



A Guide to Participant Rights

Participant Rights

People with disabilities have the same rights as all other citizens. A proactive approach to rights begins with the belief that people with disabilities have the same rights as all people and that, with assistance, people can, and will, exercise those rights.

These are some of your rights acknowledged through law:

You have the right to:

1. Not be denied any services because of:
 - a. you are a man or a woman,
 - b. your age;
 - c. your color; or
 - d. your religion.
2. Receive services in the place where you have the least restrictions.
3. Go to meetings about you and participate in your annual planning meeting. You have the right to ask questions and talk about your concerns.
4. Say yes or no to tests or assessments.
5. Look at your file and say that something is wrong in the file.
6. Choose your service coordinator (list of coordinators/agency with choice)
7. End services at any time.
8. Say no to any services.
9. Say yes or no to medical or dental treatment.
10. Know the side effects of any medications you are taking.
11. Be free from abuse, neglect, and exploitation:
 - a. No one can hit you or yell at you;
 - b. No one can take your money or your things.
12. To make a complaint or file a grievance by yourself or with help from friends, family, or an advocacy organization (agency grievance procedure)
13. Be free from retribution if you make a complaint.
14. Disagree with decision made about your services (DSS Fair Hearing brochure and 717 form)
15. Have contact with your family and friends.
16. Say what you are feeling and thinking.
17. Communicate with others in your primary language or mode of communication.
18. Earn money for any job you do.
19. Have friends.
20. Have visitors at your home.
21. Have information about you kept private.
22. Privacy and time alone in your home.
23. Have things that belong to you.
24. Use your money as you choose.
25. To freedom of religion and worship in the place of your choice.
26. Vote.

No one can take away your rights unless:

- ❖ the court system has said you need someone to help you make decisions (guardian);
- ❖ the court system has taken a specific right away from you; or
- ❖ you have a restriction that has been reviewed by you, your parent or guardian, and the human rights committee.

If you are a minor child (under the age of 18) your parents have the ability to make decisions for you and determine what is best for you.

Sources:

Administrative Rules of South Dakota 46:10:07:29

Cathy Ficker Terrill and Susan McMahon - Consumer Rights and Responsibilities

The Council on Quality and Leadership - All About Rights

The Council on Quality and Leadership - Enhancing Rights - A Proactive Approach

I understand that if I have any questions, comments, or concerns about my services, I know how to contact my Coordinator, but I can also contact the Division of Developmental Disabilities, c/o 500 East Capitol, Pierre, SD 57501. Toll free 1-800-265-9684 or 605-773-3438.

(Participant)

(Parent or Guardian)

(Coordinator)

(Date)