



CLIENT SERVICES POLICY

RIGHTS AND RESPONSIBILITIES

ELIGIBILITY/NONDISCRIMINATION STATEMENT

Clients who are the victims of domestic violence, sexual assault or child abuse are eligible for services and will not be denied services based on income; whether the individual contributes, donates or pays for these services; their racial, language, cultural, religious background; sexual orientation; gender; gender identity; religion; national origin; age; or disability. The ECCC will not discriminate against anyone seeking services based on the following: type of abuse; HIV status; having a primary language that is not English; income; number of previous times services have been sought from this organization or other family violence programs; how long it has been since the family violence happened; geographic location, such as a county you are from; number of children accompanying the victim; race, religion, language, color, sexual orientation, gender identity, or gender expression; mental or physical disability; mental health or substance abuse issue; immigration status or national origin; and age – including minors with some considerations. Based on restrictions by ECCC grantors, ECCC may be unable to provide services for persons who have been found to be an offender of domestic violence, sexual assault or child abuse. The ECCC will comply with the provisions of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990, and any other applicable laws. Services will be provided to victims without regards to income, contributions, donations, or payment for services.

CONFIDENTIALITY

The ECCC defines confidentiality as the assurance that access to information regarding a client shall be strictly controlled to the ECCC and its program staff, and that any violation of such control will be grounds for immediate dismissal. No information will be used for purposes other than those set out in the release of information form signed by the client. All information provided by a client to any staff or volunteer is covered by this policy. The importance of assuring confidentiality is to maintain the safety of victims; victims' families; volunteers; employees; and others related to the ECCC programs.

Clients are responsible for protecting the confidentiality of other clients. A client shall not reveal the names of or information about any other client of the agency to anyone except agency staff or volunteers. Clients who give out information on other Clients in the agency are subject to termination of services.

In compliance with current confidentiality laws in Texas and limits of confidentiality under the law, agency staff and volunteer advocates are mandated to report:

- Abuse or suspected abuse of children, elderly, and people with disabilities.
- If in the course of client assistance an ECCC staff or volunteer advocate becomes aware of any person's planning to commit suicide or homicide, proper steps will be taken to insure the safety of that individual and/or others.
- If the client's records are subpoenaed through a court of law.

After your first appointment with the ECCC, you may choose a referral to other (partner) agencies for additional help and support. **You decide how much or how little of your personal information the ECCC will or will not share with each partner agency.** An advocate will offer a general overview of each partner's obligations to keep your information confidential. If you choose to have the ECCC share some of your personal information with a partner agency, an advocate will explain exactly *how* and *what* information will be shared. If you later decide that you do not want the information shared with any ECCC partners, let us know and we will not share any more information with those partners.

RIGHTS & RESPONSIBILITIES

Everyone at the ECCC has the following rights and responsibilities:

- Participate in creating a safe environment. We ask that you help prevent abuse and violence by not committing physical, emotional, or verbal abuse with staff, volunteers, or other clients. Illegal drugs, alcohol, weapons, or other unsafe items are prohibited on ECCC premises.
- Have your interests and personal choices recognized without blame or judgement. We are here to support you in making your own decisions.
- Ask for what you want and need, to change your mind, and to choose not to answer a question.
- Have your civil and legal rights honored and upheld.
- With the exception of mandatory reporting as required by law or a court order, to have information that would identify you kept confidential and only released with your specific written consent. We ask that you respect the private information and safety of other clients by not discussing names of, or information about, other clients, except with the ECCC staff, if necessary.
- Have all policies, procedures, expectations, client rights, and other relevant information, especially any document requiring your signature, explained to you in your chosen primary language.
- Be responded to respectfully without opinion or judgment when offering your statement of events. If a conflict with a staff member arises that you feel cannot be resolved, you can speak with the Executive Director, as outlined in the ECCC's Grievance Policy.
- Have an advocate, when requested and when possible, advocate on your behalf.
- Be provided with personalized services, including referrals that are in your best interest. You also have the right to refuse any services offered in this agency and to discuss with staff any concerns or disagreements regarding services.
- Receive respect without discrimination on the basis of national origin, language, religion, race, color, gender identity, gender expression, or sexual orientation.
- View or request a copy of your client file anytime you ask for it, according to policy.
- Not be exploited or abused in any way by a staff, volunteer, or board member of this organization.

