

Consumer Handbook

**A guide for understanding the mental health,
developmental disabilities and substance abuse
service system in North Carolina**



"Meeting community needs...one person at a time"

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Carolina Division of Mental Health, Developmental Disabilities and
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WELCOME

Welcome to the North Carolina Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) Consumer Handbook. This handbook is designed to provide you with valuable information about your care and services. We hope you find this information helpful.

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Smoky Mountain Center
44 Bonnie Lane
Sylva, NC 28779
828-586-5501

Helpful Contacts

DMH/DD/SAS Website: www.ncdhhs.gov/mhddsas

TITLE/PROGRAM	NAME	ADDRESS	PHONE NUMBER
State CARE-LINE			1-800-662-7030
Smoky Mountain Center Customer Service			1-888-757-5726
Service Provider			
Program Supervisor			
Therapist/Counselor/Case Manager			
Crisis Contact			
Smoky Mountain Center Access Line			1-800-849-6127
Doctor			
Pharmacy			
DMH/DD/SAS Customer Service			1-919-715-3197
Advocate			
Support Person/Friend			
Emergency Room			
County Department of Social Services			
Other:			

Who Can Help?

If you or a member of your family requires services, we want to make sure you know who to contact for help:

Your Service Provider

Your service provider will help you develop a plan of care and provide the services authorized in your plan. Your plan of care is a person-centered plan (PCP) because it is based on your unique needs, skills and wishes.

Local Management Entities (LMEs)

Your services are managed in the community through a Local Management Entity (LME) office. **The Smoky Mountain Center** has a relationship with service providers to ensure that quality services are provided to consumers.

Smoky Mountain Center has a customer service office.

Representatives in each of the customer service offices are available to assist consumers, families and the general public with questions, concerns/complaints and information requests. You may contact the **Smoky Mountain Center** at (888) 757-5726 or call the DHHS CARE-LINE -any time 24-hours-a-day, seven-days-a-week, 365-days-a-year - 1-800-662-7030 (English/Spanish) or TTY 1-877-452-2514 for the hearing impaired.

DMH/DD/SAS

The North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (MH/DD/SAS) is responsible for overseeing the publicly funded mental health, developmental disabilities, and substance abuse services in North Carolina. The DMH/DD/SAS has a special section devoted to advocacy and customer service. The Advocacy and Customer Service Section has three teams of specialized professionals to help consumers, families, guardians and advocates more fully understand how the MH/DD/SA service system works. If you have a question, problem or concern, contact the team that best meets your needs:

1. Customer Service and Community Rights Team: When you need information or believe services and supports are not meeting you or a family member's needs.

2. Consumer Empowerment Team: When you wish to learn about the Consumer and Family Advisory Committees (CFACs). These groups give consumers and families a voice in DMH/DD/SAS policies that affect services. Only consumers or family members of consumers are eligible to serve on the CFACs.

For your convenience Smoky Mountain Center has a Consumer and Family Advisory Committee in each of the regions we serve. For one nearest you please contact:

Northern Region

Alleghany, Ashe, Avery, Watauga and Wilkes Counties
Robin Paige (828) 263-5635

Central Region

Alexander, Caldwell and McDowell Counties
Brian Shuping, (828) 430-7148

Southern Region

Cherokee, Clay, Graham, Haywood, Jackson, Macon and
Swain Counties
Shelly Lackey, (828) 586-5501

3. State Facilities Advocates Team: Rights Team: When you have a concern about how someone is being treated at a state facility, or if you are a consumer at a state facility and have a concern about your treatment, contact the facility and ask to speak to the professional advocate on duty.

You can contact any of the teams above by:

Telephone: (919) 715-3197 (Mon.-Fri.; 8am-5pm)
DHHS CARE-LINE: 1-800-662-7030
(English/Spanish) TTY 1-877-452-2514

Email: dmh.advocacy@ncmail.net

Address: Advocacy and Customer Service Section
3009 Mail Service Center Raleigh, NC
27699-3009

How to Access Services

When you or a family member need mental health, developmental disabilities, or substance abuse services, the first step is to contact the **Smoky Mountain Center**. Every community has a way to access services 24-hours-a-day, seven-days-a-week and 365 days-a-year. This is done through the access team. You can ask about obtaining ongoing services or emergency mental health, developmental disabilities, or substance abuse services. **The access team is available by visiting the Smoky Mountain Center near you or by phone at 1-800-849-6127.**

Person-Centered Planning

What is person-centered planning?

