

THIS IS YOUR LIFE

Supported Decision-Making is all about helping you have control over your life, which is sometimes called *Self-Determination*.

When you have more *Self-Determination*:



You are more likely to live independently!



You have more financial independence!



You tend to be paid more at your job, and you are more likely to move up in your career!



You are *less* likely to feel lonely!



Ohio Network for Innovation

1 Avalon Rd.
Mt. Vernon, Ohio 43050

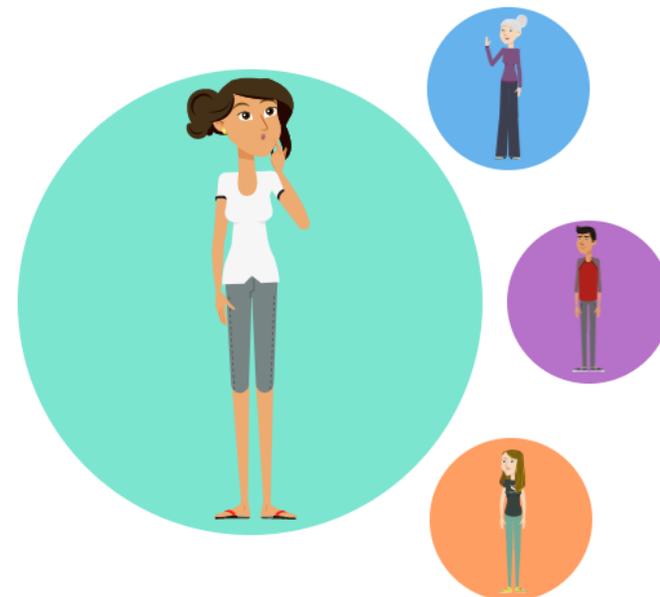
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Supported Decision-Making

What is it, and how do I do it?



Supported Decision-Making is about making your own decisions about your life. You are the **Decision-Maker!**

Sometimes you can ask other people for advice or help if you need it, and these people can agree to be your **Supporters**, but no one else gets to make decisions for you unless you ask them to.

Supported Decision-Making isn't hard to do - just follow these steps and don't be afraid to ask for help!



CHOOSE

When you want help to make a decision, think about who you could ask for help. These people are called *Supporters*, because they support you to make your own decision. *Supporters* can be:

- Friends
- Family members
- Coworkers
- Neighbors
- People you know from places like church or other groups you are a part of
- Professionals or experts

You can choose almost anyone else you trust to be a *Supporter*, as long as they agree to help you make your own decisions!



DISCUSS

With your *Supporter*, talk about the decision you are trying to make. Your *Supporter's* job is to help you understand information and all of your options in whatever way works for you. Some of these ways might be:

- Helping you do research or get more information
- Explaining things to you in a way that is easy to understand
- Helping you make a Pros & Cons list
- Listing out all of your options and talking through them
- Role-playing or practicing making decisions

You can choose different *Supporters* to help you with different decisions.



DECIDE

You are the *Decision-Maker*, so you get to make the final decision!

YOU DECIDE!



If you want help to tell other people about your decision, your *Supporter* can help you with that, too.

Oh, and one more thing: It's ok to make mistakes or to be wrong sometimes; that's just part of life! You can learn a lot from making mistakes or trying new things, even if they don't work out.

MY BILL OF RIGHTS

This is a book about my rights. A “right” is something that can never be taken away from me.

This is my home. I can live in a nice place.