DENIAL OF SERVICES

The ECCC may deny services to an otherwise eligible individual for threatening or violent behavior toward ECCC staff, volunteers, or other clients or who violate confidentiality policy as provided in Client Rights and Responsibilities packet. Denial of services will apply equally to all people. The ECCC will not deny services based on income; whether the individual contributes, donates or pays for these services; their racial, cultural, religious background; sexual orientation; gender; gender identity; religion; national origin; age; or disability. Clients or former clients have a right to file a grievance if they dispute the denial of services or termination of services.

VOLUNTARY AND INVOLUNTARY TERMINATION OF SERVICES

The ECCC will not terminate services based on income; whether the individual contributes, donates or pays for these services; their racial, cultural, religious background; sexual orientation; gender; gender identity; religion; national origin; age; or disability. Decisions to terminate services will be made in compliance with the provisions of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990, and any other applicable laws and regulations. Termination of services is non-gender specific and applies equally to all clients. When a client is terminated from services, ECCC will provide written notice to the client of the termination. This notice will contain grievance procedures. Any client or former client has the right to file a grievance with ECCC.

If an individual exhibits any behavior that is determined to any ECCC staff member or volunteer or is deemed possibly harmful, the client can be denied service. Specifically, an individual can be precluded from receiving service if any one or more of the following issues arise:

Revised: 7/18/2018

Verbally and/or physically abusive behavior; violation of confidentiality; destruction of property; probation or criminal record, according to policy; mental health issues beyond the agency's capability limits; is found to be a domestic violence, sexual assault, or child abuse offender.

GRIEVANCES

Complaint Process:

- Client or former client must present in written form any complaints against volunteers, staff or agency to the Executive Director. **(If you would like a copy of our Grievance (Complaint) Form, please ask, or submit a letter to Eastland County Crisis Center Attn: Executive Director, P.O. Box 1010 Eastland, TX 76448)**
- Complaints regarding termination of services may be presented at any point after receiving notice of termination.
- The Executive Director must meet with client or former client within five (5) days of receipt of complaint and a fair hearing should be conducted.
- The Executive Director must attempt to resolve complaint within (5) days following the hearing.

Appeal Process:

- Client or former client may appeal Executive Director's decision to the Board President.
- Appeal must be made within (5) five days of receipt of Executive Director's decision.

If you are a victim of family violence and you have a complaint that is not resolved to your satisfaction, you can contact the HHS Office of the Ombudsman by calling 1-877-787-8999, selecting a language, and then Option 3, or by making an online submission at <https://hhs.texas.gov/about-hhs/your-rights/office-ombudsman>.

CASE RECORDS

The ECCC keeps client records, but limits the information it keeps to items needed to establish goals and advocacy, document the need for and delivery of services, protect the liability of the center and its employees, volunteers, and board members, as well as for statistical and funding needs. As of Fiscal Year 2018, the ECCC keeps family violence and sexual assault files for a period of no less than seven years and ninety (90) days, regardless of whether you exit voluntarily or if for some reason your services are terminated. The ECCC limits access to files to staff working on your case. This includes advocates working with you, their immediate supervisor, and the Executive Director.

The kind of information and content of client files will be limited to information necessary and/or required by grant funders to ECCC. A client of ECCC shall have access to his/her own case records and shall not have access to read any other client's case record (with the exception of their minor child). Information that may be included in case records, but not limited to:

- Statistical and funding information
- Establishing goals for the advocacy and counseling relationship
- Documenting the need for and delivery of services
- Determination for eligibility and services provided
- Recording the injuries sustained and the individual experience of the client and his or her family
- Nature of the abuse
- Offender data and statistical demographics of the offender

Other types of information, such as taped/digital/other recordings, photos, or interviews are considered part of the client file and therefore confidential.

