

NOTICE OF CONFIDENTIALITY REGULATIONS AND GUARANTEED RIGHTS

Upon intake, each client will receive the following:

- Overview of program goals and objectives
- Overview of program rules and client obligations and rights
- Overview of program operations (hours, general schedules, educational/group times, phone numbers, emergency access information).
- Orientation to the building
- Weather related closings: any cancellations/late starts will be posted on the KELO TV Close-line

Each client shall have impartial access to treatment regardless of age, gender, social support, cultural orientation, psychological characteristics, sexual orientation, physical situation, and spiritual beliefs. Each client's personal dignity shall be recognized and respected in the provision of all care and treatment.

67:61:06:02. Guaranteed rights

A client has rights guaranteed under the Constitution and Laws of the United States and the state of South Dakota including:

1. The right to refuse extraordinary treatment as provided in SDCL 27A-12-3.22;
2. The right to be free of any exploitation or abuse;
3. The right to seek and have access to legal counsel;
4. To have access to an advocate as defined in subdivision 67:61:01:01(4) or an employee of the state's designated protection and advocacy system;
5. The right to confidentiality of all records, correspondence, and information relating to assessment, diagnosis, and treatment in accordance with the confidentiality of records requirements of the Substance Abuse and Mental Health Services Administration, 42 U.S.C. §§290 dd-2 (January 7, 2011), the confidentiality of alcohol and drug abuse patient records, 42 C.F.R Part 2 (June 9, 1987), and the security and privacy of HIPAA, 45 C.F.R. Part 160 and 164 (September 26, 2016); and
6. The right to participate in decision making related to treatment, to the greatest extent possible.

The confidentiality of alcohol and other drug abuse client records maintained by this program is protected by federal law and regulations. Generally, the program may not say to a person outside the program that a client attends the program, or disclose any information identifying a client as an alcohol or drug abuser unless:

1. The client consents in writing.
2. The disclosure of information is allowed by a court order, or
3. The disclosure of information is made to medical personnel in a medical emergency or to qualified personnel for research, audit, or program evaluation. The confidentiality of data obtained during the course of a research project is assured by the Board of Directors.

Violation of the federal law and regulations by a program is a crime. Suspected violations may be reported by appropriate authorities in accordance with federal regulations.

Federal law and regulations do not protect any information about a crime committed by a client either at the program or against any person who works for the program or about any threat to commit such a crime.

Federal laws and regulations do not protect any information about suspected child abuse or neglect from being reported under state law to appropriate state or local authorities. (See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for federal laws and 42 CFR part 2 for federal regulations.)

Carroll Institute wishes to provide a comfortable, productive, legal and ethical environment. If you have any problems with any aspect of your treatment, please inform your counselor, a Department Supervisor, or the Executive Director of Carroll Institute, 310 S. 1st Ave., Sioux Falls, SD 57104, 605-336-2556. Grievance forms can be found in the lobby of each location for your immediate access.

Carroll Institute is accredited by the SD Department of Social Services, Division of Behavioral Health, Hillside Plaza, East Highway 34, C/O 500 E. Capitol, Pierre, SD 57501-5070, telephone: (605)773-3123. If you wish to appeal the agency's decision regarding aspects of your treatment, you can contact the Division of Behavioral Health to report your concerns.