

Blue Mountain Counseling Behavioral Health Program

Outpatient Handbook



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24 Hour Crisis Response Line: (509) 876-0626
Suicide and Crisis Lifeline 988

Table of Contents

Welcome	3
Vision & Mission Statement.....	3
Vision.....	3
Mission.....	3
Types of Services Provided	3
Hours and After Hours Emergencies.....	4
Appointments and Cancellations	4
Enrollment and Eligibility	5
Outpatient Services.....	5
Multidisciplinary Treatment	5
Consumer Responsibilities.....	5
Consumer Rights	7
Rights for Minor Consumers	7
Less Restrictive Alternative Rights	7
Consumer Grievance Process	8
Advanced Directives.....	Error! Bookmark not defined.
Information Regarding Data Collection for Non-Discrimination Compliance	10
Privacy Practices of Blue Mountain Counseling.....	11
Confidentiality of Substance Use Disorder Records.....	14
Counselor Disclosure Information	15
Counselor Responsibilities & Professional Conduct: What You Can Expect from Your Licensed Counselor	15
Client Rights.....	19

Welcome

Thank you for choosing Blue Mountain Counseling (BMC) as your behavioral health care provider. This handbook provides information to help you access the variety of services available to you as a consumer at BMC. Please take a few minutes to review this information. If you have any questions, please feel free to give us a call at (509) 382-1164.

Vision & Mission Statement

Vision

Our vision is to deliver compassionate, high quality and fiscally responsible services. We are dedicated to compassionate healthcare that will enable our consumers to have independence and quality of life.

Mission

Our mission is to provide high quality behavioral health services in the form of prevention, treatment, and recovery services for people who are mentally ill, chemically dependent, or both.

BMC believes in providing services from the time you enter this program, well past the time you are discharged. This approach is titled “continuum of care.” Upon discharge, BMC will still assist you with the challenges placed before you. This extended care is essential to assure full recovery of your person.

Recovery, rehabilitation, and developing a new approach with new ideas of living and thinking is your primary purpose while in treatment. Once your treatment plan has been successfully fulfilled, you will have learned enlightening skills in which to better lead a safe, healthy lifestyle. However, you must choose to embrace the concepts and attitudes offered to you through a continuum of care.

Your cooperation and dedication to recovery is essential for the fulfillment of your individual service plan.

You will find the atmosphere and staff of BMC are dedicated to your recovery. You will gain support from fellow group members and, in turn, provide support for their recovery, both during and after you have successfully completed your individual treatment plan.

Types of Services Provided

Blue Mountain Counseling provides a wide array of behavioral health services, of which you may receive professional recommendations or might choose to participate in. Examples of these services include the following:

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Mental Health Evaluations – An evaluation consists of screening, diagnostic and treatment planning services for people who are experiencing acute or chronic psychiatric problems.

Individual Therapy (Child, Adult, and Elders) – Psychotherapy is a general term for a process of treating mental and emotional disorders by talking about your condition and related issues with a mental health disorder.

During psychotherapy, you learn about your condition and your mood, feelings, thoughts, and behavior. Using the insights and knowledge you gain in psychotherapy; you pick up healthy coping skills and stress management. Psychotherapy often can be successfully completed in just a few months, but in the case of severe mental illness, long-term treatment may be helpful.

There are many specific types of psychotherapy, each with its own approach to improving your mental well-being. The type of psychotherapy that is right for you depends on your individual situation. Psychotherapy is also known as talk therapy, counseling, psychosocial therapy, or simply, therapy. You may choose to involve family members during this process as well.

Group Counseling – Group counseling is a form of psychotherapy in which one or more therapists treat a small group of clients together as a group. The term can legitimately refer to any form of psychotherapy when delivered in a group format, including Cognitive Behavioral or Interpersonal Therapy, but it is usually applied to psychodynamic group therapy where the group context and group process is explicitly utilized as a mechanism of change by developing, exploring and examining interpersonal relationships within the group.

Medication Management – Medication management is a partnership of BMC's Medical Director, the consumer and their family, and the treatment team, which promotes the safe and effective use of medications and helps consumers achieve the targeted outcomes from medication therapy.

Day Program– Day treatment is a program that provides services to adults diagnosed with severe and persistent mental illness. The goal is to optimize independent living skills and offer support in the recovery process with emphasis on developing healthy coping and socialization skills.