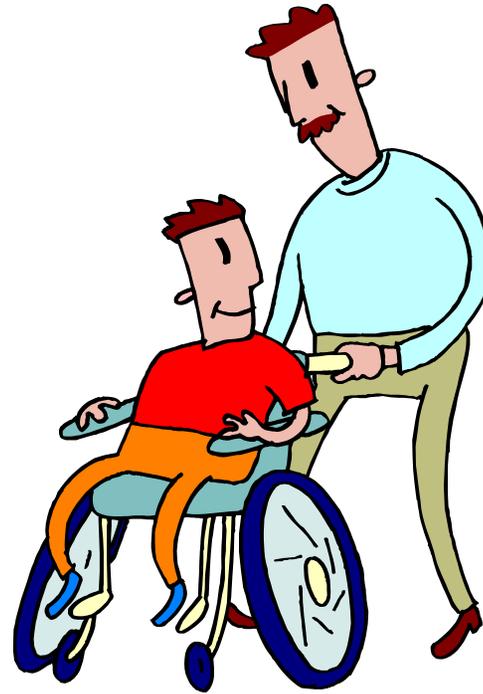
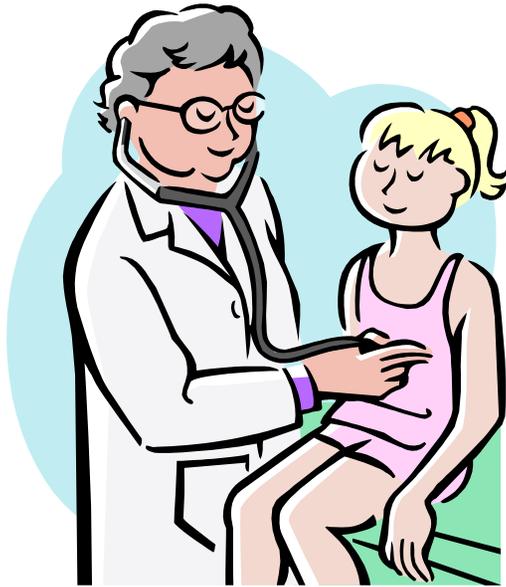
I can eat good meals with foods that I like and that are healthy too!



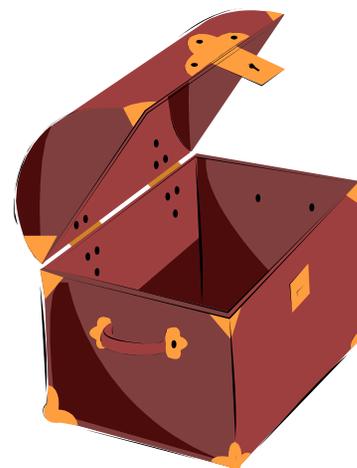
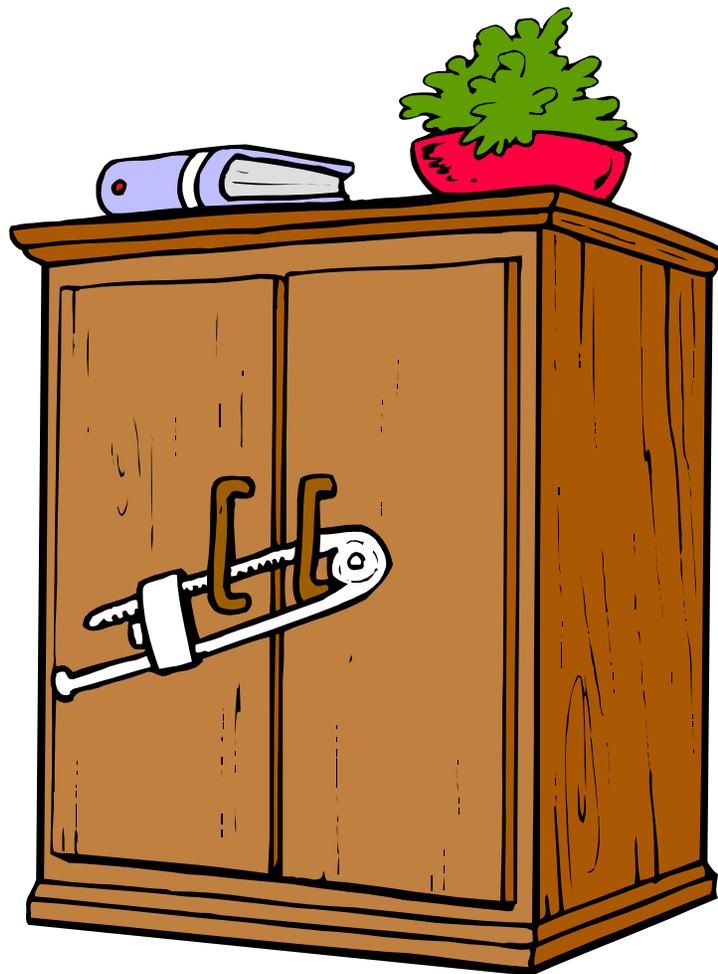
I can choose my own clothes!



