

Disability Rights Wisconsin

Protection and advocacy for people with disabilities

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Patient Rights & Self Help Guide

- Client rights violation/Patient rights violation
- Wisconsin Administrative Code § DHS 94
- Wis. Stat § 51.61

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Whose rights are protected?

- Individuals receiving treatment for mental illness, developmental disability, substance/alcohol abuse or dependency.

* A person receiving care or services for a physical disability/condition generally cannot use this process. This does not mean they do not have rights. Patients should ask provider about their rights and how to file a complaint or grievance.

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Patient Rights Summarized

- List of rights (Wis. Stat. 51.61 & Wis. Admin. Code § DHS 94)
- All community and inpatient mental health, intellectual disability, and drug/alcohol provider agencies must have a written **Patient Rights Grievance Procedure**.
- All provider agencies must also have a trained **Client Rights Specialist** (CRS). The CRS should speak with patient/guardian about the concern and will help you file a grievance.

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Patient Rights: Common

- Treated with dignity and respect.
- Prompt & adequate treatment in least restrictive manner & setting.
- Allowed to participate in planning treatment & advised about alternatives.
- Free from verbal, physical, emotional, or sexual abuse, including freedom from restraint or seclusion used as a means of force, control, or punishment.
- Staff must make fair and reasonable decisions about treatment and care.
- Not filmed/taped/photographed without consent
- Make and receive telephone calls, see visitors, spend money how they choose

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Patient Rights About Grievances

- Before treatment starts, provider agency must tell patient about your rights and provide a copy of the grievance procedure.
- All staff should know about patient rights & how to file a grievance.
- No staff should threaten or punish you for asking about your rights or filing a grievance.
- May choose to sue in court during, after, or instead of filing a grievance

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Grievance Process Summary

Informal Process (optional)

- I. File formal grievance with agency Client Rights Specialist
 - CRS report with findings. If either PM or complainant disagrees,
 - Program Manager decision
- II. County Level Review (if applicable)
- III. State Grievance Examiner in DHS Client Rights Office
- IV. Final State Review

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DRW Self Help Packet

- List of rights
- Summary of grievance procedure, steps, and timelines
- Tips to draft a grievance
- Problem solving for bumps in the road
- Templates/worksheets to draft grievance and appeal

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Patient rights/grievance – more info

Wisconsin Department of Health Services [Client Rights Office](#)

- Sample pamphlets for community outpatient & inpatient providers, state DD centers, other state-operated facilities
- Model grievance procedure
- Decision digest
- Training for Client Rights Specialists
- Applicable statutes & administrative code sections

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How to request help from DRW

- Telephone: 800-928-8778. Receptionist will gather basic info & forward to intake specialist
- Online: <https://www.disabilityrightswi.org/learn/how-to-get-help/>
- Email: info@drwi.org
- Mail: Disability Rights Wisconsin, ATTN: Intake
1502 West Broadway, Suite 201
Madison, WI 53713

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Contact Information

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