



## NDHHS Ryan White Part B Program Policy: Patient and Client Rights

**In order to ensure that consumers of HIV services are receiving the best possible care, providers must be committed to providing excellent care and treatment services and being fully engaged with the patient/client at all times. It is the patient's/client's right to receive the following:**

- A patient/client has the right to be treated with dignity, courtesy, consideration and compassion at the Ryan White funded provider agency.
- A patient/client has the right to receive service in a clean, safe environment that meets appropriate state and federal quality standards.
- A patient/client has the right to receive services free of discrimination on the basis of race, color, ethnicity, national origin, sex, gender identity, sexual orientation, religion, age, class and physical or mental ability.
- A patient/client has a right to receive services free of physical, sexual, verbal and/or emotional abuse or threats.
- A patient/client living with HIV/AIDS has the right to keep their HIV status confidential and have their confidentiality protected by staff, volunteers, providers and other clients. [Some disclosures by RWHAP recipients are necessary in order to receive service delivery.]
- A patient/client has the right to receive culturally and linguistically appropriate medical and non-medical case management, designed to address the needs of the individual.
- The patient/client has a right to be able to understand the Ryan White Part B Program and the available services, providers, and all components of the program.
- A patient/client has the right to receive information in understandable terms and language based on physical, mental, visual, and hearing needs as appropriate.
- A patient/client has the right to participate in creating a plan for services, including maintaining contact with the RWHAP provider agency as appropriate.
- The patient/client has the right to receive coordinated care linkage focused on their needs, including medical/clinical referrals, a complete psychosocial needs assessment, and a comprehensive care plan. These services need to be culturally and geographically appropriate.
- The patient/client has a right to an open flow of information, open communication and ongoing dialogue with providers in order to achieve and maintain optimum patient/client focused care coordination.
- A patient/client has the right to receive culturally and linguistically appropriate and comprehensive primary medical care, specialty care and consultation, and related medical services as deemed necessary by the RWHAP service provider.
- The patient/client has the right to clinical/medical needs assessment that includes but is not limited to evaluation for referrals for tuberculosis and sexually transmitted infection treatment and control, nutrition, dental, vision, and diagnostic studies.
- The patient/client has a right to a psychosocial needs assessment that includes evaluation for referrals for substance misuse, mental health, housing needs, translation, interpretation and transportation.
- The patient/client has the right to be informed of significant delays in appointment and treatment times.
- The patient/client has the right to be educated prior to having to make treatment decisions about the importance of adherence in HIV/AIDS and the consequences of partial or non-adherence.

## Patient and Client Responsibilities

**The patient also has responsibilities in order to receive HIV services. Ryan White services are not an entitlement program, meaning it can go away at any time. The program is based on federal funding and grants awarded to the Nebraska Department of Health & Human Services. Without active participation by the patient/client, the HIV care services coordination is useless. Full, active participation by the patient/client is required for positive health outcomes. It is the patient's/client's responsibility to:**

