

Consumer Rights

CONFIDENTIALITY

Every consumer has the right to see their own service file. It is the right of only the consumer to authorize the use of any information in his/her file. This authorization must be requested in writing. Access to service files shall be given to the Executive Director and the staff providing direct service. The specific written request of the consumer must identify what information can be released and to whom, i.e., general and/or HIV related, drug, narcotic, or alcohol use information.

No information will be released without written permission of the consumer. Consumers will be given a formalized appeal process in writing to remedy any unsatisfactory situations.

CONSUMER APPEAL PROCESS

It is SILC's policy to provide effective and acceptable means for consumers to bring problems and complaints concerning their receipt of services to the appropriate persons. Consumers are encouraged to settle grievances informally through discussion with staff providing services and/or using the resources of the Executive Director. If this does not remedy the situation any consumer may bring up a grievance in the following manner.

Step 1 – Submit a written statement of the grievance to the Executive Director, including notes of any informal meeting and discussions. This should be done promptly. The Executive Director has the responsibility of responding to the grievance within 5 business days. If necessary, a meeting will be set up to take place no later than 3 business days from the time the grievance was first submitted to the Executive Director. The Executive Director will render a decision. Written record shall be kept of this grievance and resolution and placed in the consumer's file.

If the Executive Director fails to respond to the grievance, or the consumer believes the decision is not acceptable, or if a solution has been reached but is not adhered to, he/she may proceed to Step 2.

Step 2 – Submit a written statement of the grievance to the Executive Committee, including notes of any meetings or discussions. This should be done promptly. The Executive Committee has the responsibility of responding to the grievance within 10 business days. If necessary, a meeting will be set up to take place no later than 8 business days from the time the grievance was first submitted to the Executive Committee. The Executive Committee will render a decision. Written record shall be kept of this grievance and resolution and placed in the consumer's file.

If the Executive Committee fails to respond to the grievance or the consumer believes the decision is not acceptable, or if a solution has been reached but is not adhered to, he/she may proceed to Step 3.

Step 3 – Consumer submits a statement of the grievance and all other pertinent materials to the Board of Directors. This should be done promptly – no later than 5 business days after the resolution of Step 2. The President shall set up a meeting with all concerned

individuals and the Board of Directors to respond to the grievance 10 business days after receiving the grievance.

After, due consideration of the materials and data presented the Board will render a decision in writing with copies to the Personnel Committee and the Executive Director. A copy will be maintained in the consumer's file.

In all cases, the decision of the Board of Directors shall be binding. (If the grievance is with the Executive Director, the process will start with Step 3).

Step 4 – If the consumer is not satisfied with the Board of Directors decision, the consumer has the right to contact Bob Gumson, IL Manager, at Adult Career and Continuing Education Services- Vocational Rehabilitation, at (518) 474-2925 or 1-800-222-5627, or, by mail to Robert Gumson, NYSED ACCES, 89 Washington Ave., EBA 5th Floor, Albany, NY 12234.

All records and documents kept by SILC on consumers are subject to review by appropriate funding sources and can be subpoenaed by courts. The rules of confidentiality are not protected by law when injury to self or others is at stake.

STATEMENT OF SELF-DIRECTION

Southwestern Independent Living Center, Inc. (SILC) must assist persons with disabilities in exercising more freedom and control over their own lives. Therefore, whenever possible the individuals receiving services shall be instrumental in identifying needed services and the delivery of these services.

Consumers will be encouraged to:

1. Develop their own goals.
2. Direct delivery of services using their own abilities.
3. At all times consumers should be experiencing self-advocacy.
4. SILC staff will not impose their own judgment upon the consumer.

I understand my rights and responsibilities as a consumer of SILC services that no information is to be released to any other person outside the SILC, or agency, without my written consent and that I have the right to a grievance process. I have also been provided with phone numbers to direct any complaints regarding SILC services.

Name _____ Date _____

Witness _____ Date _____

(Consumer Rights/Confidentiality)
(Updated 11/26/13)