

Non-Residential Individual Rights, Privacy, Dignity and Respect Checklist

these are exploratory questions to help a provider assess if the setting has HCBS required characteristics

42 CFR 441.301©(4)(iii)/ 441.710(a)(1)(iii)/441.530(a)(1)(iii)

1. The setting ensures an individual's rights of privacy, dignity and respect.

- ✓ Is all information about individuals kept private? For instance, does paid staff/volunteers/providers follow organization confidentiality policy/practices? Does staff within the setting ensure that, for example, there are no posted schedules of individuals for PT, OT, medications, restricted diet, etc., in a general open area?
- ✓ Do the setting support individuals who need assistance with their personal appearance to appear as they desire, and is personal assistance, provided in private and as appropriate?
- ✓ Does the setting assure that staff interact and communicate with individuals respectfully and in a way the person would like to be addressed, while providing assistance during the regular course of daily activities?
- ✓ Do setting requirements assure that staff do not talk to other staff about an individual(s) in the presence of other persons or in the presence of the individual as if they were not present?

2. Setting ensures freedom from coercion and restraint.

- ✓ Does the setting policy require that the individual and/or representative grant informed consent prior to the use of restraints and/or restrictive interventions and document these interventions in the person-centered plan?
- ✓ Does the setting policy ensure that each individual's supports and plans to address behavioral needs are specific to the individual and not the same as everyone else in the setting and/or restrictive to the rights of every individual receiving support within the setting?
- ✓ Does the setting offer a secure place for the individual to store personal belongings?

