

# Rights

The persons served by the Johnson County CDDO are guaranteed the same rights as individuals without disabilities. These rights may be limited only by provisions of law or court order, including guardianship, conservatorship, power of attorney or other judicial determinations. These rights shall include the following:

- Being free from physical or psychological abuse or neglect, and from financial exploitation;
- Having control over your own financial resources;
- Being able to receive, purchase, have and use your own property;
- Actively and meaningfully making decisions that affect your life;
- Having your own privacy;
- Being able to associate and communicate publicly or privately with any person or group of people of your choice;
- Being able to practice the religion or faith of your choice;
- Being free from the inappropriate use of physical or chemical restraint, medication, or isolation;
- Not being required to work without compensation, except for the purposes of maintaining your own living space, common living areas, and grounds that you share with others;
- Being treated with dignity and respect;
- Receiving due process; and
- Having access to your own records, including information about how your funding is accessed and utilized, and what services were billing for on your behalf.



You may also contact the Disability Rights Center of Kansas to assist with due process and individual rights.

<http://www.drckansas.org>

Voice: 1-877-776-1541

TDD: 1-877-335-3725

# Abuse, Neglect, and Exploitation

Individuals with disabilities have the right to be free from abuse, neglect and exploitation (ANE). *Reporting suspicions of ANE is the responsibility of everyone. Reports can be made **anonymously** and no one may interfere with any person making a report.*

Kansas law defines abuse, neglect, and exploitation as:

- **Abuse:** any act or failure to act performed intentionally or recklessly that causes or is likely to cause harm to a person served, including: (1) infliction of physical or mental injury; (2) any sexual act with a person served when the person served does not consent or when the other person knows or should know that the person served is incapable of resisting or declining consent to the sexual act due to mental deficiency or disease or due to fear of retribution or hardship; (3) unreasonable use of a physical restraint, isolation or medication that harms or is likely to harm the person; (4) unreasonable use of physical or chemical restraint, medication or isolation as punishment, for convenience, in conflict with a physician's orders or as a substitute for treatment except where such conduct or physical restraint is in furtherance of the health and safety of the person served; (5) a threat or menacing conduct directed toward an adult that results or might reasonably be expected to result in fear or emotional or mental distress to an adult; (6) fiduciary abuse; (7) omission or deprivation by a caretaker or another person of goods or services which are necessary to avoid physical or mental harm or illness.
- **Neglect:** the failure or omission by the one's self, caretaker, or another person to provide goods or services, which are necessary to ensure safety and well-being and to avoid physical or mental harm or illness.
- **Exploitation:** misuse of a person's property or intentionally taking unfair advantage of a person's physical or financial resources for another individual's personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false representation of false pretense by a caretaker or another person.

If you suspect abuse, neglect or exploitation has occurred, please contact the Kansas Protection Report Center Hotline at **1-800-922-5330** or fill out a report on line at the address below: <http://www.dcf.ks.gov/services/PPS/Pages/KIPS/KIPSWebIntake.aspx>.

For a full list of hotline numbers go to: <https://www.kdads.ks.gov/hotlines>

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Name

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Signature

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Date