



## Individual Rights

9 CSR 45-5.010 (4) (E) 2.

1. All individuals served by the Division of DD shall be entitled to the following rights and privileges without limitation, unless otherwise provided by law:
  - a. To be treated with respect and dignity as a human being.
  - b. To have the same legal rights and responsibilities as any other citizen.
  - c. To receive services regardless of race, creed, marital status, national origin, disability, religion, sexual orientation, gender, or age.
  - d. To be free from physical, emotional, sexual, and verbal abuse, and financial exploitation.
  - e. To receive services and supports to achieve the maximum level of independence.
  - f. To have access to all rules, policies, and procedures governing the operations of the Division of DD in an accessible format, and to have those rules, policies, and procedures explained in a manner that is easily understood.
  - g. Within one's financial means, to have a choice where to live and whether or not to share a home with other people.
  - h. To direct one's own person-centered planning process and to choose others to be included in that process.
  - i. To participate fully in the community.
  - j. To communicate in any form and to have privacy of communications.
  - k. To accept or decline supports and services.
  - l. To have freedom of choice among Division of DD approved providers.
  - m. To seek employment and work in competitive integrated settings.
  - n. To participate or decline participation in any study or experiment
  - o. To choose where to go to church or place of worship, or to refuse to go to a church or place of worship.
  - p. To have rights, services, supports, and clinical records regarding services explained in a manner that is easily understood and in an accessible format.
  - q. To have all of an individual's records maintained in a confidential manner.
  - r. To report any violation of one's rights free from retaliation and without fear of retaliation; and
  - s. To be informed on how to make an inquiry, file a complaint or report a violation of one's rights, and to be assisted in these processes, if requested.
2. Adults who do not have a legal guardian have the right to designate a representative to act on one's behalf for purposes of receiving services from the Division of DD
3. An individual's rights as outlined in section one:
  - a. may not be restricted, including, but not limited to, by a provider of targeted case management or home and community-based services, without due process. Due process under this provision includes the right to be notified and heard on the limitation or restriction, the right to be assisted through external advocacy if an individual disagrees with the limitation or restriction, and the right to be informed of available options to restore the individual's rights.