### DDDS Procedure

**HRC Review of Rights Restrictions as Submitted on Rights Review Request Form**

**CS PRO 201**

<table>
<thead>
<tr>
<th>Revision Date</th>
<th>Sections Revised</th>
<th>Description of Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;01/01/2021&gt;</td>
<td>All</td>
<td>Origination date</td>
</tr>
<tr>
<td>Director of Community Service's Signature/Date:</td>
<td>Live signature is located in the Office of the Director of Community Services</td>
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<td>Effective: 01/01/2021</td>
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1. Purpose

1.1 The procedure related to Human Rights Committee (HRC) review of medical or safety-related rights restrictions that is not related to a behavior support need and are submitted for HRC review on an HRC Rights Review Request Form.

See also:
- DDDS Human Rights Committee Policy

2. Procedure

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<tr>
<th>Action by:</th>
<th>Action:</th>
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| Service Recipient’s Person-Centered Support Team | 1. The person-centered support team **completes and submits** an *HRC Rights Review Request Form* to the HRC Resource Mailbox *(DHSS_DDDS_HRC@delaware.gov)* in any circumstance where a medical or safety-related rights restriction has been proposed for a service recipient that is not related to a behavior support need. The *HRC Rights Review Request Form* should include:

(a) Documentation from the team meeting in which the potential rights restriction was discussed, along with any supporting documentation, such as a doctor’s order.

(b) The support team member who will be presenting the rights restriction at the HRC meeting. |

<table>
<thead>
<tr>
<th>HRC Administrative Specialist</th>
<th>2. <strong>Retrieves</strong> <em>HRC Rights Review Request Form</em> from the HRC Resource Mailbox <em>(<a href="mailto:DHSS_DDDS_HRC@delaware.gov">DHSS_DDDS_HRC@delaware.gov</a>)</em> and <strong>schedules</strong> the review request on the upcoming HRC Meeting agenda.</th>
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<tr>
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<td>3. <strong>Sends</strong> email notification to the team member identified to present the <em>HRC Rights Review Request Form</em> and the assigned Support</td>
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Coordinator/Community Navigator indicating the date, time and location of the scheduled HRC presentation.

Support Coordinator/Community Navigator and Presenting Support Team Member

4. **Attends** the HRC meeting. (The Support Coordinator/Community Navigator may be the presenting support team member, or may accompany the presenting support team member.)

HRC Member

5. **Convenes** for the scheduled HRC session.

6. **Reviews** and **discusses** the *HRC Rights Review Request Form* with the presenting support team member and/or the Support Coordinator/Community Navigator.

7. **Considers** whether:
   
   (a) The proposed intervention is a restriction of rights;
   
   (b) The rights restriction ensures the respect and dignity of the person;
   
   (c) The rights restriction is justified.

8. **Votes** as to whether rights restriction is “appropriate” or “team review needed,” and **provides** supporting recommendations/comments verbally and in writing in Part IV of the *HRC Rights Review Request Form*.

   (a) “Appropriate” shall indicate that the HRC concurs with the rationale for the rights restriction and believes that it will help the service recipient move achieve greater independence.

   (b) “Team Review Needed” shall indicate that HRC does not concur with the rights restriction and recommends that the person-centered support team review alternative and less restrictive options.

HRC Administrative Specialist

9. Following the completion of the HRC meeting:

   (a) **Scans** the completed and signed *HRC Rights Review Request Form*.

   (b) **Enters** record of the presentation and outcome on the HRC tracking spreadsheet.

   (c) **Stores** a signed copy of *HRC Rights Review Request Form* in the HRC folder on the R: drive.

   (d) **Sends** the electronic copy of *HRC Rights Review Request Form* to the Support Coordinator or Community Navigator.
(e) **Proceeds** to Step 11 if the HRC concurs that the proposed rights restrictions are necessary (“Appropriate”).

(f) **Proceeds** to Step 10 if the HRC does not concur that rights restrictions are necessary (“Requires Additional Review”).

**Support Coordinator/Community Navigator**

10. **Documents** within the service recipient’s electronic case record the follow-up activities performed by the support team in instances where the HRC determines that the proposed rights restriction requires additional review. If a revised or new rights restriction is proposed by the support team, return to Step 1 of this procedure.

11. **Attaches** an electronic copy of the *HRC Rights Review Request Form* to the service recipient’s person-centered plan in electronic case record.

12. **Ensures** that the rights restriction is reviewed by HRC annually, for so long as the rights restriction exists.

13. Procedure ends.

### 3. Attachments

- HRC Rights Review Request Form