



Supporting Individual Choice, Connection & Dignity

Dear Stakeholders,

The information in this guide provides you with a broad overview and introduction to Inclusa's philosophy and requirements around protecting the rights of any members we all support. All individuals who choose to receive their supports from Inclusa and our providers have rights that are guaranteed regardless of the person's disabilities or age related impairments. To help you in your day to day work, we have included broad information that will help you be successful at supporting individuals in ways that promote opportunities for growth and learning, community inclusion, self determination and citizenship. We appreciate that you are part of our network and look forward to continuing our shared interest and obligation to uphold the rights of each and every individual we support.

UPHOLDING RIGHTS (Primary Focus)

All adults have the right to be treated with dignity and respect, regardless of ability level or decision-making capacity. Although some individuals may need support exercising their rights, it does not mean the supporters should have more of a voice than the individual. Upholding rights means joining with people, not doing to or for people; this empowers the person and provides choice and control over their life, which is important for their health and wellness.

Upholding rights means promoting:

AUTONOMY the right to risk, refuse, choose, and participate in everyday and major life decisions	ACCESS to community, places, people, items, and supports	SAFETY & PRIVACY in relationships and environments that are least restrictive and adapted for needs
COMMUNICATION the freedom of expression with others in a preferred way (spoken words are not the only way to communicate)	IDENTITY valuing positive identities means supporting individual preferences, strengths, and ways of being, including contributions, work, relationships, and hobbies	RELATIONSHIPS belonging involves building meaningful and genuine connections with others in the community and changing or assisting supporters and staff as needed

Every person has these rights, even if they have a legal decision maker (guardian, POA-HC). It is not about the needs, preferences, or rules of the program/ provider or legal decision maker, but those of the person.

ACTION STEPS:

- Treat everyone with respect and compassion and presume competency
- Provide a support system that upholds rights and supports people to live the life they choose
- Offer support, as needed, to complete tasks- ask how best to assist without making assumptions
- Encourage and promote free control over and modification of preferred activities, schedule, visitors, and personal space and items
- Provide open, honest communication based on preferred communication method to inform individuals of their rights and support informed decision making
- Accept when the individual says no or chooses not to participate; everyone has the right to choose
- Allow individuals to see their own information and do not share confidential or personal information with others
- Inform when you witness or have reason to believe that a person's rights have been violated
- If you are not sure how to best support someone, ask the individual. If you need additional support, contact the individual's CRC or HWC.

SUPPORTING OPPORTUNITIES FOR GROWTH & LEARNING WHEN SOMETHING SEEMS UNSAFE (Secondary Focus)

For a behavior to be considered unsafe, it has to threaten the health and safety of the individual or others. Unsafe behaviors are not those that others define as negative or find challenging. Supporting an individual engaging in unsafe behavior is not about changing the individual's behavior to something others think is positive; it is about focusing on unmet needs and the context of the behavior versus content. We do not have to completely understand the behavior in order to support it.

Not all behaviors need to be changed. All behavior is communicative and serves a purpose. Behavior is often a visible response to an invisible experience. Unsafe behaviors do not need a diagnosis; they do not define an individual but are an expression of distress or unmet need. Forcing behavioral compliance without understanding what is behind the behavior can be harmful to the person and usually results in increased or different negative responses.

A proactive approach to behavioral support involves focusing on supporting health and wellness by genuinely upholding rights and promoting social and emotional needs. When we spend time getting to know and understand the person, this investment in the relationship will result in fewer unsafe behaviors. Often times, it helps to put these ideas in writing for staff training and understanding of how to best support each individual.

ACTION STEPS:

When you think you are seeing an unsafe behavior:

- First, decide if it is actually unsafe (see questions on illustration of Joining a Fellow Traveler on a Journey)
- The first consideration should be **UNMET NEEDS**:
 - Go back to primary focus: Are all rights being genuinely upheld?
 - Shift from asking, "How do I make you stop?" to "What are you telling me right now - about what you feel, think, or need?"
- Also consider:
 - **COMMUNICATION**: Is the person able to communicate in a way where they are feeling truly heard and understood? Frustration comes from difficulties with communication not difficulties with spoken words.
 - **CHANGES**: Have there been any big or small changes in the person's life? The person may just need time and space to adjust.
 - **ENVIRONMENTAL OVERWHELM**: Are there external stressors happening in the person's environment that can be changed or modified?
 - **HEALTH DIFFICULTIES**: Is the person experiencing physical or mental health difficulties or pain that need to be treated or better supported?

Supporting an individual demonstrating unsafe behavior is an ongoing learning process that should be adjusted as needed. Try involving the person in the process by asking- "When this happens, what would you need to feel safe and supported?" Help people notice their triggers so they can be proactive and better understand themselves and their needs.

IMPOSING RESTRICTIONS (Last Resort)

A restriction is not only a restraint or isolation, it is anything imposed on a person by another person. Restrictions are artificial or temporary limitations imposed on a person's freedom to engage or not engage in activities of daily living and choice. Restrictions are imposed as a last resort, are temporary, should be eliminated as quickly as possible and must have an accompanying plan for rights to be restored.

Restrictions, such as limiting or denying rights, can only be imposed when actions would create a security problem, adversely affect the person's treatment, or seriously interfere with the right or safety of others. Restrictions should not be imposed based on perceived risk, uncertainty, or fear. When a restriction is imposed, it may reduce risk, but it also reduces the chance of good things happening and adversely affects health and wellness. An actual limitation or denial of a right is only permitted when alternative, less restrictive ways have been thoroughly and genuinely tried and documented.

