

**Cottonwood, Inc.
Policies and Procedures**

SECTION: Consumer Related

POLICY NO: 05-037

SUBJECT: Human Rights Committee/Medications/
Restrictive Interventions

PAGE(S): 1 of 4

EFFECTIVE DATE: September 1990

**Licensing Regulation
Reference: 30-63-23**

Policy:

The Human Rights Committee (HRC) provides oversight and approval to ensure that restrictive interventions are carefully considered, implemented only as a last resort, and that they do not unduly restrict the rights of individuals served.

1. The committee will review for final approval behavior management plans when restrictive procedures are involved and review the psychotropic medication monitoring process to ensure safeguards and management provisions are being met and report any instance in which the committee determines that safeguards have not been met. Cottonwood, Inc. will immediately correct any instance of non-compliance reported by the Human Rights Committee.
2. The committee will suggest alternatives and/or additions to restrictive behavior management interventions/procedures.
3. The committee will review policies, procedures, and guidelines as referred.
4. Additionally, The committee will review other issues referred by agency CEO, Consumer Committee or Internal Review Committee (IRC). Research projects will be reviewed by the HRC for initial suitability and may be reviewed again for projects that exceed a year.

Procedures:

- 1.) Cottonwood, Inc. shall take proactive and remedial actions to ensure appropriate, effective, and informed use of medications and other restrictive interventions to manage behavior or to treat diagnosed mental illness. These actions shall be taken before Cottonwood, Inc. initiates the use of any medication or other restrictive intervention to manage behavior, unless the needs of the person served clearly dictate otherwise and Cottonwood, Inc. documents that need. Otherwise, these actions shall be taken promptly following the initiation of, or any change in, the use of any medication or other restrictive intervention to manage behavior or to treat diagnosed mental illness.
 - These proactive and remedial actions shall include all the following:

- Safeguards, which shall include initial and ongoing assessment and responsive modifications that may be needed to ensure and document the following, in consultation with the person, the person's guardian, and the person's support network:
- All other potentially effective, less restrictive alternatives have been tried and shown ineffective, or a determination using best professional clinical practice indicates that less restrictive alternatives would not likely be effective;
- Positive behavior programming, environmental modifications and accommodations, and effective services from the provider are present in the person's life;
- Voluntary, informed consent has been obtained from the person or the person's guardian if one has been appointed, after a review of the risks, benefits, and side effects, as to the use of any restrictive interventions or medications; and
- Medications are administered only as prescribed, and no "PRN" (provided as needed) medications are utilized without both the express consent of the person or the person's guardian if one has been appointed, and per usage approval from the prescribing physician or another health care professional designated by the person or the person's guardian if one has been appointed;
- Management, which shall include initial and ongoing assessment and responsive modifications that may be needed to ensure and document the following:
 - When restrictive intervention or medication is being used to manage specific behaviors, those behaviors are documented as to the frequency and objective severity of occurrence;
 - Cottonwood, Inc. will periodically review and report to the person, the person's guardian if one has been appointed, the person's support network, and the physician prescribing any medication to manage behavior, the frequency and objective severity of the specific behaviors, and the effectiveness of the restrictive intervention or medication and any side effects experienced from any medication used to manage specific behaviors, in conjunction with safeguard measures; and
 - Cottonwood, Inc. will recommend to the person, the person's guardian if one has been appointed, the person's support network, and the physician prescribing any medication to manage behavior, reducing the use of the restrictive intervention or medication being used to manage specific behaviors, when appropriate, based upon the documented effectiveness of those efforts in conjunction with safeguard measures; or

- When medication is used to treat specifically diagnosed mental illness, the medication has been prescribed and is being managed by a psychiatrist who is periodically provided information regarding the effectiveness of and any side effects experienced from the medication. The prescription and management may be by a physician, rather than a psychiatrist, only when requested and agreed to by the person or the person's guardian if one has been appointed, and when based upon the documented need of the person; and
- Review by a behavior management committee established by Cottonwood, Inc. which shall meet these criteria:
 - Be made up of a selected number of persons served, guardians of persons served, family members of persons served, interested citizens, and providers, at least 1/3 of whom shall be otherwise unassociated with Cottonwood, Inc.; and
 - Periodically review the use of medications and other restrictive interventions to manage behavior or to treat diagnosed mental illness, to ensure that the provisions of this regulation are met and to report to Cottonwood, Inc. each instance in which the committee determines that any provision of this regulation has not been met. Cottonwood, Inc. shall immediately correct any instance of noncompliance reported by the behavior management committee.
 - Requirements for consent from or consultation with the person's guardian shall be considered to have been complied with if Cottonwood, Inc. documents that it has taken reasonable measures to obtain the consent or consultation and that the person's guardian has failed to respond.

2.) At Cottonwood, the Human Rights Committee shall be composed of:

Administrator of Services – Chair
 Community members
 Parent/Guardian
 Consumer
 Designated Department Directors

3.) Community membership on the committee will be an unlimited term. Cottonwood, Inc. staff will attend as necessary to support the process.

4.) The committee will be informed that informed consent documentation has been reviewed by the IRC. (See Policy 05-038F)

5.) A Human Rights Committee Annual/Revision Plan Review will be completed per individual reviewed and a sign-in sheet will be attached to the document indicating

approval or remediation. The Annual/Revision Plan Review and sign-in sheet will be filed in the consumer's case record.

6.) Other issues and concerns may be referred for consideration by the Human Rights Committee by submitting them in writing to the CEO, Consumer Committee or IRC. The CEO, Consumer Committee or IRC, will then review and evaluate each referral as to its appropriateness for submission to the Human Rights Committee.

7.) Policies, procedures and written guidelines may be referred to the Human Rights Committee by the Policy Committee for review.

8.) Minutes of all meetings will be kept by the Human Rights Committee Chairperson and retained at the Administrative office.

9.) Meetings will be held quarterly or as needed with the intent of a formal review of all behavior plans at least annually.