Hours and After-Hours Emergencies

Our general business hours are Monday through Thursday from 8:00AM to 5:15. If you are experiencing a life-threatening emergency, always call 911. Crisis line 509-876-0626 or Suicide and Crisis Lifeline 988.

Appointments and Cancellations

We encourage you to make appointments for services to help us prepare for your visit. When you arrive for your appointment, we will ask you to update your contact and medical coverage information. If you cannot make your scheduled appointment, please let us know 24 hours ahead of time, or as soon as possible.

Reviewed/revised January 2024

Enrollment and Eligibility

Mental health services are open to anyone seeking care from us. Enrollment is continuously open; however, some programs may have limitations on numbers of openings or other contractual restrictions. If you have questions about a particular service or program, please call our office and speak with admissions staff. Everyone receiving services from us must first enroll. At the time of each service, **please present your health care insurance or Medicaid documentation to determine your behavioral health benefits.**

Outpatient Services

Individuals referred to BMC will participate in the following phases of treatment. Upon admittance to treatment, qualified treatment staff will assist you (and in many cases your family/support network) in the development of an individualized treatment plan (ITP), based upon the Best Practice Guidelines. The treatment model used here at BMC is the Recovery and Resiliency Model. Upon completion of the ITP, treatment staff will assist the consumer in transitioning into the continuum of care phase.

Multidisciplinary Treatment

No specific treatment has been discovered which can produce all the requisites for recovery. Therefore, to successfully develop a recovery and resiliency plan, total multidisciplinary treatment is necessary, involving medical, behavioral, social science, philosophical and theological wisdom.

BMC's Multidisciplinary Treatment Team is composed of Licensed Mental Health Professionals, a Medical Doctor, Community Support Specialists, a Chemical Dependency Professional, and a Child Specialist.

As the consumer, you are an important part of the Multidisciplinary Treatment Team and must fully participate to receive optimum benefits. You have the responsibility to provide, to the best of your knowledge, accurate and complete information about present complaints and needs, past illnesses, hospitalizations, medications, and other matters relating to your health. You have the responsibility to report unexpected changes in your condition to the responsible practitioner. You are responsible for making it known whether you clearly comprehend a contemplated course of action and what is expected of you.

Consumer Responsibilities

The goal of consumer responsibilities is to provide for orderly discipline and responsible behavior. This type of behavior is an essential part of the treatment experience. It is important that you assume an active and responsible role in the daily therapy so that the treatment process can be effective. We expect you to know the rules, expectations, regulations, and responsibilities involved with being a consumer here. Further, we expect you will incorporate these responsibilities into your daily activities

during and after the treatment program. If you need any clarification in any of these areas, any one of our treatment staff will be happy to help you.

Dress Code – The wearing of clothing that advertises or promotes alcohol or street drugs will **not** be permitted on the premises of BMC, as this is also a chemical dependency treatment program facility. Clothing that is sexually suggestive will also **not** be permitted.

Being on Time – The period of time allowed for therapy and treatment is time set aside for you. It is important that everyone be on time. If you have any trouble getting here on time or if you cannot make the appointment, it is your responsibility to notify your counselor or staff in advance that this situation has occurred.

Tardiness – After fifteen minutes, consumers are considered to be absent for the session and will have to make up that time on another day. If contact has not been made with a member of the treatment team prior to this tardiness, it will be considered an unexcused absence.

Discharge – If the consumer is to be discharged, BMC is required by law to provide for an “orderly transition toward discharge status.” Since this may require some time, the discharge may be delayed until this procedure is completed.

Individual Sessions – It is the consumer’s responsibility to request individual sessions with their counselor. Due to time constraints, this cannot always be accommodated during early morning, evening, or weekend hours. We will do our best to accommodate your schedule when making these appointments. Please let us know your needs.

Sexual Activity – Romantic involvements, sexual involvement, and exclusive relationships with other consumers are not encouraged here at BMC. It is our experience that this type of relationship or involvement often interferes with the recovery process and fosters unhealthy dependent relationships. You are expected to refrain from engaging in sexual activity with consumers while on the premises of BMC.

Confidentiality – Consumers will be encouraged to protect the confidentiality of the other consumers here at BMC. Consequences for such violation may include appropriate restrictions or a transfer of services. Information on your medical records is kept confidential and is available only to authorized people involved in your case, when required by law, in the event of transfer to other health care facilities or upon written release from you or your legal guardian. You may be requested by our staff to sign release of information forms to allow us to contact concerned persons and others (probation officers, employee assistance counselors, court personnel, attorneys, etc.). Also, please refer to next section, entitled “Consumer Rights.”

