**Section 220.2100 Participant Rights**

a) The licensee shall establish a Participant's Bill of Rights, which shall include:

1) The right to information to facilitate decision making;

2) The right to be free of harm from physical abuse, mental abuse, sexual abuse, and physical punishment;

3) The right to access and/or referral to guardians, conservators, self-help groups, and/or advocacy groups, and legal assistance;

4) The protection of basic human rights, including rights to adequate food, shelter, education, dignity, and respect;

5) The right to request discharge from the facility;

6) The right to equal and effective treatment;

7) The right to confidentiality;

8) The right to refuse treatment;

9) The right to have input into the rehabilitation plan;

10) Freedom from discrimination on the basis of race, religious practice, color, national origin, sex, age, handicap, marital status, or source of payment;

11) The right to engage in unrestricted communication;

12) The right to privacy (but not necessarily a single bedroom);

13) The right to retain and use personal clothing and possessions;

14) Unless previously arranged, the right not to be transferred or discharged, except in an emergency situation. The individual, his or her guardian (if applicable), and other responsible persons shall be notified immediately;

15) The right to the services of a representative of the State agency or program charged with regulating, licensing, or monitoring the program;

16) The right to seek legal assistance;

17) The right to pursue productive and recreational choices;

18) The right to be paid for labor provided to the Model, other than labor that is an element of the rehabilitation program as outlined in the Individual Rehabilitation Plan;

19) The right to regularly review the rehabilitation plan;

20) The right to make recommendations for changes in Model policy that will have an impact on the participant or the participant's rehabilitation program;

21) The right to choose a personal physician;

22) The right to make contacts with the community and to achieve the highest level of independence, autonomy, and interaction with the community; and

23) The right to determine, within the bounds of good personal hygiene, his or her dress, hair style, or other personal choices according to individual preference.

b) The licensee shall establish a Participants' Bill of Rights policy, which includes:

1) A mechanism to communicate these policies to the persons served;

2) Grievance procedures; and

3) Procedures for documenting, investigating, and resolving allegations of infringements of rights, including reporting to the Department.