

## DEFINITIONS *(continued)*

**Seclusion** – being locked in a room away from others. You have the right to be free from excessive seclusion and restraint.

**Medications** – a doctor may prescribe them while in the facility. Medications may not be used as punishment, convenience of staff or as a substitute for a program or in quantities that interfere with your treatment program. You and your guardian have the right to know about the medication you are taking.

**Constitutional Rights** – You have constitutional rights that include: right to social interaction, participation in community activities, physical exercise, recreational opportunities, religious freedom and practice. You have the right to education, as required by State law.

**Privacy** – Right to privacy during medical treatment, bathing, dressing, toileting, visiting and other appropriate times.

**Nondiscrimination** – Right to mental health services without discrimination due to race, sex, religion, age or national origin.

**Refusal** – Right to refuse participation in a research project or medical experiment, right to refuse psychosurgery (operation on your brain) for reasons of behavioral changes. No one can overrule your refusal. Right to refuse Electro Convulsive Treatment (ECT) or other types of convulsive therapy. ECT or shock treatment may be given without your consent under certain conditions as specified in the law.

## COMPLAINTS

You have the right to contact the Patients' Rights Advocate if you have a problem or complaint regarding your rights. You may not be punished for requesting advocacy services. It is the Advocate's responsibility to investigate and resolve your complaint.

Please contact your local advocate.

### MHS Patients' Rights Advocacy Services

600 West Santa Ana Blvd., Suite 805 Santa  
Ana, CA 92701  
(714) 276-8145  
(800) 668-4240

Fax: (714) 242-1579

### Hours of Operation

Monday through Friday  
8 AM – 5 PM.

[mhsinc.org/pras](http://mhsinc.org/pras)

If you are unable to reach your Patients' Rights Advocate, contact:

**California Office of Patients' Rights**  
1831 K Street  
Sacramento, CA 95811  
(916) 504-5810

- or -

**California Department of Health Care Services**  
Mental Health Services Division Ombudsman  
(800) 896-4042  
Email: [mhombudsman@dhcs.ca.gov](mailto:mhombudsman@dhcs.ca.gov)

# RIGHTS FOR MINORS IN MENTAL HEALTH FACILITIES



**mhs**

**MENTAL  
HEALTH  
SYSTEMS**



## WHAT ARE MY RIGHTS?

---

Are you are a minor between the ages of 14 to 17 admitted into an acute psychiatric facility?  
By law you have the following rights to:

- 1) An Independent Clinical Review.
- 2) See a Patients' Rights Advocate.
- 3) Wear your own clothing.
- 4) Keep your personal possessions.
- 5) Keep and be allowed to spend a reasonable sum of your own money for small day-to-day purchases.
- 6) Use the telephone.
- 7) See visitors (during posted hours).
- 8) Have reasonable access to letter writing materials, including stamps and to receive/send unopened mail.
- 9) Have private storage space.

Your parents or guardian cannot make an agreement with the facility to deny any of these rights.

Facility staff can deny your rights except for (1) and (2). The staff must show there is a "good cause" for the denial.

If you are denied any rights from #3 – #9 on the above list, you must be told the reason for the denial. This denial must be written into your medical chart. Your rights must be returned as soon as the reason for denial no longer exists.

You cannot be forced or threatened to give up any of your rights as a condition for admission or release from the facility.

## RIGHT TO AN INDEPENDENT CLINICAL REVIEW (ICR)

---

When you are voluntarily placed in a private psychiatric facility by your parent or legal guardian and you do not want to stay in the facility, you are entitled to an ICR.

As part of the admission process the facility must make sure that your parent, guardian or other person entitled to your custody is given a full explanation of the facility's treatment philosophy, the use of seclusions and restraints, the use of medication and the degree to which family members may be involved in your treatments.

Staff must inform you in writing of your right for an ICR. You may ask for an ICR any time during the first ten (10) days upon admission to the facility if you are on or change to a voluntary status. Once requested the review must take place within five (5) days of your request and you have the right to change your mind about requesting the review.

The purpose of the review is to decide whether you still have a mental disorder and also to determine if the facility is the most appropriate place for you to get better. If the reviewer decides there is not good cause to hold you, you will be released the same day and probably go back to your parents or your legal guardian. The ICR is a private, informal meeting which is held within five days after your request for an ICR. The attendees include your parent(s) or legal guardian, a Patients' Rights Advocate, a facility

representative, the reviewer (psychiatrist not involved in the case) and yourself. You may choose not to attend and the Patients' Rights Advocate will represent your wishes. You may question anyone who is recommending that you stay in the facility. The County Patients' Rights Advocate is available to assist you. In order for you to be kept in the facility against your wishes, the Review must show that you have a mental health problem at present, that further inpatient treatment is likely to help reduce the problem, and the facility is the best setting for you at this time. If this is the finding, you will need to remain in the facility.

## DEFINITIONS

---

**Personal possessions** – You have the right to wear your own clothing, to keep and use personal possessions like toilet articles, and to keep enough personal money for small day-to-day purchases.

**Storage** – You have the right to storage space for your personal belongings that is reasonably accessible to you.

**Telephone & Visitors** – You have the right to use the telephone. You have the right to receive visitors of your choice during visiting hours.

**Mail** – You have the right to send and receive mail, unopened and uncensored. Your mail may not be read without your permission. It must be possible for you to obtain letter writing materials, including postage. You may be required to pay for these items.