

CONSUMER RIGHTS ADVOCACY POLICY

I. INTENT

It is the intent of San Andreas Regional Center that staff advocate for the civil, legal and service rights of persons with developmental disabilities and view this as a primary responsibility of case management.

II. DEFINITION

Civil rights are those rights and freedoms guaranteed to all by the constitution, such as the right to fair and equal treatment under the law, freedom of speech, etc.

Legal rights are those aspects of society which are governed by local, state or federal law, such as property ownership, employment, and criminal behavior. The rights of consumers specified in the Lanterman Developmental Disabilities Services Act are restatements of existing civil and legal rights which cannot be abridged on the basis of one's disability.

Service rights comprise an entitlement which is based on the needs of the individual as stipulated in the Lanterman Act.

Clients' Rights Advocate (CRA) is a person trained to help protect the rights of people with developmental disabilities, and is employed by the Office of Clients' Rights Advocacy.

Office of Client's Rights Advocacy (OCRA) is a statewide office run by Protection & Advocacy, Inc., through a contract with the California Department of Developmental Services.

Consumer Relations Specialists are consumers hired by the regional center who report to the Consumer Relations Manager.

III. POLICY

All staff are expected to be familiar with the rights of persons with developmental disabilities as identified in the Lanterman Act and as specified by local, state or federal regulations. Staff are responsible for assuring the rights of San Andreas consumers through individual and systemic advocacy. At all times the consumer/family shall be encouraged to choose what level of assistance/advocacy/intervention they desire.

The service coordinator is the primary advocate for consumers and families. The service coordinator assists the consumer/family in acquiring or improving self-advocacy skills. When needed, the service coordinator shall represent the consumer/family directly in accessing services from other agencies.

In order to successfully advocate or assist in self-advocacy, the service coordinator must gather all available information regarding the needs, desires, and preferred outcomes of the consumer/family; the availability of resources to meet the identified needs; and the processes required to access the identified services. At all times the service coordinator must be aware of the rights of consumers in order to recognize when rights are ignored, denied, or violated within the consumer's environment. Any violation, denial, or neglect of rights must immediately be reported to the appropriate individual or agency.

The service coordinator consults with the district manager as needed to obtain technical assistance or direction regarding individual advocacy. At the direction of the district manager, the service coordinator does one or both of the following:

- o Obtain consultation or technical assistance from advocacy resources such as Area Board VII and the Clients' Rights Advocate
- o Make a written referral to the Clients' Rights Advocate on behalf of the consumer or family

When a written referral is given to the Client's Rights Advocate, the CRA may do any of the following:

- o Monitor and coordinate the regional center's advocacy efforts and advise the executive director on rights and advocacy issues.
- o Provide training to consumers/families, staff and service providers.
- o Provide consultation, direct representation, or referrals to other advocacy agencies such as Area Board VII, Protection and Advocacy, Mental Health Advocacy Project, etc.
- o Work collaboratively with other public benefit programs as needed to resolve access issues, or to identify issues that require systemic advocacy.
- o The CRA may also receive referrals directly from a consumer's family or others in the community.

San Andreas Regional Center adheres to the Memorandum of Understanding (MOU) developed with the Office of Client's Rights Advocacy which guides the advocacy services provided by the Clients' Rights Advocate.

Consumer Relations Specialists are responsible for the following activities:

- o Establish and maintain Board of Directors Consumer Advisory Councils (CAC) in each county.
- o Provide peer-counseling as requested by individual consumers.
- o Provide training activities for consumers, vendors, and staff on consumer rights and general consumer issues.
- o Represent consumer interests at public meetings and to elected officials.

IV. PURCHASE OF SERVICE (POS) STANDARD

This policy does not involve purchasing services for a consumer.

V. EXCEPTION TO THE POLICY

The exception process is not pertinent/relevant to this policy.

VI. NOTICE OF ACTION

A notice of action is not pertinent/relevant to this policy.

Adopted 1/14/05