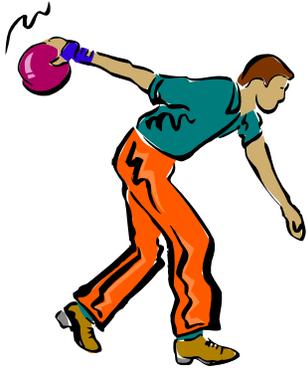
I can get the help that I need



I can have a safe place to keep my things



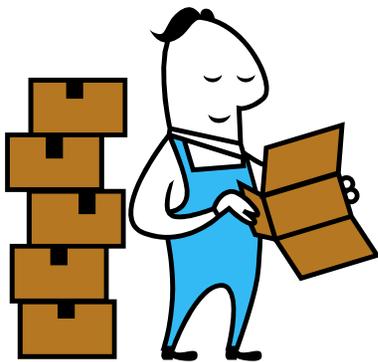
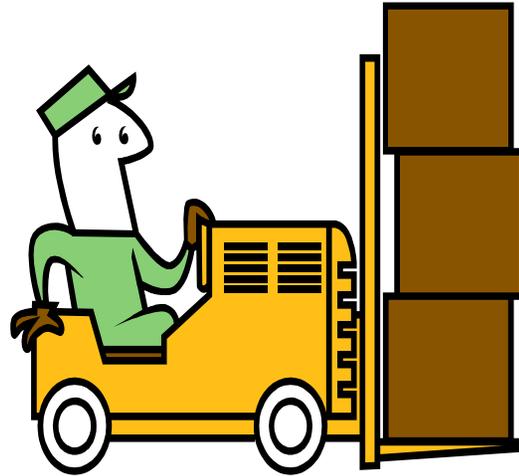
I can go places and do things with my friends!



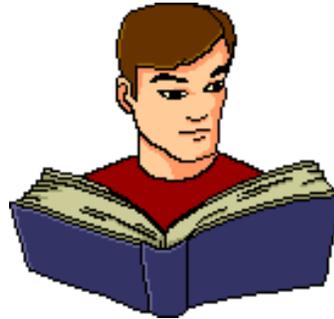
I can have visitors and spend time with them



I can help choose what I will learn and what kinds of work I want to do



I can do what I want in my free time



I can send letters and open my own mail



I can spend or save my money



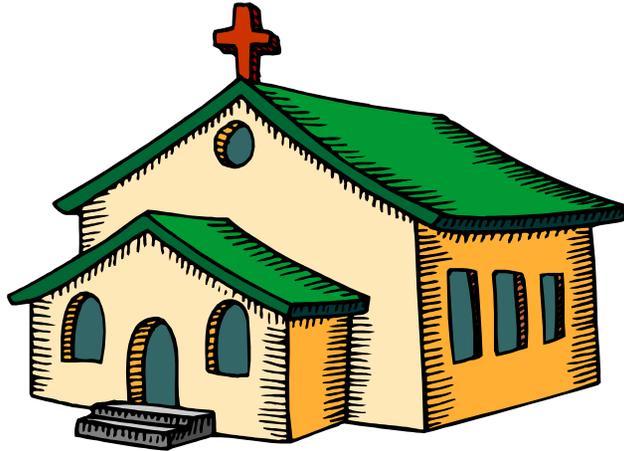
I can wear my hair as I want



I can make and get my own phone calls



I can go to church if I choose



I can move when I am ready



I can tell my advocate when something bad happens or when I need help with a problem.



Remember, with Rights go Responsibilities!



ADMINISTRATIVE RESOLUTION OF COMPLAINTS PROCESS

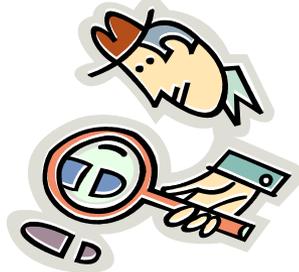
If you have a complaint about something that you think has happened to you or if you feel that your rights have been violated, you can file a complaint by doing these steps:

1. Write a letter to the head of the department or supervisor in which you have a complaint. Tell **WHAT** happened, **WHERE** it happened and **WHEN** it happened.



You can ask someone to help you too. You can call
OHIO LEGAL RIGHTS at
1-800-282-9181 or
ODODD at 1-800-231-5872

2. An investigation is conducted within 10 days of the complaint.



3. A written report will be received and discussed with you within 10 days of the investigation. The report will describe the next steps in the complaint process.



4. If you are not happy with the report, you have 10 days to request a meeting by writing to the superintendent. The superintendent has 10 days to respond to your request. At the meeting you can ask questions and talk about the problem.



5. After the meeting the superintendent will have 5 days to decide what to do about the problem and then write you a letter about the solution.



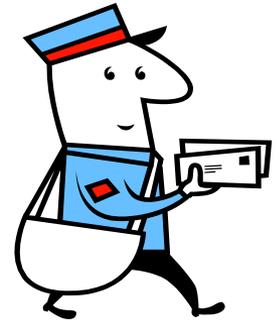
6. If you are not happy with the superintendent's decision, you may write a letter to the board president within 10 days of receiving the superintendent's decision.



