

WAC 246-337-075 Resident rights. The licensee must establish a process to ensure resident rights are protected in compliance with chapter 71.12 RCW, this chapter, and other applicable laws, and are based on the service types provided in the RTF. This process must address how the RTF will:

(1) In an understandable manner, inform each resident or their personal representative, designee or parent or guardian, of the following:

(a) All rights, treatment methods, and rules applicable to the proposed health care of the resident;

(b) The estimated cost of treatment;

(c) The name, address and telephone number of the department;

(d) How to file a complaint with the department without interference, discrimination, reprisal or facility knowledge; and

(e) Use of applicable emergency interventions such as:

(i) Behavior management;

(ii) Restraint or seclusion, if used in the RTF;

(iii) Special treatment intervention such as room or personal searches;

(iv) Restrictions of rights; and

(v) Confidentiality parameters based on terms of admission or confinement.

(2) Treat each resident in a manner that respects individual identity, human dignity and fosters constructive self-esteem. Each resident has the right to:

(a) Be free of abuse, including being deprived of food, clothes, or other basic necessities;

(b) Be free of restraint or seclusion, except as provided in WAC 246-337-110;

(c) Participate or abstain from participation in social and religious activities;

(d) Participate in planning their own health care and treatment;

(e) Review or have their personal representative, designee, or parent or guardian review the resident's files in accordance with chapter 70.02 RCW;

(f) Refuse to perform services for the benefit of the RTF unless agreed to by the resident, documented in the individual service plan and in accordance with applicable law;

(g) Have a safe and clean environment; and

(h) Be free from invasion of privacy; provided that reasonable means may be used to detect or prevent items that may be harmful or injurious to the resident or others, from being possessed or used on the premises.

(3) On or before admission, document that each resident, or the resident's personal representative, designee, parent or guardian receives a written copy of the resident's rights that includes all items in subsection (2) of this section.

(4) Protect the confidentiality of:

(a) Treatment and personal information when communicating with individuals not associated or listed in the resident's individual service plan or confidentiality disclosure form;

(b) Residents when visitors or other nonresidents are in the RTF; and

(c) Residents receiving substance use disorder service in accordance with 42 C.F.R., Part II.

(5) Comply with reporting requirements of suspected incidents of child or adult abuse and neglect in accordance with chapters 26.44 and 74.34 RCW.

(6) Account for each resident's assets, including allowance, earnings from federal or state sources and expenditures.

(7) Assist each resident, upon request, in sending written communications of the fact of the resident's commitment in the RTF to friends, relatives, or other persons.

[Statutory Authority: RCW 71.12.670. WSR 18-06-092, § 246-337-075, filed 3/6/18, effective 4/16/18. Statutory Authority: Chapter 71.12 RCW. WSR 05-15-157, § 246-337-075, filed 7/20/05, effective 8/20/05.]