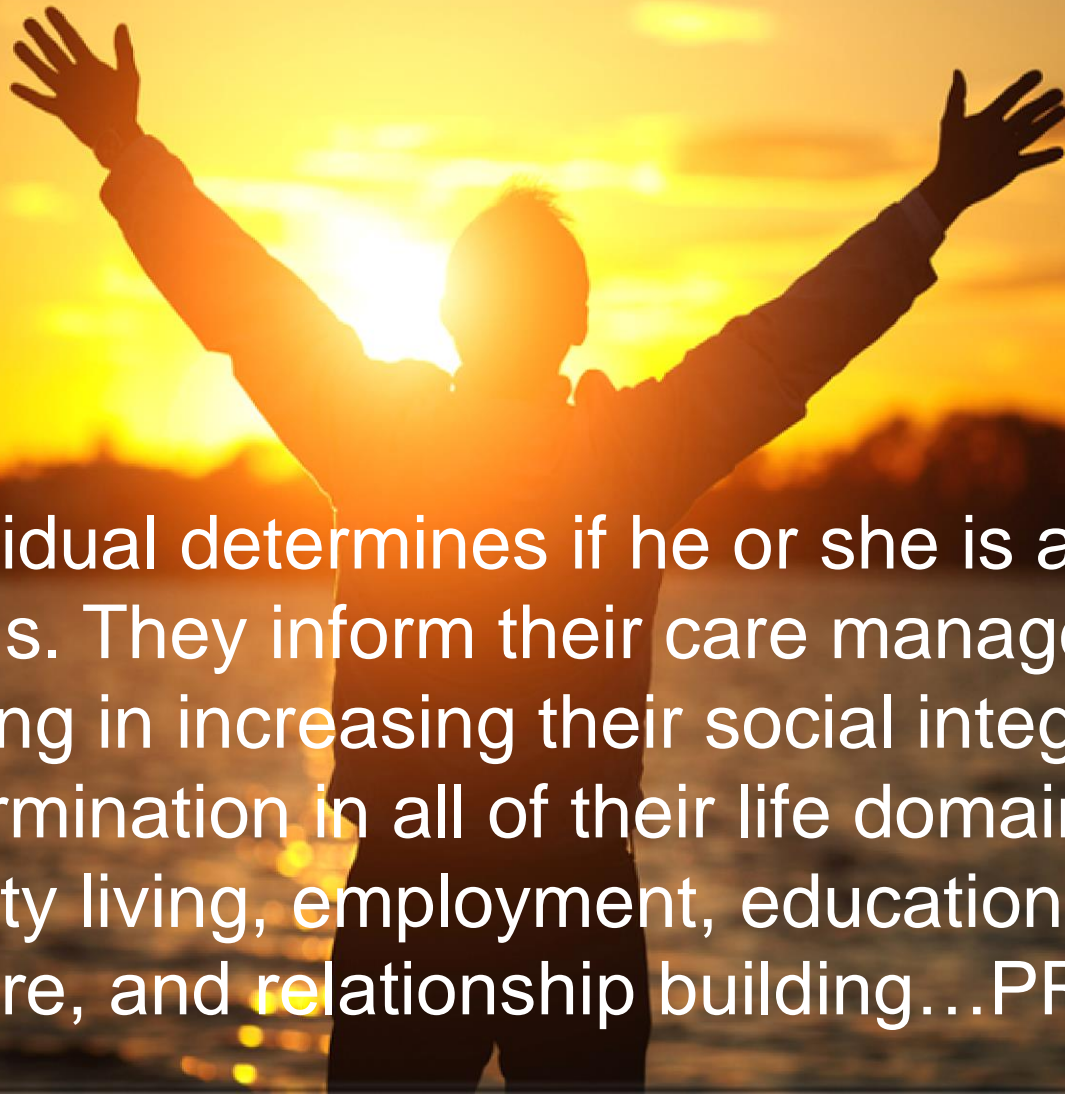


# Measuring Promise's Success

Is Accomplished by the individual



- The individual determines if he or she is achieving their goals. They inform their care manager if they are succeeding in increasing their social integration, and self-determination in all of their life domains such as: community living, employment, education, recreation, health care, and relationship building...PROMISE.