Consumer Rights

BMC shall establish and maintain consumer rights consistent with the Washington Administrative Code. As a person receiving public mental health services, you are encouraged to exercise the following rights:

See printout of these rights at the end of handbook.

Rights for Minor Consumers

Minors (Under the Age of 18) may be treated under the following conditions:

- A. Any minor 13 years or older may request and receive mental health treatment upon his or her own request without the consent of his or her parents or legal guardian.
- B. Any minor 13 years or older may receive mental health services upon request of his or her parent or legal guardian. Such a request must be accompanied by written consent knowingly and voluntarily given by the minor.
- C. Applications for voluntary treatment made by persons under 13 years of age shall be accompanied by a written consent of the parent or legally responsible person, unless the child is referred by Child Protective Services (CPS) or another public agency due to physical, sexual, or psychological abuse or neglect by a parent or parent surrogate.

You may have additional rights under BMC's Notice of Privacy Practices. For a copy, please check with the receptionist.

All these rights comply with the Washington Administrative Code (WAC) 388-865 and Revised Codes of Washington (RCW) 71.05 and 71.34. For additional information, reference RCW 71.34.430 (Release of Adolescent's mental health information to parent without adolescent's consent) and RCW 70.02.200 (Disclosure without patient's authorization-Permitted and mandatory disclosures).

Less Restrictive Alternative Rights

Additional rights for consumers on Less Restrictive Alternative (LRA):

- A. If the consumer is on an LRA court order:
 - *Have access to attorneys, courts, and other legal redress;
 - *Have the right to be told statements the consumer makes may be used in the involuntary proceedings;
 - *Consumers are advised of their rights under chapter 71.05 RCW (adults) and RCW 71.34 (minors)
 - *Be presumed competent and not lose any civil rights because of receiving evaluation and treatment for a mental disorder;
 - *Any person who leaves a public or private agency following evaluation or treatment for mental disorder shall be given a written statement setting forth the substance of Section 450 of RCW 71.05 and WAC 388-865-565.

Consumer Grievance Process

Consumers or their representatives have a right to file a grievance against the Agency (BMC) or against a staff member of the agency for matters related to their treatment. The following process shall be observed for disposition of grievances:

1. BMC encourages, but does not require, attempts to be made to resolve concerns, disagreements, or complaints through informal means and at the lowest possible level prior to initiating a grievance.
2. All grievances shall be filed in writing, dated, and signed by the consumer, consumer representative, or GCBH Ombuds Service. If an oral request to file a grievance is received or if a consumer expresses his or her inability to prepare a written grievance, the grievant is immediately referred to the GCBH Ombuds Service for assistance in writing the request.
3. Consumers are asked to file a grievance within 10 days of the occurrence of the grieved incident, although a grievance may be filed at any time. Consumers may request assistance or participation from a person of their choice, in initiating a complaint or filing a grievance. The grieving consumer may request and receive assistance from his or her case manager, the GCBH Ombuds service, or another individual of his or her choice with all written and oral presentation throughout the BMC grievance process. Each consumer has the right to receive, at no cost, written consumer information which they and/or their representatives (including Ombuds Services) may request for filing/resolving complaints and grievances. Grievance related materials shall not be disclosed to parties other than GCBH or agency staff without the consumer's permission except as necessary to resolve the grievance, or to the Division of Behavioral Health and Recovery (DBHR) if a fair hearing is requested on the matter grieved, or in order to comply with the provision of the prevailing GCBH service agreement with DBHR.
4. A grievance may be initially filed with the BMC Clinical Director (or the Administrator if the Clinical Director is the subject of the grievance) or with the advocate.
5. The Clinical Director (or Administrator) shall initially discuss the situation with both the grieving party and the BMC staff member responsible for the subject matter of the grievance and shall try to resolve the disputed issues to the satisfaction of both parties.
6. If the grievance is not resolved within two (2) business days, an appeal board is designated to hear the grievance. The Board consists of the Administrator of BMC or designee, a BMC Corporate Board member, and a person chosen by the grieving party. The appeal board shall schedule a hearing of the matter within nine (9) calendar days after the initial filing of the grievance.
7. After hearing the matter, the appeal board shall issue a written decision to all involved parties within a reasonable time period but no later than ten (10) calendar days after the written grievance was filed by the consumer, unless an extension of this timeline is mutually agreed upon by all parties and evidenced in writing.
8. If the grievant is dissatisfied with the written response/decision, the matter is referred to the GCBH Coordinator for resolution in accordance with GCBH standards, unless otherwise directed by the consumer.

