

# COMMUNITY LIVING

Thunder Bay



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## GENERAL MANUAL POLICY

APPROVED BY:

Executive Director

CATEGORY: Quality Assurance

TOPIC: Rights Review

Page 1 of 5

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### POLICY STATEMENT:

The Rights Review Committee has been established by Community Living Thunder Bay to safeguard the human, civil and legal rights of all people receiving service from Community Living Thunder Bay in accordance with the appropriate federal and provincial laws and policies as set out by the Association. Where rights have been restricted, the Rights Review Committee will review recommendations and plans set out to enable people to retain or regain their rights.

## GENERAL MANUAL PROCEDURE

## TOPIC: Right Review Policy

Page 2 of 3

### COMPOSITION OF RIGHTS REVIEW COMMITTEE

The integrity of the membership of the Rights Review Committee is at its forefront. Life experiences, academic backgrounds, general interest, family involvement etc. are all considered in the selection of candidates. The Rights Review Committee will be comprised of a range of 5-9 people.

#### **This shall include but not be limited to:**

- At least one parent or advocate of a person receiving supports from the Association.
- Four community members at large (consideration to be given to persons with the medical, legal, and/or expertise of Ethics).
- An Association staff member, Staff Liaison to the Committee.

**Note:** Any/all staff of Community Living Thunder Bay will be non-voting members.

### REPORTING

The Rights Review Committee shall report through the Executive Director (ED) who in turn reports to the Board of Directors on a monthly basis on the items listed below. This is done through a summary of the RRC monthly meeting in the Executive Director (ED) report.

- The number of restrictions they have reviewed and what restrictions have been approved.
- The nature of the restrictions.
- Any extensions to the timelines they have approved and reasons for the extensions.

### REFERRAL TO THE RIGHTS REVIEW COMMITTEE

All referrals to the Rights Review Committee will generally be presented in writing, where possible, in the form of a **Proposal for Rights Limitation Package**. The packages are available at the Administration Centre of Community Living Thunder Bay. Once completed they are submitted to the Quality Improvement and Community Development Director (staff liaison) or designate (staff liaison) of Community Living Thunder Bay.

The Rights Review Committee will discuss any referrals as part of their regular meetings, and any decisions or recommendations will be brought forward to the person making the referral within 2-5 days after the committee meets. The Executive Director and Director of Supports and Services and the Board of Directors at Community Living Thunder Bay will be kept informed of decisions and recommendations.

Initial:     *JK*    

**GENERAL MANUAL PROCEDURE**

**TOPIC: Right Review Policy**

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**Page 3 of 3**

**APPEALS:**

1. Appeals with respect to the imposition or continuation of rights restrictions will be handled in accordance with Community Living Thunder Bay's Complaints Policy.
2. Should the Rights Review Committee's decision regarding the plan of support be disputed, the person who disagrees may appeal the decision to the Executive Director (ED) or will be assisted in obtaining advocacy services.





## RIGHTS REVIEW COMMITTEE

### TERMS OF REFERENCE

#### **Purpose:**

The Rights Review Committee has been established by Community Living Thunder Bay to safeguard the human, civil and legal rights of all individuals while receiving support. Where rights have been restricted or proposed to be restricted, the Committee will review rights restriction applications and accompanying support plans. The Committee will review the use of restrictive or intrusive interventions that are part of a comprehensive behaviour support plan.

#### **Functions/Responsibilities:**

- **Reviewing restrictions that are placed on a person's rights to ensure:**
  - The reason for the restriction is valid and an assessment has been completed to ensure there is a real need.
  - There is a specific time frame for the duration of the restriction.
  - That supports are in place to make the restriction the least restrictive possible and plans support the person in regaining their full rights.
  - Every step possible has been taken to ensure that the person understands that a restriction has been placed on their right and why.
  
- **Reviewing behaviour interventions, protocols and any type of restraint.**
  - The committee will ensure that behaviour interventions are the least restrictive possible, and that they are appropriate and well monitored. They will review interventions and verify the following information:
    - Did the individual/family participate in the development of this intervention? Have they consented?
    - Who developed and/or approved this intervention?
    - Who is reviewing and evaluating the effectiveness of this intervention? (Behaviour therapist, psychologist, etc.)
    - How often is this intervention reviewed?
    - How long has this intervention been used?
    - Is this the least restrictive approach?
    - What else has been explored and tried and what were the results? (e.g. counseling, anger management, etc.)



## RIGHTS REVIEW COMMITTEE

- **Reviewing psychotropic medications (PRN's and daily prescriptions).**

Psychotropic medications include the following families of medications: Narcoleptics, Antipsychotics, Benzodiazepines, Mood stabilizers, antidepressants, and beta blockers.

The committee will review psychotropic medications by verifying the following information:

- What medication is the person taking?
  - Why are they on the medication?
  - Has the person been explained why they need this medication?
  - Has the person/family weighed out the risk vs. the benefit related to this medication?
  - Are the reasons for starting on the medication still relevant today? (i.e., has the person's situation changed such that the medication might not be needed anymore?)
  - How long have they been taking this medication?
  - Who prescribed? (G.P., psychiatrist)
  - Who monitors? (G.P., psychiatrist)
  - How often are the medications reviewed?
  - What are the side effects? (Short and long term)
  - Have the side effects been explained to the individual and his/her family? Do they understand the risks associated with this medication?
  - What other intervention strategies have been considered?
- **Monitoring the rights training and education plan that is provided to staff and people supports to ensure:**
    - Annual training and education is provided
    - training is meaningful and reflects the real issues that are barriers to people fully exercising their rights

### **Composition of the Committee :**

To the extent possible, selection of the committee members will take into account: life experiences, academic backgrounds, general interest and family involvement. The Committee will be comprised of 5 to 9 members. Any member who has a personal relationship with either the person supported or any member of that person's support network or who has adopted a personal position regarding the specific nature of the rights restriction



## RIGHTS REVIEW COMMITTEE

which may compromise his/her objectivity, shall declare a conflict of interest and remove him/herself from the review proceedings.

### **Process and Decision of the Committee:**

1. The committee will review the restriction/proposed restriction and make a recommendation to the Executive Director.
2. The committee will reach one of the following recommendations:
  - Recommend approval of the Rights Restriction
  - Recommend approval of the Rights Restriction with changes to the support plan.
  - Recommend removal of the Restriction detailing the reasons for the decision.
  - Defer reaching a decision to obtain more information.

### **Meetings:**

- The committee will meet on average of once a month as required.
- The Clinical Advisor/designate will be at those meetings where Rights restriction is a result of a prescribed (PRN) behavioral support plan.
- The Director of Quality Improvement/designate will act as the staff liaison for all meetings.
- The person whose rights have been restricting and/or their designate will be in attendance.
- The Executive Assistant/designate will record and maintain minutes.
- Meetings will be closed to the public. All members will sign an Oath of confidentiality.