# ***Member Rights and Protections***

*insure domestic Tranquility, provide for  
and our Posterity, do ordain and establish the following*

*Article I*

- Another Great DSAMH Production

# Goal

- To identify and provide a clear understanding of Members Rights and Protections

# Objections:

- To identify DSAMH mission statement and its dedication to protect consumer rights and to protect against abuses.
- Define some common abuses and the importance of protection against exploitation
- Provide an overview of the ADA and its protections of this special population

# Preventing abuse and neglect definitions:

- ***Neglect***: failing to provide a needed care: attention, food, clothing, supervision etc...
- ***Physical Abuse***: intentional physical act by a staff or other which causes or may cause physical injury to a person.
- ***Psychological Abuse***: Acts other than verbal, which may inflict emotional harm, invoke fear or humiliate, intimidate, degrade or demean a person.
- ***Sexual Abuse***: any acts or attempted acts such as rapes, incest, sexual molestation, exploitation, or sexual harassment and inappropriate or unwanted touching.
- ***Verbal Abuse***: Verbalizations, which inflict or may inflict emotional harm, invoke fear and/or humiliation, intimidation and degrading or demeaning a person.
- ***Financial Exploitation***: is the illegal or improper use of another individual's resources for personal profit or gain



## verbal abuse

- The use of oral, written or gestured language that willfully includes disparaging and offensive terms to individuals served (or their families), within hearing distance, regardless of their age, ability to comprehend, or disability.

**Examples- but are not limited to:** threats of harm; saying things to frighten an individual, etc.



# Sexual abuse

- Includes, but is not limited to: sexual harassment, sexual coercion, or sexual assault such as rape, sexual molestation, sexual exploitation or sexual harassment or inappropriate or unwanted touching of an individual by another.



# Physical abuse

- Includes, but is not limited to, hitting, slapping, pinching and kicking.
- It also includes controlling behavior through corporal punishment.





# Psychological abuse

- Includes but is not limited to: humiliation, threats of punishment or deprivation and harassment.
- It may inflict emotional harm, invoke fear or intimidation, degrade or demean an individual.
- Psychological abuse may be inflicted in various ways that may or may not be verbal such as intimidating looks, gestures and expressions.



## **Emotional Abuse:**

Includes but is not limited to

- Ridiculing or demeaning an individual;
- Making derogatory remarks about an individual or toward an individual;
- Cursing directed towards an individual;
- Threatening to inflict physical or emotional harm on an individual; and
- Ignoring an individual who is in need of help, regardless of reason.



# Financial Exploitation

The act of depriving, defrauding or otherwise obtaining the personal property or financial rights of a person by taking advantage of his/her disability or impairment. This includes but is not limited to:

- Theft of an individual's money or property;
- Use of individual money or property without the permission of the individual or guardian;
- Acceptance by staff money or property regardless of permission;



# Involuntary seclusion

- Is defined as separation of an individual from other individuals or from her/his room or confinement to her/his room (with or without roommates) against the individual's will, or the will of the individual's guardian



# misconduct

Includes but is not limited to:

- (a) The inappropriate use or careless monitoring of medications;
- (b) The inappropriate use of isolation (i.e., seclusion) where the Individual is told he or she needs to stay in one place and not join his or her peers in a community setting;
- (c) The inappropriate use of chemical restraints on a individual where the use of medication is believed to be used to restrict the individual's movement;



# Neglect

Includes but not limited to:

- Lack of attention to the physical needs of a individual including but not limited to toileting, bathing, meals, and safety;
- Failure to report individual health problems or changes in health problems or changes in health condition to an immediate supervisor;
- Failure to carry out a prescribed treatment plan for an individual.

Examples include, but are not limited to:



# Neglect Continued...

- Putting a Individual at risk by allowing him or her choices inconsistent with safety concerns;
- Failure to maintain 1:1 or 2:1 observation or special precautions on a Individual for whom such precautions have been ordered;



# Neglect Continued...

- Any act that may cause a delay in treatment or a delay in referring a Individual for emergency services;
- Inadequate program supervision resulting in Individual-Individual or Individual-staff altercations and;
- Failure to follow policy with regard to safety procedures such as face to face visual observations, continuous monitoring, intermediate monitoring, etc. for that Individual.





## **Restraint:**

- **Types of Restraint:** Any physical, chemical or mechanical intervention that is used to control acute, episodic behavior that restricts the movement or function of the individual or a portion of the individual's body.

**According to the 2014 ACT Standards:**

**ACT teams shall be knowledgeable about and familiar with individual rights including the clients' rights to:**

- 29.1.1 Confidentiality
- 29.1.2 Informed consent to medication and treatment
- 29.1.3 Treatment with respect and dignity
- 29.1.4 Prompt, adequate, and appropriate treatment
- 29.1.5 Treatment which is under the least restrictive conditions and which promotes individuals' meaningful community integration and opportunities to live like ordinary Delawareans: