Resident Rights

This guide is to inform staff and residents at the Utah State Hospital (USH) about restraint and seclusion. While you are at the USH, you have the right to be safe. Staff and other patients also have the right to be safe. Sometimes the staff might put you in seclusion or restraints to keep you or other people safe.

Restraint

Restraint is when you are physically restricted by another person, or a device. Examples of restraint could be staff holding down your arms, or being strapped to a bed.

Seclusion

Seclusion is when you are forced to be in one place by yourself for a period of time. An example of seclusion could be locking someone in a room by themselves for an hour.

Tell Staff How To Help You

When you first came to the USH, you met with a nurse. The nurse talks to you about things you do to calm down when you feel upset or angry. For example, some people like to listen to music to make them feel better when they get upset. The nurse writes what makes you feel better when you are upset on a “de-escalation” form. This form will help you and the staff remember your ideas about what helps you stay calm. If you forget what is on your de-escalation form, you can ask your social worker to make a copy for you. From time to time, you might want to change the things on your list, or add some new ones.

When You Can Be Restrained or Secluded

It is important that you know when the staff has the right to put you in restraint or seclusion. The law says you can only be put into restraint or seclusion when you are a danger to yourself or to someone else.

(For more information, go to Utah Department of Health and Human Services)

Being a danger means that you will hurt yourself, or someone else, unless staff gets involved. Staff cannot put you in restraint or seclusion:

• because it is easier than helping you;
• to punish you, or get back at you;
• to force you to do something;
because you made a complaint; or
just because they want to.

Remember that you have rights! If you are restrained or secluded, the following things apply:

• A doctor must visit you within one (1) hour of being put into restraint or seclusion.
• You have the right to be examined by a doctor each day that you are in restraint or seclusion.
• You have the right to have your restraint or seclusion end as soon as possible. This means that as soon as you are calm and no longer a danger, staff must let you out of restraint or seclusion.
• You should let someone know if you are hurt, mistreated, or need medical help.
• You have the right to meet with staff after the restraint or seclusion has ended. You and the staff can talk about different ways the situation can be handled in the future.

What You Can Do To Get Help
If you have concerns about your rights as a resident at USH, you can:

• Speak with your social worker.
• Complete a yellow “Statement of Concern” form. If you cannot find this form at the unit, ask staff for one. The patient advocate can help you fill out the form. Place the completed form in the appropriate box at the unit. It may take more than a week, but you will receive a response to your Statement of Concern.
The Disability Law Center (DLC) is a private, non-profit organization, designated by the governor as Utah's Protection and Advocacy agency. The DLC believes in a society where abilities, rather than disabilities, are recognized; all people have an equal opportunity to participate; and where all people are treated with equity, dignity, and respect. We work toward our vision by enforcing and advancing the legal rights, choices, and opportunities of Utahns with disabilities. DLC services are available free of charge statewide, regardless of income, legal status, language, or place of residence.

If you have further questions, please contact us. Even though our focus is on cases that can help as many people as possible - because time and resources are limited - we at least offer information and/or referral options to everyone who contacts us. Materials are also available in alternative formats such as audio, large-print, Braille and Spanish. Call (800) 662-9080 or apply for help online, and our staff will contact you within 1-3 business days.

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