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9. Contact information for parties involved or assisting in the grievance procedure is as follows:
 - a. BMC Clinical Director
 - i. (509) 382-1164; 221 East Washington Street, Dayton, WA 99328
 - b. BMC Administrator
 - i. (509) 382-1164; 221 East Washington Street, Dayton, WA 99328
 - c. Ombuds, now called Behavioral Health Advocates at 509-808-9790 and/or greatercolumbia@obhadvocacy.org.

Advanced Directives:

The State of Washington recognizes your right to make decisions about your mental health care. An “advance directive” allows an adult with a mental illness to specify how treatment decisions should be made in the event that he/she becomes unable to make a well-reasoned choice. This can be included as part of your treatment plan or be a separate document.

It is our policy to make information about advance directives known to both you and your family or significant other. We encourage open and thoughtful discussion about your directive so that treatment staff has the opportunity to understand your desires and plan your treatment as you indicate. We invite all our service recipients to take direct responsibility and to ask questions and seek answers that will help them make the best decision about your mental health treatment.

There are two types of advance directives:

1. A Durable Power of Attorney for Health Care

- a. This allows the person to give someone else legal authority to make health care decisions for them if they are unable to do so themselves.

2. Instructional Directive

- a. This document provides specific information about the treatment a person wishes to receive in the event that a well-reasoned choice is not possible due to a mental illness. Advance directives will not prevent involuntary hospitalization if needed. You will want to understand what the limits to advance directives are as you decide about how they fit for you.

Do I really need an advance directive?

The decision to have an advance directive is a personal one. You are not required by law to have an advance directive. You may want to talk to your family and/or the mental health professional that is providing you with treatment services about an advance directive.

Advance directives offer enormous benefits to service recipients, family members and providers alike. As a recipient of mental health services, having an advance directive offers the potential to minimize conflict and to foster a collaborative, rather than adversarial, therapeutic relationship with treatment staff.

Reviewed/revised January 2024

When can I create my advance directive?

You can create an instructional directive or durable power of attorney for health care at any time. Information for assistance is located in this packet.

If I have an advance directive, may I change it?

Yes, you can change or cancel an instructional directive or durable power of attorney for health care at any time. You may do this by destroying the document, putting your change in writing, or telling your family or mental health professional treating you about the change.

Where do I get more information on advance directives?

For more information on advance directives, please call:

Disability Rights of Washington
(800) 562-2702

State of Washington
Division of Mental Health
Office of Consumer Affairs
(800) 446-0259

Greater Columbia Region
greatercolumbia@obhadvocacy.org

Any Clinical Staff Member at Blue Mountain Counseling
(509) 382-1164

Information Regarding Data Collection for Non-Discrimination Compliance

BMC is required to collect statistical data regarding employees and clients/consumers, as part of non-discrimination compliance. When BMC collects employee and client/consumer data, it must inform these individuals that the data collection.

1. Is used for civil rights purposes.
2. Is to be given on a voluntary basis only.
3. Will not result in adverse action due to failure to furnish requested information.
4. If given, will be maintained confidentially and separate from personnel files and client/consumer files.
5. These files will be available only to a civil rights compliance investigator. Otherwise, the data will be released only in the compiled form and not related to an individual.

Privacy Practices of Blue Mountain Counseling

This notice describes how information about you may be used and disclosed, and how you can get access to this information. Please review it carefully, and if you have questions, please ask.

Introduction

At Blue Mountain Counseling (BMC), we are committed to treating and using Protected Health Information (PHI) about you responsibly. This Notice of Health/Clinical Information Practices describes the personal information we collect, and how and when we use or disclose that information. It also describes your rights as they related to your PHI. This Notice is effective October 1, 2004, and applies to all PHI as defined by federal regulations.

Understand Your Clinical Record/Information

Each time you visit BMC, a record of your visit is made. Typically, this record contains your symptoms, evaluation, test results, diagnoses, and treatment plan for future counseling. This information, often referred to as your medical record, serves as a:

- Basis for planning your care and treatment,
- Means of communication among health professionals who contribute to your care,
- Legal document describing the care you received,
- Means by which you or a third-party payer can verify that services billed were actually provided,
- A source of information for public health officials charged with improving the health of this state and the nation,
- A source of data for our planning and marketing, and
- A tool with which we can assess and continually work to improve the care we render and the outcomes we achieve.