- The patient/client has the responsibility to follow all policies, procedures and rules of the provider agency, the Ryan White Part B Program and the federal funding agency in order to be eligible for services.
- The patient/client has the responsibility to treat the provider, other patients, volunteers, and staff with respect, dignity, courtesy, consideration and compassion.
- The patient/client has the responsibility to provide financial, insurance, health and other information so that the provider may determine eligibility for Ryan White services.
- The patient/client has the responsibility to update income, insurance and other important information to the provider within ten (10) days of a change in status.
- The patient/client has the responsibility to be honest and truthful about finances and benefits or the patient/client may lose the option of participating in Ryan White services of any type in the future.
- The patient/client has a responsibility to participate in informed, shared decision-making by asking questions and requesting more information and/or documents so they understand their treatment and care, and are informed before making decisions on their care.
- The patient/client has the responsibility to follow through with their risk assessment and disclosure education, counseling and/or care sessions. This includes HIV/AIDS and Sexually Transmitted Infections risk reduction and secondary prevention measures.
- The patient/client has the responsibility to communicate to providers when they are not sure about decisions regarding services and/or treatment options.
- Patients/clients who are either unable or unwilling to attend scheduled HIV/AIDS medical, counseling, or case management appointments have a responsibility to notify their provider at least 24 hours or as soon as possible before their scheduled appointment.
- The patient/client has the responsibility to stay in communication with the case manager by informing her/him of changes in address, phone number, and medical, financial and insurance information, and responding to the case manager's calls or letters immediately, or to the best of their ability.
- The patient/client has the responsibility to not subject other clients, providers and staff to physical, sexual, verbal and/or emotional abuse or threats. [Reports of abuse or threats may be subject to possible grievance and/or other action, including potential loss of access to Ryan White services.]
- The patient/client has the responsibility to protect the confidentiality of all other clients encountered in a care setting. Breach of confidentiality is a serious offense.
- The patient/client has the responsibility to be free of alcohol and/or other illegal drugs while receiving services on-site or by phone.

*If a patient/client violates any of these rules they may be given a warning, asked to leave, or further action may be taken, up to and including termination of all services, and where applicable, legal/criminal actions.*

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Case Manager Signature

\_\_\_\_\_  
Date

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**NOTICE OF NONDISCRIMINATION and PROGRAM ACCESSIBILITY**

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Sec. 504), and Section 1557 of the Affordable Care Act (ACA/Sec. 1557).

The Nebraska Department of Health and Human Services (DHHS) is committed to providing equal access to employment, programs, service, activities and benefits to qualified individuals with disabilities. DHHS complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, sex, or disability in admission to its programs, services, or activities; in access to them; in treatment of individuals with disabilities; in provision of benefits, in its hiring or employment practices, or in any aspect of their operations. DHHS will generally, upon request, provide appropriate aids and services leading to effective communication for qualified individuals with disabilities so that they can participate equally in DHHS's programs, services and activities. This includes qualified sign language interpreters, written information in other formats (large print, audio, accessible electronic formats, and other formats). Free language services are available to people whose primary language is not English, such as qualified interpreters and information written in other languages. Any individual who requires an auxiliary aid or service for effective communication related to any DHHS program, service or activity should contact the ADA, Sec. 504, and ACA/Sec. 1557 Compliance Coordinator.

DHHS will make reasonable modifications to policies and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all of its programs, services, activities, and benefits. Any individual who requires a modification to a policy or program should contact the ADA, Sec. 504, and ACA/Sec. 1557 Compliance Coordinator. Any complaint that a DHHS program, service or activity is not accessible to individuals with disabilities, or has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, should be directed to the ADA, Sec. 504, and ACA/Sec. 1557 Compliance Coordinator. You can file an ACA/Section 1557 complaint in person or by mail, fax, or email. If you need help filing a complaint the ADA, Sec. 504, and ACA/Sec. 1557 Coordinator is available to help you.

The ADA and ACA do not require DHHS to take any action that would fundamentally alter the nature of its programs or services, or impose any undue financial or administrative burden upon DHHS. Questions, complaints or requests for additional information regarding the ADA, Section 504, and ACA/Sec. 1557 may be forwarded to the designated ADA, Section 504, and ACA/Section 1557 Compliance Coordinator:

Robin Hadfield, ADA, Sec. 504, and ACA/Sec. 1557 Compliance Coordinator

Nebraska Department of Health and Human Services

301 Centennial Mall South Lincoln, NE 68509 Phone: (402) 471-7241

You can also file a complaint with the U.S. Department of Health and Human Services, Office of Civil Rights, electronically through the Office of Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services

200 Independence Avenue, SW Room 509F, HHH Building Washington D.C. 20201

1-800-368-1019, 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

**This notice is available in large print or in audio by contacting the ADA, Sec. 504, and ACA/Sec. 1557 Coordinator.**