The process used to design your individual plan of supports, service(s) or treatment is called person-centered planning (PCP) and includes the following important points:

1. Your planning meeting occurs at a time and place that is convenient for you.
2. You can invite the people you want to your meeting.
3. You get the information you need and ask for from the people at your meeting.
4. The people at your meeting listen to you and respect your opinions and wishes.
5. The people at your meeting work together so you can be more independent and more involved in your community.
6. Consider the team's suggestions if you do not agree with the plan.
7. You are satisfied with the final plan.
8. You sign and receive a copy of the plan.

Crisis Plans

It is important to include a crisis plan in your person-centered plan. Your provider will work with you to develop a plan to help prevent a crisis and to help you during a crisis. Your crisis plan gives information about what you would like to happen should a crisis occur. Your provider will tell you the person to contact in that agency when you are in crisis.

Examples of what might be in a crisis plan include friends or relatives to be called, contact numbers, preferred medicines, care of children and pets and bills to be paid.

Emergency Services

The crisis plan that you develop with your provider will make it easier for others to help you in the event that a crisis occurs. Sometimes, unexpected things can happen during a crisis.

Remember, in a crisis to call your crisis contact number. Smoky Mountain Center access line is also available 24-hours-a-day, seven-days-a-week and 365-days-per-year. 1-800-849-6127

Your Rights

When you receive services from the public mental health, developmental disabilities and substance abuse services system, you have many rights supported by law.

Understanding your rights will help you stand up for yourself and fully participate in your care. Knowing your rights can help you:

- Make informed choices about your care.
- Resolve any problems that may occur.
- Know what to expect from your service provider.
- Become a better self advocate for your care and treatment.

A Declaration of Basic Client Rights:

Some of your basic rights – often called client rights - are in North Carolina General Statutes Article 3. 122C.

“It is the policy of the State to assure basic human rights to each client of a facility. These rights include the right to dignity, privacy, humane care and freedom from mental and physical abuse, neglect and exploitation.”

YOUR RIGHTS,CONTINUED

You also have the following rights:

To be informed of your rights

By law, you must be informed of all of your rights within the first three visits to your community provider (or within the first 72 hours if you are in a 24-hour facility). You also have the right to:

- Ask that printed information explaining your rights be given to you in a way that you can understand.
- Know what to do and who to call if you believe someone is trying to take away your rights.

At the end of this booklet, there is a list of organizations you can call for assistance.

To know what is expected of you:

You must be told about any rules you need to follow. This information should be shared with you when you begin receiving services. If you do not receive this information, ask someone you trust to help you obtain this information.

To always be treated with respect:

Staff should be polite, attentive and responsive to your needs and values.

YOUR RIGHTS,CONTINUED

To live as independently as possible:

It is your right to receive care in your community in the least restrictive environment suitable to your individual needs.

To have information about you kept confidential:

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is the federal law that protects your private health information. The HIPAA law states that medical records, treatment plans and any other information about you (including what you say or share) must be kept private. Anyone not involved in providing your care, including family members, must first obtain you or your guardian's permission before this information is provided to them.

To understand and give informed consent:

When you are making a decision about your treatment, you should have the chance to know the most likely results of your decision and what other choices you have.

YOUR RIGHTS_{, continued}

Making decisions after considering all available options is called “informed consent.” Except during an emergency, informed consent is always your right. Before you give your approval for any service or treatment, be sure you have all of the information you need. This right is based on the idea that you are the person who best knows what works for you.

Informed consent includes being given information:

- To know about medication: You have the right to know the possible side effects of medication and to be free from unnecessary or excessive medication. Medication cannot be used as a punishment, discipline or for the convenience of staff.
- To accept or refuse services: By law, you can accept or refuse any service, medication, test or treatment. However, during an emergency situation, treatment may be necessary without your permission.
- To be involved in the service plan: It is your right to be involved in your service plan. You have a right to be involved in the development and review of your plan before you sign it.
- To make certain treatment choices: It is your right to be informed of the potential risks, benefits and alternatives to the treatments being offered to you.