Understanding what is in your record and how your health information is used helps you to: ensure its accuracy, better understand who, what, when, where, and why others may access your health information, and make more informed decisions when authorizing disclosure to others.

Your Clinical Information Rights

Although your clinical record is the physical property of BMC, the information belongs to you. You have the right to:

- Obtain a paper copy of this notice of information practices upon request (fees may apply),
- Inspect and request a copy of your clinical records as provided for in 45 CFR 164.524,
- Amend your clinical record as provided in 45 CFR 164.528,
- Request communications of your clinical information by alternative means or at alternative locations,

Reviewed/revised January 2024

- Obtain an accounting of unauthorized disclosures made of your clinical information except for those disclosures made for the purpose of treatment, payment, and health care operations,
- Request a restriction on certain uses and disclosures of your information as provided by 45 CFR 164.522, and
- Revoke your authorization to use or disclose clinical information except to the extent that action has already been taken.

Our Responsibilities

BMC is required to:

- Maintain the privacy of your clinical information,
- Provide you with this notice as to our legal duties and privacy practices with respect to information we collect and maintain about you,
- Abide by the terms of this notice,
- Notify you if we are unable to agree to requested restriction, and
- Accommodate reasonable requests you may have to communicate clinical information by alternative means or at alternative locations.

We reserve the right to change our practices and to make the new provisions effected for all protected health information we maintain. Should our information practices change, we will mail a revised notice to the address you have supplied us, or if you agree, we will email the revised notice to you.

We will not use or disclose your clinical information without your authorization, except as described in this notice. We will also discontinue using or disclosing your clinical information after we have received a written renovation of the authorization according to the procedures included in the authorization.

For More Information or to Report a Problem

If you have questions and would like additional information, you may contact BMC's Privacy Officer at (509) 382-1164.

If you believe your privacy rights have been violated, you can file a complaint with BMC's Privacy Officer or with the Office of Civil Rights. There will be no retaliation for filing a complaint with either the Privacy Officer or the Office for Civil Rights. The address for the OCR is listed below:

Office for Civil Rights
U.S. Department of Health and Human Services
2201 Sixth Avenue, M/S RX-11
Seattle, Washington 98121
1(800) 362-1710

Reviewed/revised January 2024

Uses and Disclosures for Treatment, Payment, and Health Operations

1. We will use your clinical information for treatment.

For example: Information obtained by BMC staff will be recorded in your clinical record and used to assist in determining the best course of treatment for you. Your therapist/case manager will record your progress towards your goals and objectives as stated in your treatment plan.

2. We will use your clinical information for payment.

For example: A bill may be sent to you, if appropriate, or a third-party payer. The information on or accompanying the bill may include information that identifies you, as well as your diagnoses and treatment sessions.

3. We will use your health information for regular health care operations.

For example: Members of the management team or quality improvement committee may use information in your clinical information in your clinical record to assess the care and outcomes in your care and others like it. This information will then be used in an effort to continually improve the quality and effectiveness of the healthcare and services we provide.

Business Associates: There are some services provided through contracts with business associates. Examples include physician services in an emergency room during a crisis and medication management services by a physician performed at his/her office. When these services are contracted, we may disclose certain clinical information, pertinent to the situation, to our business associates so they can perform the job we have asked them to do and bill you or your insurance company for the services provided. To protect your clinical information, however, we require the business associate to appropriately safeguard your information.

Uses and Disclosures That May be Made without Authorization, but For Which You Will Have an Opportunity to Object

Persons Involved with Your Care

For example: BMC may provide clinical information about you to someone who helps pay for your care. BMC may use or disclose your clinical information to notify or assist in notifying a family member, personal representative, or any other person responsible for your care, for your location, for your general condition, or for your death.

Uses and Disclosures That May be Made without Your Authorization or Opportunity to Object

Emergencies: BMC may use and disclose your clinical information in an emergency. We may provide information to paramedics transporting you, or to physicians or clinicians needing to treat you.

As Required by Law: BMC will disclose clinical information about you when required to do so by federal, state, or local law.

To Avert a Serious Threat to Health and Safety: BMC may use and disclose clinical information when necessary to prevent a serious or imminent threat to your health or safety, or to the health and safety of the public or other persons. See enclosed Duty to Warn policy.