A "restrictive measure" is defined as restraint, isolation and protective equipment covered in [DHS Guidelines](#) and Requirements for the Use of Restrictive Measures Use is subject to formal approval by Includa's Behavioral Health Review Committee and DHS.

Restrictive measures are only used when:

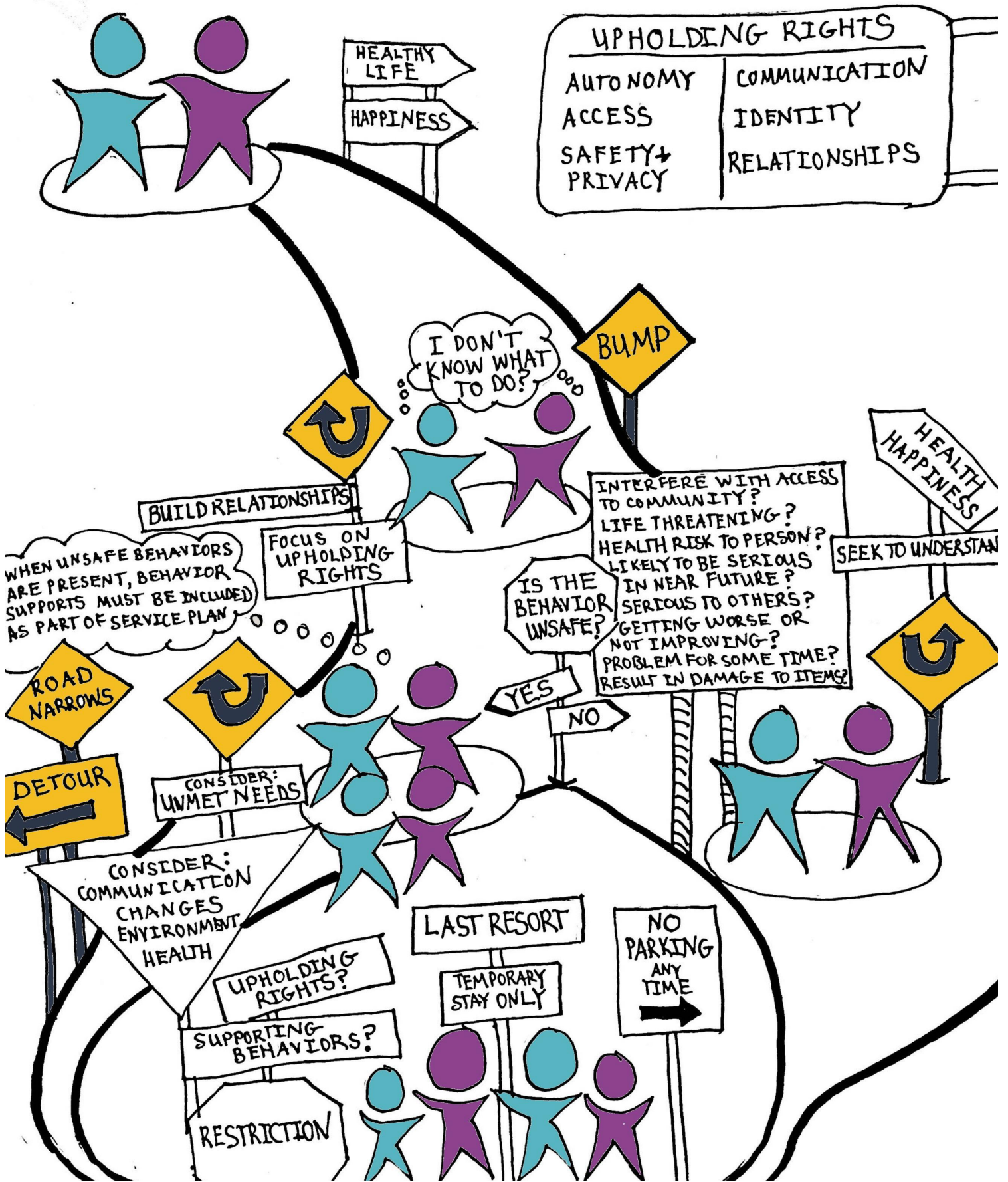


ACTION STEPS:

- Understand that imposing restrictions are a last resort and should have to rarely be used if rights are upheld and behaviors are supported. Be aware of and understand the process but do not default to it.
- Familiarize yourself with Limitations and Denials of rights: <https://www.inclusa.org/wp-content/uploads/limitdenial.htm>.
- Any restriction must be based on the individual's unique clinical needs and must be documented and approved. Before considering a restriction, make sure all rights are being upheld and behaviors have been properly supported.
- An individual's rights cannot be restricted based on program/provider rules or staff/guardian preference.

JOINING A FELLOW TRAVELER ON A JOURNEY

Our journeys are individual processes but we all need support along the way. If you are part of someone's support, it is a privilege and adventure- take the opportunity to learn together and adjust the speed or change direction as needed.





**Empowering full and meaningful
lives with those we serve.**

Questions?

For more information or to receive assistance around the member you support, contact the individual's Community Resource Coordinator and /or Health and Wellness Coordinator. For non-member specific information regarding client rights, please contact memberrelations@inclusa.org.