CONSENT TO RELEASE

No information shall be released either orally or in writing without written consent from the ECCC client. Exceptions may be made at the discretion of the agency's Executive Director, but only for the purpose maintaining the safety of the client. A written form shall be used by the ECCC for consent to release information signed and dated by the ECCC client, as well as the staff member or volunteer and what information shall be released.

- You do not have to sign a release form; signing a release form is completely voluntary.

- You may revoke the release at any time in writing; otherwise the release will remain in effect until date noted on release form.
- If a release expires and you would like the ECCC to release information about you in the future, you will need to sign another written time-limited release.
- Before you decide whether or not to let the ECCC share some of your confidential information with any entity, agency, or person, an advocate will discuss all alternatives and any potential benefits and/or risks that could result from sharing your confidential information.
- If you decide you want the ECCC to release some of your confidential information, you can use this form to choose what shared, how it's shared, with whom, and for how long.
- Releasing information about you could give another agency or person information about your location and would confirm that you have been receiving services from the ECCC.
- The ECCC and you may not be able to control what happens to your information once it has been released to the above person or agency, and that the agency or person getting your information can potentially open up access by other to all of your confidential information held by the ECCC.

CONFIDENTIAL AND PRIVILEGED COMMUNICATIONS

Communication that is privileged may be disclosed only for the following reasons:

- To another employee or volunteer of the ECCC for the purpose of furthering the advocacy process,
- For the purpose of seeking evidence that is admissible under Article 38.49 Code of Criminal Procedure (Forfeiture by Wrongdoing), following an in camera review and determination that the communication is admissible,
- To other persons in the context of a support group or counseling that the victim is participating in, and
- For the purpose of making a report under Chapter 261 of the Family Violence Code (report of child abuse or neglect), or Section 48.051, Human Resources Code (reports of abuse, neglect, or exploitation of elderly or disabled).

If the ECCC, at the request of the victim, discloses a communication privileged for the purpose of a criminal or civil proceeding, the ECCC shall disclose the communication to all parties to that criminal or civil proceeding.

CLIENT TRANSPORTATION

Only staff members and volunteers who maintain auto liability insurance with personal injury protection will be allowed to transport clients in their own vehicles. There will be a copy of auto liability for each staff member and volunteer who will be transporting clients. The agency maintains auto insurance for the agency vehicle and covered drivers. Everyone must wear seatbelts, and children up to the age of (8) eight or 40 pounds and under 4'9" must be in a safety-approved car seat/booster seat. Children under (12) years of age are not allowed to ride in front seats of vehicles with air bags. Children will not be transported without their parents or legal guardians, unless the parents and or legal guardians give written permission.



Crime Victim Assistance Center
Eastland County Crisis Center, Inc.

CLIENT SERVICES POLICY

RIGHTS AND RESPONSIBILITIES

I, _____, have read, discussed and understand the Client Services Policy Rights and Responsibilities that includes but is not limited to the following information:

- Eligibility/Nondiscrimination Statement
- Confidentiality
- Rights and Responsibilities
- Denial Of Services
- Voluntary And Involuntarily Termination Of Services
- Grievances
- Case Records
- Consent To Release
- Confidential and Privileged Communications
- Client Transportation

A Client Rights and Responsibilities packet copy was offered to me. I

ACCEPTED a copy

REFUSED a copy

SAFETY PLANNING

ECCC has discussed safety planning with me. I have determined at this time that I:

NEED a safety plan

DO NOT NEED a safety plan

ACKNOWLEDGEMENT

Signature of Client or Guardian of Client

Signature of ECCC Staff/Volunteer

Date

Date

