



Know Your Rights as a Patient in Maryland Psychiatric Facilities

- **You have the right to be protected from abuse, neglect,** discrimination, physical assault, sexual assault, and sexual harassment.
- You cannot be denied **the right to vote** or to hold property.
- You have **the right to refuse medication**, except in an emergency when you are dangerous to yourself or others, or if approved by a Clinical Review Panel. (Md Code Health-Gen 10-708)
- You have **the right to file a complaint** with the Maryland Office of Health Care Quality, which manages concerns in health care facilities.
- If you are in a state-operated hospital, you also have the right to file a complaint with the **Resident Grievance System** (1-800-RGS-7454) and to receive free help from a Legal Assistance Provider.

You Have the Right to be Free from Restraints and Seclusion

42 CFR § 482.13

- Your personal liberty can only be restricted if necessary and consistent with your treatment needs.
- **Restraint** is when staff stop you from moving by putting you in a chair or bed and using straps to hold your body; using their hands or body; or by giving you an injection of medication against your will.
- **Seclusion** is when staff put you in a room alone and say that you are not allowed to leave.
- You can be restrained or put in seclusion only if your behavior is risking **serious, imminent danger to someone's physical safety**.
- You may not be restrained or secluded for being disruptive, as a punishment, or for staff convenience.
- Before using restraint or seclusion, staff must consider other less restrictive strategies first.
- You must be released from restraints or seclusion at the earliest possible time as soon as the emergency is over, and your behavior is no longer risking **serious, imminent danger to someone's physical safety**.

You Have the Right to Individualized Treatment

Maryland Health-General § 10-706

- Your written treatment plan must have **treatment goals** and an estimate of how long you may be in the hospital.
- The treatment plan must be updated every 15 days. If you are hospitalized for more than 2 months, the plan must be updated at least every 60 days.
- You have **the right to be involved in making decisions about your treatment**, to attend your treatment team meetings, and to attend your discharge planning meetings.
- You have the right to have a friend, family member, or other **advocate** of your choice take part in your treatment and discharge planning meetings. Staff must provide a schedule of meetings so that they can attend.
- You have the right to ask questions and get answers about your treatment. You have the right to share your thoughts about what helps you and what doesn't help you. If your treatment plan isn't meeting your needs, **you have the right to request changes in your plan.**

You Have the Right to Meet and Communicate with Others

Maryland Health-General § 10-701 and COMAR 10.21.09.03

- You have the right to receive **visitors** and to speak **privately** with them.
- Your treatment team may restrict your right to visitors for medical reasons. However, you always have the right to receive visits from an **attorney or clergy person.**
- You have the right to reasonable access to a **telephone** and to mailing materials (paper, pen, and postage). Your letters must be sent without delay and without being opened. However, if a person does not want you to contact them, you will not be allowed to contact that person.
- Your treatment team may also restrict your access to mail and/or phone use if there is **a medical reason.** The restriction must be documented in your medical record and reviewed every 30 days.

About Disability Rights Maryland

Disability Rights Maryland (DRM) is a private non-profit law firm that provides free legal and advocacy services for people with disabilities. As Maryland's protection and advocacy agency, DRM investigates facilities to prevent abuse, neglect, and rights violations.

If you have questions or concerns, please contact us:

www.DisabilityRightsMD.org

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