



Consumer Rights Policy

Policy

It is the belief and intent of Functional Industries that each individual receiving services will be informed of and supported in the exercise of their rights. Functional Industries will promote and provide an environment that ensures the protection of these rights and respects the dignity of those it serves.

Purpose

- A. To define the rights of all individuals receiving services and how the exercise of those rights will be supported by Functional Industries.
- B. To assure program staff understand the rights of all individuals receiving services and how they must act to support the individual's exercise of those rights.
- C. To support and train Functional Industries' staff to be sure that they can inform and support all persons it works with regarding consumer rights.

Procedures

- A. Within the first five days of initiating services, the Program/Case Manager will meet privately with the consumer, the legal representative (if any) and any other representative the person or legal representative requests to be present. The staff person will:
 - 1. Provide information on and explain the consumer rights in a format and manner that facilitates understanding of the rights by the consumer and the consumer's legal representative, if any. This will include information specific to the right to exercise those rights without fear, retaliation or reprisal.
 - 2. Respond to any questions or concerns the consumer or legal representative may have at that time.
 - 3. Identify persons within Functional Industries who can assist with questions or concerns as they arise in the future and persons or agencies outside of this organization that can assist with questions or concerns regarding these rights and the exercise thereof.
- B. Information and explanations will be provided in both oral and written form. Appropriate arrangements will be available upon request for those who communicate in alternative methods or different languages. Other formats are available upon request.
- C. A copy of the rights will be given to the consumer and their legal representative.
- D. Receipt of these rights by the consumer and the legal representative, including the date the staff met with them and any supporting arrangements will be documented.

Rights Restrictions

Restrictions of a person's rights is allowed only if it has been determined necessary to ensure the health, safety, and well-being of the person.



Any and all limitations on or restrictions of an individual consumer's rights will be fully documented in the individual's program plan. This documentation will include information on:

1. The justification for the restriction based on an assessment of the consumer's vulnerability related to exercising the right without restriction;
2. The objective measures set as conditions for ending the restriction;
3. A schedule for reviewing the need for the restriction based on the conditions for ending the restriction to occur, at a minimum, every three months for persons who do not have a legal representative and annually for persons who do have a legal representative from the date of initial approval;
4. Signed and dated approval for the restriction from the consumer or the consumer's legal representative, if any.

A restriction may be implemented only when the required approval has been obtained. Approval may be withdrawn at any time. If approval is withdrawn, the right will be immediately and fully restored.

Investigation and Resolution of Alleged Infringement of Rights

Any report of alleged infringement of rights will prompt an internal investigation. The Director of Human Resources and the program director will conduct a thorough investigation that results in an investigation summary and a resolution.

Legal Authority: Minn. Stat. § [245D.10](#), subd. 2 and 4