7. The board president will conduct the hearing no later than the next scheduled board meeting.



8. 5 days after the hearing the Board will send you a letter telling you their decision by certified mail.



9. If you are still not happy with the decision, you can write a letter to the Department of DD or start a civil action lawsuit.



Notice of Privacy Practices

Tuscarawas County Board of Developmental Disabilities

FOR YOUR PROTECTION

THIS NOTICE DESCRIBES HOW PROTECTED HEALTH INFORMATION ABOUT INDIVIDUALS WE SERVE MAY BE USED AND DISCLOSED AND HOW YOU CAN GAIN ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY. IT ALSO DESCRIBES OUR PRACTICES ABOUT TUSCARAWAS COUNTY BOARD OF DEVELOPMENTAL DISABILITIES (TuscBDD) RECORDS.

YOUR RECORDS ARE PRIVATE

We understand that information we collect about the individuals we serve and records of the services and supports we provide, are personal. Keeping these records private is one of our most important responsibilities. TuscBDD must follow many laws to protect your privacy. TuscBDD follows federal FERPA laws and federal HIPAA laws. In addition, we follow many laws specific to Ohio Developmental Disability Boards. For this notice, we will use the term "records" to mean the paper or electronic records we maintain.

WHO USES AND DISCLOSES MY RECORDS?

Your records may be used and disclosed by TuscBDD employees and volunteers who serve you, as well as persons or agencies who work for us and sign strict confidentiality contracts.

Our organization includes the Starlight School and the Service & Support Center.

At TuscBDD, for example, records may be shared with "school officials" who have a "legitimate educational interest" in your child. "Educational interest" means any matter related to your child's instruction, developmental or behavioral support, dietary, health or safety.

In general, we use and disclose your information:

- For teaching, behavioral and medical support, transportation, school administration, early intervention, and service and support administration services. For example, a school administrator will review progress data created by teachers or your service and support administrator will review your records to create an individual support plan, which may be shared with you, your guardian, and other individuals involved with providing services and supports to you.
- To get payment for services provided, for example, business office personnel use service records of services provided to submit bills to the Ohio Department of Developmental Disabilities.
- For other operations to operate and manage TuscBDD: these include improving quality of care, training staff, managing costs, and conducting other business duties. For example, a quality assurance reviewer may audit your records to determine whether appropriate services were provided.
- To remind you or a guardian of an appointment for services.

COULD MY RECORDS BE RELEASED WITHOUT MY PERMISSION?

There are limited situations when we are permitted or required to disclose your records, or parts of them, without your signed permission. These situations include:

- Record transfers to other schools your child enrolls in,
- Reports to public health authorities to prevent or control disease or other public health activities,
- To protect victims of abuse, neglect, or domestic violence,
- For oversight including investigations, audits, accreditation and inspections, such as are conducted by the Ohio Department of Developmental Disabilities and federal agencies,
- When a court order, subpoena or other legal process compels us to release information,
- Reports to law enforcement agencies when reporting suspected crimes, when responding to an emergency, or in other situations when we are legally required to cooperate,
- In connection with an emergency, or to reduce or prevent serious threat to public health and safety,
- To coroners, medical examiners and funeral directors,
- To victims of alleged violence or sex offenses,
- For workers' compensation programs,
- For specialized government functions including national security, protecting the president, operating government benefit programs, and caring for prisoners,
- In connection with "whistleblowing" by a TuscBDD employee.
- Disability Rights Ohio (DRO) filed a state-wide class action captioned Ball v. Kasich Case No. 2:16-cv-282 in the U.S. District Court for the Southern District of Ohio. The suit was filed on March 31, 2016 against the Governor, Department of Developmental Disabilities,

Department of Medicaid and Opportunities for Ohioans with Disabilities. The Ohio Association of County Boards Serving People with Developmental Disabilities (OACBDD) may become a defendant in the lawsuit. The Plaintiffs are represented by DRO and other lawyers from Massachusetts, Illinois, Michigan and Washington D.C. The action potentially affects all adults with DD. The parties to the lawsuit, through their lawyers, have sought and will continue to seek documentation, including protected health information, on individuals who are or who may be a part of this lawsuit, or who may have information relevant to this lawsuit or who are simply receiving services from DD Boards. TuscBDD will comply with requests for information and may provide protected health information on any person served by TuscBDD to the lawyers for any of the parties. All information provided in connection with this lawsuit is covered by a protective order issued by the court which complies with HIPAA and other privacy regulations and which ensures that the information about any individual cannot be disclosed outside of the lawsuit without their permission. At the conclusion of the lawsuit, all protected health information which was disclosed or retained by any party in the course of the lawsuit will be destroyed. For further information on the lawsuit or the Protective Order, contact OACBDD at 614-431-0616.

