

**COPE Client Confidentiality, Rights/Responsibilities, and
Client Complaint/Grievance Form**

Established June 2007

COPE Client Confidentiality

Clients have the right to confidentiality and COPE pledges to hold all your personal, privileged communication and information in confidence. There is a process called release of information where you authorize COPE to release or obtain information necessary for your intervention to or from another professional and/or organization. Obtained information is held in the same confidence. There are exceptions to your right of confidentiality which you should know:

- A. Under New Mexico law, a client release of information is not required “When such disclosure is necessary to protect against a clear and substantial risk of imminent serious physical injury or death by the client on himself or another.” (New Mexico Statute 43-1-19.)
- B. New Mexico law, Statute 32-1-5, requires that child abuse and neglect be reported. “Any licensed physician, resident or intern examining, attending or treating a child; any law enforcement officer; registered nurse; visiting nurse; school teacher, or social worker acting in his official capacity or any other person knowing or having reasonable suspicion that a child is an abused or neglected child shall report the matter immediately to (1) a local law enforcement agency; or (2) Central Intake at New Mexico Children, Youth and Families Department.”
- C. COPE charts are subject to periodic review and staffing with pertinent COPE staff. A client release of information is not required for such internal reviews and staffings.
- D. In the event of legal action, your client chart and/or your practitioner may be subpoenaed. New Mexico statutes allow for privileged communication between a victim advocate and a domestic violence victim. If you are not a victim of domestic violence, such privilege may not be upheld and your practitioner’s testimony may be introduced in any legal action.
- E. If you (present or former client) initiate legal action against COPE and or its employees, interns or volunteers, a release of information is not required for our defense.

COPE Client Rights/Responsibilities

Rights:

1. Clients will be treated with equality, dignity and respect.
2. Clients have the right to make their own decisions and choices in their lives.
3. Clients will participate in planning their goals, objectives and interventions.
4. Clients will be met promptly for their appointments.
5. Clients will have accurate records kept of their participation, attendance and payments.
6. Clients may examine their intervention chart upon request.
7. Clients' material will be maintained securely and in confidence.
8. Clients will understand privileged information and confidentiality prior to intervention.
9. Clients may express dissatisfaction with the practitioner and request a practitioner transfer.
10. Clients may not be discriminated against because of race, creed, color, ethnicity, gender, sexual orientation or disability.
11. Clients will evaluate their interventions by expressing ratings, satisfaction compliments, complaints or grievances.

Responsibilities:

1. Clients will treat staff and other clients with dignity, respect and equality.
2. Clients will keep their appointments on time.
3. Clients will maintain their attendance requirement.
4. Clients will be free of the influence of drugs or alcohol during their interventions.
5. Clients will not carry weapons during their interventions.
6. Clients will participate actively in their interventions.
7. Clients will pay their assessments on a regular, timely basis.
8. Clients will refrain from intimidation, aggression and violent language and/or behavior during their interventions.
9. Clients will refrain from crude, derogatory, sexist or racist comments or remarks.
10. Clients will maintain other clients' confidentiality.
11. Clients will evaluate interventions in a fair and accurate manner.
12. Clients will refrain from recording (Audio/Visual) any sessions at this agency without preapproval from staff.

COPE Procedure for Clients' Complaints/Grievances

If a client feels that s/he has been treated unfairly, the following procedure is available to them to address complaints or grievances:

1. The client is advised to speak directly and openly with the staff member most directly involved in the situation.

If the client feels the discussion with the staff member has not resolved the issue or if the nature of the problem makes it inappropriate to openly confront the staff person, the client may:

2. Ask the staff member to set up an appointment with his/her direct supervisor so that the client will have an opportunity to discuss the grievance with another person.

If the problem is not resolved after a reasonable amount of time or the outcome is not satisfactory the client may:

3. Ask the supervisor to set up an appointment with the Executive Director so that the client can continue to pursue the grievance.
4. The Executive Director will investigate the complaint and recommend a course of resolution.
5. If the client is still not satisfied with the outcome s/he may choose the final step of the COPE grievance procedure by requesting of the Executive Director a meeting with the grievance committee of the COPE Board of Directors.
6. The grievance committee of the COPE Board of Directors will hear the grievance from the client, as well as any pertinent information from staff regarding the matter. The Board President may direct the grievance hearing committee to obtain legal counsel to assist and advise in the conduct of the hearing prior to the notified date. If the decision of the grievance committee of the COPE Board of Directors does not satisfy the client, the client will be advised of other grievance recourses.

I acknowledge that although COPE takes every precaution to maintain my confidentiality, I am aware that there exists a susceptibility for interception of any electronic communications. Additionally, there is the possibility that my SKYPE communications with COPE personnel may be overheard by others. I acknowledge that COPE is not responsible for any breach of confidentiality that may result from my use of these telecommunications.

I have read, understand, and agree to accept the terms of confidentiality, client rights/responsibilities, and client complaints/grievances which a COPE staff person has discussed with me. I have full knowledge of and agree to the terms as described and consent to intervention at COPE.

Client Signature

Date

Parent/Legal Guardian Signature

Date

Witness

Date