

## NOTICE TO PATIENTS

You are a patient in a psychiatric hospital. You have the right to safe and respectful care that meets your needs. Staff are here to help you and treat you with dignity.

If you have questions about your care, your legal status, or your rights, please ask a hospital staff member.

The Mental Hygiene Legal Services (MHLS) is an independent court agency that is here to protect your rights. MHLS can:

- Answer you or your family's legal questions
- Help you with issues about your treatment or being hospitalized
- Represent you in court if needed.

If you wish to have a court hearing on the question of your hospitalization or treatment, you, or someone acting on your behalf, may contact the Mental Hygiene Legal Services by telephoning or writing directly to them or by requesting hospital staff to make such arrangements for you.

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Local MHLS Contact Information

## GENERAL STATEMENT OF THE RIGHTS OF PATIENTS

You have, unless otherwise indicated, the right to

- (1) a safe and sanitary environment;
- (2) a balanced and nutritious diet;
- (3) appropriate personal clothing;
- (4) practice religion;
- (5) freedom from abuse and mistreatment by employees or other residents;
- (6) adequate grooming and personal hygiene supplies;
- (7) a reasonable amount of safe storage space for clothing and other personal property;
- (8) a reasonable degree of privacy in sleeping, bathing and toileting areas;
- (9) receive visitors at reasonable times, to authorize those family members and other adults who will be given priority to visit, to have privacy when visited, and to communicate freely with persons within or outside the facility;
- (10) appropriate medical care;
- (11) an individualized plan of treatment or services and to participate in the development of that plan including the opportunity for you (if you are 16 years of age or older) to request someone significant to you, including any relative, close friend or individual otherwise concerned with your welfare, to participate in the development of such plan, except that in comprehensive psychiatric emergency programs, the opportunity for participation by a significant individual shall be provided where practicable; and
- (12) You will get a written notice about your legal status and rights when you are admitted and if your status changes. You can ask for additional copies from hospital staff or Mental Hygiene Legal Service.
- (13) You have the right to bring any questions or complaints you have to the hospital director (or person assigned to hear questions or complaints), the Mental Hygiene Legal Service, the Board of Visitors of this hospital (if applicable), and the Justice Center for the Protection of People with Special Needs. You also have the right to communicate freely with persons outside the hospital, and to consult with and be assisted by a lawyer. Before you are discharged, the hospital must assist you in planning and arranging for your care and treatment outside the hospital.

**SUMMARY OF THE LEGAL PROCEDURES FOR ADMISSION, RETENTION AND RELEASE.****EMERGENCY ADMISSION**

If a psychiatrist and another physician on the staff of this hospital have determined that you need immediate observation, care and treatment, you may be kept in the hospital for up to 15 days from the date of your arrival. By the end of this 15-days, the hospital must either release you, convert you to involuntary status, or ask you to remain as a voluntary or informal patient. If you, or those acting on your behalf, believe that you do not need immediate observation, care and treatment, you or they may make a written request for a court hearing, which will be held within five days.

**INVOLUNTARY ADMISSION**

If you are an involuntary-status patient based on the certificates of an examining doctor and an examining psychiatric nurse practitioner (or two examining doctors), you may be kept in the hospital for up to 60 days from the date of your admission. If you, or those acting on your behalf, believe that you do not need involuntary care and treatment, you or they may make a written request for a court hearing.

By the end of this 60-day period, the hospital must release you, ask you to remain as a voluntary or informal patient, or apply to the court for an order to keep you in the hospital. Whenever an application is made to a court, you have a right to a hearing. The first order keeping you in the hospital may be for up to 6 months, the second for up to one year, and the third and subsequent orders for up to two years each.

**VOLUNTARY ADMISSION**

You are a voluntary-status patient if you have signed an application requesting voluntary admission, or if you are under 18 and an application has been signed for you. You may at any time notify hospital staff in writing if you would like to be discharged from the hospital. The hospital must then promptly release you, unless the hospital director thinks that you need to stay—in which case, they have 72 hours to ask a court for an order to keep you in the hospital.

**REIMBURSEMENT**

You, and your health insurer, are legally responsible for payment for the cost of care. Additionally, your spouse, in some cases your parents if you are under the age of 21, and, if applicable, your guardian or the trustee of a trust fund established for your support may also be responsible. The hospital may waive or reduce charges when there may be inability to pay. Any person who applies for a waiver or reduction of charges must cooperate in a financial investigation to determine ability to pay. Anyone may contact the New York State CHAMP program for help navigating insurance or appealing insurance denials of care; CHAMP may be reached at 888-614-5400.