YOUR RIGHTS_{,CONTINUED}

To exercise your rights as a citizen:

You have many rights as a citizen. These include buying or selling property, signing a contract, registering to vote, marrying or getting a divorce. Unless the court has declared you incompetent, you will **always** have these rights.

To make advance instructions:

You have the right to a written plan called an “advanced instruction for mental health treatment.” This written plan describes how you want to be cared for if you ever become unable to decide or speak for yourself. You can also name a “health-care proxy” in your advanced instruction. This lets another person who you have identified make decisions about your care if you become unable to do so. For help in preparing these plans, you should speak with someone you trust. You can also contact the organizations listed at the end of this booklet for assistance.

To review your medical records:

You will usually have the right to review information in your medical records, which includes your service plan.

YOUR RIGHTS,CONTINUED

To see a medical care provider:

If you are sick or need medical care, you have the right to receive medical treatment.

To know the costs of services:

The charges or fees for services you receive should be discussed with you at your first visit. You should also be given a written copy of the fees. Ask your provider or have someone you trust talk to your provider if you have questions about any costs or fees that you may be charged.

To be accepted for treatment:

You have a right to receive age-appropriate treatment. Services cannot be denied, interrupted or reduced without good cause. If your services are denied, interrupted or reduced you can appeal the changes to your services. There is more information on what to do if there are changes to your services in the next section of this booklet.

YOUR RIGHTS_{,CONTINUED}

To freely file an appeal:

Before anyone can change your service or deny your request for a service, you will receive a notice explaining your rights. You have a right to appeal any changes to the services you already receive or any services you and your service provider have requested to receive. The way you appeal the changes depends on how your services are funded:

- If Medicaid pays for your services, you may appeal the changes through the Division of Medical Assistance. Follow the directions in the written letter for your federal rights. If you appeal the decision by the deadline in the letter, your services will continue during the appeal.
- If your services are paid for by state funds (sometimes called IPRS funds), you may appeal the decision to the LME. If you still are unsatisfied with what the LME decides, you may appeal to the state DMH/DD/SAS to review the decision. Your services may or may not continue while you are appealing this decision.
- If your private insurance company pays for your services you can appeal their decision through your insurance company.

YOUR RIGHTS_{,CONTINUED}

If you are unsure how to appeal changes to your services or if you have questions about appeals, contact the **Smoky Mountain Center Customer Service** office at **1-888- 757-5726** or contact the Advocacy & Customer Service Section at DMH/DD/SAS at

- (919) 715-3197. For all appeals, call the number on your appeal notice.
- Ask Smoky Mountain Center and your provider to let you review the policies and procedures about grievances and appeals.

To Request Special Accommodations: If you need help or accommodations to participate in services, you may request: Accessibility and Accommodations: In accordance with federal and state laws, all buildings and programs of the NC Department of Health and Human Services are required to be physically accessible to individuals with all qualifying disabilities. If you need to request an accommodation on behalf of yourself or a family member or a friend, you can contact the Smoky Mountain center customer service representative.

Language Assistance including:

- Assistance with TTY.
- Sign language interpretation
- Interpretive services if you do not speak English
- Assistance for persons who have visual impairment

Rights in 24-Hour Facilities

Consumers admitted to 24-hour facilities have important rights. However, there are times when a consumer admitted to a 24-hour facility may have some of their rights restricted based on care and treatment considerations. If you have any questions about these restrictions, you should ask to speak to a facility advocate.

Rights of adults which CANNOT be restricted include the right to:

- Send and receive unopened mail.
- Contact a lawyer, doctor or other private professional at your own expense.
- Receive medical care if you are sick.
- Contact a client advocate.

Rights of minors which CANNOT be restricted include the right to:

- Talk to a parent or guardian.
- Consult with legal counsel, private doctors or mental health, developmental disabilities, and substance abuse service providers.
- Contact a client advocate.

Substance Abuse Rights:

There are special rights regarding substance abuse that are protected in federal law. Ask the Smoky Mountain Center customer service representative about specific substance abuse rights.

