

SECTION .0300 - INFORMING CLIENTS AND STATE FACILITY EMPLOYEES OF RIGHTS

10A NCAC 28A .0301 INFORMING CLIENTS OF RIGHTS

(a) The State Facility Director shall assure that all clients and legally responsible persons are informed of the client's rights at the time of admission or not more than 24 hours after admission [with the exceptions specifically provided for in Paragraph (b) of this Rule]. The state facility shall develop a policy which includes, but is not limited to, the following:

- (1) specifying who is responsible for informing the client;
- (2) providing a written copy of rights to clients who can read and explaining the rights to all clients;
- (3) documenting in the client record that rights have been explained to the client;
- (4) posting copies of rights and the person or office to contact for information regarding rights in areas accessible to the client.
- (5) describing the role of the Human Rights Committee and internal client advocate and how to utilize their services;
- (6) informing the legally responsible person of a minor or incompetent adult client that he may request notification after any occurrence of the use of an intervention procedure as specified in 10A NCAC 28D .0203, .0204 and .0205; and
- (7) informing the competent adult client that he may designate an individual to receive notification, in accordance with G.S. 122C-53(a), after any occurrence of the use of an intervention procedure as specified in 10A NCAC 28D .0203, .0204 and .0205.

(b) If the client cannot be informed of his rights within 24 hours after admission because of his condition or if the legally responsible person cannot be notified within 24 hours after admission, then this exception and any alternative means of implementing this right shall be documented. However, the state facility may delay notifying the legally responsible person of client rights for up to 72 hours when necessary for week-end admissions.

*History Note: Authority G.S. 122C-51; 122C-53; 131E-67; 143B-147;
Eff. October 1, 1984;
Amended Eff. April 1, 1990; July 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. June 24, 2017.*