All other uses not described above require that we obtain your signed permission.

For any purpose not described above, we will release your information only with your explicit written authorization. Federal law requires that we notify you that any healthcare provider must obtain your explicit permission to release your information for any of the following:

WHAT IF MY
RECORDS NEED
TO GO
SOMEWHERE
ELSE

1. Psychotherapy Notes will only be released with your signed authorization;
2. For marketing purposes
3. To sell information about you

It has never been TuscBDD's practice to release information for marketing purposes or to sell your information. Your written authorization tells us what, where, why and to whom the information must be sent. Your signed authorization is good until the expiration date you specify. You can cancel your permission at any time by letting us know in writing.

You have legal rights concerning your privacy, access to your records, and the accuracy of your records. You have the following rights:

WHAT ARE MY
RIGHTS
REGARDING
PRIVACY,
ACCESS TO MY
RECORDS, AND
THE ACCURACY
OF MY
RECORDS?

1. To see your records, or to get a copy, including an electronic copy
2. To request a correction to your records if you believe they are incorrect
3. To receive all communications at a confidential address or phone number
4. To receive an "accounting of disclosures", that is, a list of any place we sent your record without your authorization
5. To request additional limits on how we use or disclose your information, although we are not obliged to honor these requests except that if you choose to personally pay for services delivered, we will not bill Medicaid.
6. You may receive a paper copy of this notice.

To exercise any of these rights, or if you have any questions or complaints regarding our privacy practices, call, deliver, mail or email your request to:

HIPAA Privacy Officer
Tuscarawas County Board of DD
610 Commercial Ave. SW
New Philadelphia, OH 44663-9365
330-308-7173

hipaa@tuscbdd.org

Ask any employee if you need help in putting your request in writing.

OUR DUTIES

We are obligated by law to maintain the privacy of your information and to provide this notice. In the event of a breach, that is, an improper disclosure of your information, we are required to notify you. We are required by law to abide by the terms of this notice. From time to time we may make changes to our policies, and if and when we do, your records will be protected by our new, changed policies. Our current notice will always be available on our website.

QUESTIONS OR
COMPLAINTS?

If you have any questions or complaints about our privacy practices, please contact us:

HIPAA Privacy Officer
Tuscarawas County Board of DD
610 Commercial Ave. SW
New Philadelphia, OH 44663-9365
330-308-7173

hipaa@tuscbdd.org

We will never retaliate against you for filing a complaint. Further, if you are not satisfied with the results, you may also complain to the federal government:

For School issues:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

For any other issues:

Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201
www.hhs.gov/ocr/privacy/hipaa/complaints/index.html

Original Notice effective 4/15/2003; Current Revision effective 02/24/2017.

TuscBDD:HIPAA:003

Signature: _____

Date: _____

DID YOU KNOW?

The Tuscarawas County Board of Developmental Disabilities (TuscBDD) will not discriminate in providing services because of race, color, sex, age, creed, mental or physical disability, religion or national origin.

How to Get Services

If you are requesting services from TuscBDD, someone from TuscBDD will meet with you to ask you certain questions that will help determine if you can receive services. This is called **Eligibility Determination** and is required by law to happen within 45 calendar days from the day you ask for services or after all of the necessary information has been received. If there are other supports or services in the community that you desire and can benefit you, someone from TuscBDD will help you find the information you need.

We Respect Your Privacy

TuscBDD believes confidentiality is the basis for all trusting and personal relationships. Information contained in an individual's records shall be considered confidential. All information you share with us is confidential. It is only with your written consent or that of a legal guardian that information will be released.

What if you have a Complaint?

If you have a complaint or problem about eligibility determination, the arrangement of services and supports, or if services have been denied, reduced or terminated by TuscBDD, you can utilize the **TuscBDD Administrative Resolution of Complaints and Due Process Rights procedure.** If you need help with your complaint, you can ask for the assistance of someone to act as an advocate for you.

What if you suspect abuse or neglect has occurred with an individual who has a disability?

