

Paid Supports and Services and Your Rights: What are my rights?

You have the right to do anything anyone else has the right to do. If anyone not receiving Home and Community Based Services (HCBS), also called Medicaid waiver services, is able to do something, then you have the right to do that same thing.

What is a rights restriction?

Anytime a provider limits your ability to do something, then a rights restriction must be created. There is a process to put a limitation in place while you are receiving Home and Community Based Services.

Sometimes another individual in your setting may have a rights restriction that impacts your choice. Your provider should provide an option for you so that another individual's rights restriction does not impact your choice. If you have to ask permission of support staff to do something, such as accessing your food or your medication, that is considered a rights restriction.

What are some examples of rights restrictions? (this is not a complete list)



The right of privacy:

- Unable to access parts of your home or program
- No locks or no door on your bedroom or bathroom
- Use of cameras or other tracking devices

The right of independence:

- No unsupervised free time
- Restricting your access to the community
- Limiting your access to money
- Locking your medications so you can't get them yourself



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The right of choice and control:

- Having a set bedtime
- Being told what or when you can eat or drink
- Limiting who you talk to
- Limiting who you can have as visitors
- Limiting overnight visitors
- Deciding if you can date
- Limiting your access to alcohol (if over age 21)
- Limiting your access to media (video games, TV, movies, internet, mature audience content, etc.)



When would you see an emergency restriction on your rights?

When there is an immediate risk to the health and safety of you or others, you might experience a temporary restriction on your rights. The temporary intervention must be removed as soon as the risk has passed.

What are some examples of immediate risks? (this is not a complete list)

- You are attempting to harm yourself
- You are attempting to harm others
- You are attempting to destroy property that may or may not belong to you

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If you have questions or concerns about your rights being restricted, contact your support coordinator or DSPD Constituent Services at dspd@utah.gov. Submit any questions to: HCBSSettings@utah.gov

Additional information: <https://medicaid.utah.gov/ltc-2/hcbstransition/>



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