

The Right Door for Hope, Recovery, and Wellness

Chapter Title Recipient Rights	Chapter # RR		Subject # 130.2
Subject Title Customer Access to Records	Adopted 09/26/96	Last Revised 1/4/17	Reviewed 04/22/99;07/26/05; 09/05/06;3/29/10; 3/3/14;1/4/17; 3/15/21; 4/21/22

PROCEDURE

Application

This procedure shall apply to The Right Door for Hope, Recovery, and Wellness and all services operated by or under contract with it. This procedure shall serve as a guide to assure compliance with Board policy regarding Recipient Rights.

- 1.0 Agency employees or independent contractors and their employees who receive either a verbal or written request from a consumer to review their record shall:
 - 1.1 Inform the consumer that access shall be allowed within five (5) working days based on the CEO or his/her designee's determination of appropriate disclosure;
 - 1.2 Ask the consumer if he/she would like to read the record and/or receive copies of the record.
 - 1.2.1 Inform the consumer that if he/she chooses to read the record, the consumer must be accompanied by the primary therapist or program manager during the reading and an appointment must be scheduled in advance to facilitate the consumer's supervised reading of the record.
 - 1.2.2 Inform the consumer that a copying charge will be levied by the Agency for all copies made of the consumer's record and that the copying charge shall be based on the consumer's ability to pay and is payable at the time copies are received; stamped dated, and initialed by consumer as released to consumer.

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The copying fee shall be paid to the Reimbursement Specialist and a receipt shall be provided to the consumer.

1.2.3 Notify the program manager of the request.

- 2.0 The program manager shall review the record and determine if disclosure of the record to the consumer will cause substantial harm to the consumer for entries prior to March 28, 1996, of a competent adult, subsequent entries shall have unimpeded access.
- 3.0 Other agency employees may be utilized to make the determination of the disclosure.
- 4.0 A progress note shall be entered into the consumer's record which includes the date of access, what information was disclosed, how it was disclosed (i.e., consumer read the file and/or received copies) and the purpose for which access was allowed.
- 5.0 The progress note shall be written and signed by the therapist or Agency employee assigned to the consumer.
- 6.0 If total or partial access of the record is refused, a reasonable explanation of the denial shall be provided to the consumer by the Agency or independent contractor employee who facilitates the consumer's access to the record. A progress note of the same shall be entered into the consumer's record and signed. Entries subsequent to March 28, 1996, of a competent adult shall be exempt from denial.
- 7.0 A decision by the CEO/designee refusing access may be appealed by the consumer by filing a complaint with the Recipient Rights Officer and pursuant to Recipient Rights policies and procedures.

References

Mental Health Code 330.1748
Administrative Rules 330.7051

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Kerry Possehn, Chief Executive Officer			Date