TuscBDD ensures that all alleged Major Unusual Incidents (MUI's) are investigated. An MUI is defined as an incident that adversely affects the health and safety of an individual. Some examples include: abuse, neglect, exploitation of an individual, misappropriation of an individual's property, and others. If you suspect an MUI has occurred with an individual with a disability: **During normal business hours (Monday– Friday 7:30 a.m. to 4:00 p.m.) please call 330-308-7173. After hours, holidays, & weekends, please call 330-340-5882 to reach the Service & Support Administrator who is on call.** If no one answers your call immediately, please leave a message so you can receive a return telephone call. You should receive a return call within 30 minutes. In the event that a return phone call is not received within 30 minutes, the following number is being provided as a back-up contact number for the on-call system: 330-827-4750

Important Numbers to Remember

Disability Rights of Ohio

1-800-282-9181

Ohio Department of Developmental Disabilities Complaint Hotline

1-866-313-6733

Crisis Intervention

330-339-9770

After Hours/Holidays/Weekend On Call Phone

330-340-5882

Starlight School

518 Church Ave SE

New Philadelphia, OH 44663

Phone: 330-339-3577

Fax: 330-339-2351

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Tuscarawas County Board of Developmental Disabilities (TuscBDD)

Phone: 330-308-7173

Fax: 330-339-7539

610 Commercial Avenue SW
New Philadelphia, OH 44663



**How to Get Services
Confidentiality
Policies/Procedures
Abuse/Neglect
On-Call System
Rights
Medicaid
Complaints**

BILL OF RIGHTS (SECTION 5123.62 ORC)

The rights of individuals with developmental disabilities are assured under the Ohio Revised Code and include, but are not limited to, the right to:

- Be treated at all times with courtesy and respect and with full recognition of their dignity and individuality.
- An appropriate, safe and sanitary living environment that complies with local, state, and federal standards and recognizes the person's need for privacy and independence.
- Food adequate to meet accepted nutritional standards.
- Practice the religion of their choice or to abstain from the practice of religion.
- Timely access to appropriate medical and dental treatment.
- Access necessary ancillary services including, but not limited to, occupational therapy, physical therapy, and behavior support and other psychological services.
- Receive appropriate care and treatment in the least intrusive manner.
- Privacy including both periods of privacy and places of privacy.
- Communicate freely with persons of their choice in any reasonable manner they choose.
- Social interaction with members of either sex.
- Access opportunities that enable individuals to develop their full human potential.
- Ownership and use of personal possessions so as to maintain individuality and personal dignity.
- Pursue vocational opportunities that will promote/enhance economic independence.
- Be treated equally as citizens under the law.
- Be free from emotional, psychological and physical abuse.
- Participate in the political process.
- Participate in appropriate programs of education, training, social development and habilitation in programs of reasonable recreation.
- Participate in decisions that affect their lives.
- Select a parent or advocate to act on their behalf.
- Manage their personal financial affairs, based on individual ability to do so.
- Confidential treatment of all information in their personal and medical records.
- Voice grievances and recommend changes in policies and services without restraint, interference, coercion, discrimination, or reprisal.
- Be free from unnecessary chemical or physical restraints.

MEDICAID: REDUCTIONS & DENIALS

Right to Understanding

You are entitled to have someone from TuscBDD help you to understand this notice. If you experience any reductions or denials of your Medicaid services you are entitled to have someone from TuscBDD help you understand what is happening to your services.

Denial

Whenever you ask for and are denied a Medicaid service, you are entitled to appeal the decision. Your appeal rights are explained to you on the Ohio Department of Job and Family Services Form 7334.

Reductions or Termination of Services

Whenever your Medicaid service is reduced or stopped altogether, you have to be told about it 15 days ahead of time. You are entitled to appeal the decision before it happens, or, in some circumstances, for up to 90 days after it happens. Your rights to appeal are explained to you on the Ohio Department of Job and Family Services Form 4065. You have 15 days from the date on the 4065 to request a hearing. Your service must continue once you have requested a hearing. Your rights to appeal and ask for hearings are called **Medicaid Due Process**. We want you to know how that process works, and we will help with that process anytime you need it. *For any questions about your Medicaid Due Process, do not hesitate to call your TuscBDD Service & Support Administrator (SSA) at 330-308-7173.*



330.308.7173



Get Social with Us!

www.facebook.com/tuscbdd

www.twitter.com/tuscbdd

www.pinterest.com/tuscbdd

Youtube: TuscBDD Abilities Network

Visit us Online at

www.tuscbdd.org