

COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY AND PROCEDURES MANUAL				
Chapter Program Quality	Section Recipient Rights	Chapter 05	Section 01	Subject 32
Subject Advocacy	Authorization		Approved: 10/24/06 Replaces: None	

Reviewed/No Updates: September 2020; February 2022

- I. **PURPOSE:** To assure that providers are not prohibited or restricted from advocating on behalf of a recipient.

- II. **APPLICATION:** All programs operated directly by or under contract with Community Mental Health Authority (CMHA).

- III. **DEFINITIONS:** None

- IV. **POLICY:** CMHA will not prohibit, or otherwise restrict, a health care professional acting within the lawful scope of practice, from advising or advocating on behalf of a recipient who is his or her patient, for the following:
 - A. The recipient’s health status, medical care, or treatment options, including any alternative treatment that may be self-administered;

 - B. Any information the recipient needs in order to decide among all relevant treatment options;

 - C. The risks, benefits, and consequences of treatment or non-treatment; and

 - D. The recipient’s right to participate in decisions regarding his or her health care, including the right to refuse treatment, and to express preferences about future treatment decisions.

- V. **PROCEDURE:** None

- VI. **REFERENCES AND LEGAL AUTHORITY:** 42 CFR 438.102(a)

- VII. **EXHIBITS:** None