



KNOW
your
rights

know your rights

Provided by the Alabama Disabilities Advocacy Program for consumers with mental illness.

The Alabama Mental Health and Consumers' Rights Act was enacted into law in 1995, Code of Alabama Section 22-56. The Legislature declares that, "mental health services shall be individualized, empowering, culturally relevant and diverse, flexible, and include natural supports. Mental health services shall also be provided in a way which is normalizing as well as respectful of the rights, responsibilities, and feelings of each consumer. Mental health services shall also focus on enabling individuals to maintain responsibility to the greatest extent possible for setting their own goals, directing their own lives, and acting responsibly as members of their community."

This purpose of this booklet is to inform you of certain rights according to the Alabama Mental Health and Consumers' Rights Act. This booklet is not intended to list all rights you may have under federal and state laws. If you are uncertain about a right you may have that is not found in this booklet, you may request assistance from your DMH/MR community advocate or ADAP.

ADAP is independent of any state agency providing mental health services and is not a part of the Alabama Department of Mental Health and Mental Retardation system. ADAP does not provide mental health direct care services.

If you believe that your rights are being violated and you would like to talk with ADAP about a problem you may be having, you can call us at the toll-free number listed below. This call will not cost you any money. If you wish to contact us by mail, you may write to us at the address given below.

ADAP's services are provided on a nondiscriminatory basis and are free of charge to consumers and their families.

Alabama Disabilities Advocacy Program

The University of Alabama

Box 870395

Tuscaloosa, AL 35487-0395

(205)348-4928 (V/TDD)

(205)348-3909 (FAX)

(800)826-1675 (for clients-instate only)

E-mail: ADAP@adap.ua.edu

Website: www.adap.net

Civil Rights

You have the right to:

- ▶ choose to live, work, be educated and play where you choose with the supports that you need
- ▶ vote
- ▶ worship how you want and where you choose

- ▶ own and possess real and personal property
- ▶ apply for a driver's license
- ▶ interact socially with members of either sex
- ▶ get married and divorced
- ▶ be paid for the work you complete
- ▶ have living space to yourself

- ▶ send and receive unopened mail, make private telephone calls and to have visitors alone, unless legally limited
- ▶ be allowed adequate food, clothing and a safe place to live in programs that are run by the State of Alabama
- ▶ have dental and medical care, including vision and hearing services

Treatment Rights

You have the right to:

- ▶ obtain mental health services that meet your individual needs
- ▶ participate in your treatment planning process in a way in which you can understand

- ▶ be given information about the cost for mental health services; and to be told any reason(s) why you may not be allowed to be given services and for how long
- ▶ have your mental health, medical, and financial records kept private
- ▶ be given all information in your medical and financial records, unless a doctor decides that it would be harmful to you to have this information

- ▶ be free from any physical, verbal, sexual or mental abuse, mistreatment, bullying or threats by staff or other residents; be free from neglect by staff
- ▶ decide if you would like to take part in research or testing, based on information which is given to you in a non-threatening way, and in a language that you can clearly understand

- ▶ be free from seclusion, physical restraints, drugs, or other methods used for the purpose of punishing or disciplining you or to make staffs' jobs easier
- ▶ turn down mental health services without being punished, except when this is not allowed under law
- ▶ to be fully informed about any proposed medical treatments

Legal Rights

You have the right to:

- ▶ be told how to contact advocates, ombudsman or other rights protection agencies; and to be allowed to call or write to them if you think you need help, without being punished by staff
- ▶ use courts and attorneys

- ▶ be told about your commitment status, including what must happen for you to be released from the hospital or program, and to be told how long you must remain in the hospital or program
- ▶ be told about how to file a complaint or grievance, and be told about the appeals process, including how to ask for a hearing or a review of the complaint

- ▶ be informed how to file a complaint with the community advocate that serves the area in which you are receiving treatment or file a complaint with the staff of the Alabama Disabilities Advocacy Program (ADAP). (This complaint can be filed by calling ADAP using its toll-free telephone number or in writing to the address found in this booklet). You cannot be punished for filing a complaint.

The rights described in this booklet are some of the rights guaranteed under the U.S. Constitution and Alabama state law. This booklet is not intended to list all of the rights you may have as a resident of Alabama.

If you have questions about your rights, or if you feel that your rights have been violated, you should contact your personal attorney, the advocate at the facility where you reside, or you may contact ADAP at the following address and phone number:

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Website: www.adap.net

Important Numbers to Remember

Alabama Disabilities Advocacy Program (ADAP)

1-800-826-1675

DMH/MR Advocacy Office

1-800-367-0955

DMH/MR Office of Consumer Relations

1-800-832-0952

NAMI of Alabama

1-800-626-4199

**Alabama Minority Consumer Council
(AMCC)**

Fannie Hicks - 334-262-0363, 288

Alabama Head Injury Foundation

1-800-433-8002

Wings Across Alabama

1-888-946-4725

For further information in your community,
contact your local Mental Health Association
or Community Mental Health Center.

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