, handicap, or age.