Rights in 24-Hour Facilities

Involuntary Commitments:

Sometimes when a person's illness makes it difficult for him or her to recognize the need for help, it is up to someone else who cares about the person to seek help and petition for what is called involuntary commitment. You are entitled to many rights when under an involuntary commitment petition. If you are unsure of what your rights are when you are under an involuntary commitment petition, you should ask staff at the facility to explain these rights to you.

This section of the handbook is intended to be a general overview of your rights and is not intended to be used as the sole source of information regarding your rights. If you have specific questions about your rights, please contact your provider, Smoky Mountain Center customer service representative (828) 757-5726 or the DMH/DD/SAS customer service section at (919)715-3197.

Final Tips:

- Use your rights to take charge of the services that you receive and your treatment.
- Try to learn about the many rights you have and use them in the way that is best for you.
- Sometimes, other people don't know what your rights are – but do not let that stop you from using your rights. Instead, teach others about your rights.
- If you run into problems with your rights, ask someone to help you out. You do not have to go it alone. There are many people and supports that can help with your recovery, but sometimes you have to ask for them.
- Remember, these are your rights, they can support and protect your recovery and they can make your life better!
- ***Don't be afraid to ask questions.***

Treatment Success and Responsibilities

Your Responsibilities

Your treatment success will be enhanced by how much you are involved in developing and implementing your person-centered plan. You are encouraged to assume some reasonable responsibilities for the success of your treatment. Your increased involvement in your care increases the likelihood of achieving the best results. Things you can do include:

- Be on time for all appointments and call if you can't make an appointment.
- Let the staff know about any changes to your medications or changes to your health.
- Treat staff and other consumers with respect and consideration.
- Follow the rules of the program where you receive services.
- Respect the confidentiality and privacy of other consumers.
- Be very involved in developing and reviewing your person-centered plan.

Treatment Success and Responsibilities

, continued

Talk to your case manager, counselor or doctor and others on your planning team often about your needs, preferences and goals and how you think you are doing at meeting your goals.

- Tell your provider when you are experiencing problems
- Let your provider know if you decide to discontinue services.
- Present your Medicaid, Medicare or insurance card each time you come for an appointment.
- Let your provider know about changes in your name, insurance, address, telephone number or your finances.
- Pay your bill or let your provider know about problems you may have meeting payments.

“Every community has a way to access services 24-hours-a-day, seven-days-a-week and 365-days-a-year...through the Smoky Mountain Center access line.”

Other Opportunities for Involvement:

The success of the mental health, developmental disabilities and substance abuse service system relies on active participation from concerned individuals. As a consumer or family member of a consumer, your contribution is especially important. There are a number of ways you can be involved:

- Participate in local consumer and family advisory committees.
- Serve on Smoky Mountain Center and service provider boards.
- Participate in focus groups and provide feedback on policies and proposed rules.
- Participate in the development of monitoring tools that measures the quality of services.
- Become a peer support specialist.
- Serve on a rights committee.
- Advocate at local, state and national level either individually or with an established group.

Other Helpful Resources

Organization	Phone Number	Web Address
Alcohol/Drug Council of North Carolina	1-800-6884232 919-493-0003	www.alcoholdrughelp.org
The Arc of North Carolina	1-800-6628706	www.arcnc.org
Disability Rights North Carolina	1-877-2354210	www.disabilityrightsnc.org
Exceptional Children's Assistance Center (ECAC)	1-800-9626817	www.ecac-parentcenter.org
Mental Health Association North Carolina, Inc.	1-888-8810740	www.mha-nc.org/english
National Council on Alcohol and Drug Dependence, Inc.	1-800-NCA-Call (Hope Line)	www.ncadd.org
NC Care Line	1-800-662-7030	www.ncdhhs.gov/ocs/careline.htm

NC Care LINK		www.ncarelink.gov
NC Division of Health Service Regulation	1-800-326-3842	www.ncdhhs.gov/dhssr
NC Mental Health Consumers Organization, Inc.	1-800-326-3842	www.ncmhcosupport.org
Substance Abuse and Mental Health Services Administration (SAMHSA)	1-800-662-4357	www.samhsa.gov
Veterans Services	919-733-7011 ext. 216 or 1-800-662-7030	www.nccarelink.gov