Workers Compensation: We may disclose information to the extent authorized by and to the extent necessary to comply with laws relating to workers compensation or other similar programs established by law.

Public Health: As required by law, we may disclose information to public health or legal authorities charged with preventing or controlling disease, injury, or disability.

Law Enforcement: We may disclose information for law enforcement purposes as required by law or in response to a court order, subpoena, warrant, summons, or when otherwise required to do so. We may also disclose information if we need to identify or locate a suspect, fugitive, or other persons of interest, or if criminal conduct is occurring on the premises of the agency.

Marketing: We may contact you with an appointment reminder or information about treatment alternatives, or other health-related benefits and services that may be of interest to you.

Federal law makes provisions for your clinical information to be released to an appropriate health oversight agency, public health authority, or attorney, provided that a work force member or business associate believes in good faith that we have engaged in unlawful conduct or have otherwise violated professional or clinical standards and are potentially endangering one or more consumers, workers, or the public.

Confidentiality of Substance Use Disorder Records

Individuals who have received treatment, diagnosis, or referral for treatment from BMC, the confidentiality of drug or alcohol abuse records are protected by federal law and regulations. BMC may not tell a person outside the program you attend any of the programs, or disclose any information identifying you as an alcohol or drug abuser, unless: you authorize the disclosure in writing; the disclosure is permitted by a court order; disclosure is made to medical personnel or to qualified personnel for audit or program evaluation purposes; you threaten to commit a crime either at our agency or against any person who works for our agency.

A violation by BMC of the federal law and regulations governing drug or alcohol abuse is a crime. Suspected violations may be reported to the US Attorney in the district where the violation occurs. BMC is permitted under the federal law and regulations to report suspected child abuse or neglect under

Reviewed/revised January 2024

state law to appropriate authorities. See 42 U.S.C. 290dd-2 for federal law and 42 C.F.R. part 2 for federal regulations governing confidentiality of drug and alcohol client records.

Counselor Disclosure Information

Counselors practicing counseling for a fee must be credentialed by the Department of Health for the protection of public health and safety. Registration of an individual with the Department does not include recognition of any practice standards nor necessarily implies the effectiveness of any treatment. The following information is required to be provided prior to the commencing of treatment.

Requirement for Registration, Certification, or Licensure

Your counselor must be credentialed through the Washington State Department of Health unless otherwise exempt. To be registered, a person fills out an application form and pays a fee, but he/she must also show proof of appropriate education and training. There are some people who do not need to be credentialed because they are exempt from the law. You should ask your counselor or hypnotherapist if he/she is registered or certified and discuss his/her qualifications to be your counselor or hypnotherapist.

Definitions

Counseling means using therapeutic techniques to help another person deal with mental, emotional, and behavioral problems or to develop human awareness and potential.

A Licensed Counselor or an Agency Affiliated Counselor is a person who is paid for providing counseling services.

Counselor Responsibilities & Professional Conduct: What You Can Expect from Your Licensed Counselor

Your counselor is required by law to provide you with a document referred to as a Personal Disclosure Statement that should contain the following information: their qualifications, education, areas of expertise, and a valid license number; a description of the types of counseling proposed, along with some explanation of potential risks and benefits of such counseling.

- Your licensed counselor should inform you of the costs of your treatment, billing practices, and the way your medical records are kept and maintained.
- Your licensed counselor should give you the opportunity to discuss matters of confidentiality, privacy, and release of information, as well as limitations on confidentiality.
- Your licensed counselor should assist you in referral to other professionals when necessary or requested.

- Your licensed counselor should treat you with respect and dignity, especially in regard to age, color, culture, disability, gender, race, religion, sexual orientation, marital status, or socio-economic status.

Remember: Your involvement in developing treatment goals and directions, in requesting a change in approach to treatment, or in decisions about termination of treatment is vital and encouraged! Once signed and dated by you and your counselor, the Disclosure Statement becomes a treatment contract and is kept as part of your treatment record.

(DISCLOSURE INFORMATION – WAC 246-809-700)

Licensed Counselors are permitted by law to diagnose and treat mental and emotional disorders. In doing so, they may collaborate with individuals, couples, families, groups, and organizations. Goals may include specific behavioral changes, symptom relief, personal growth, and/or the enhancement of well-being. If you have questions that require legal, medical, or other specialized knowledge that is outside the scope of practice of your counselor, you should be referred to another category of professional for assistance with those questions.

The public should be aware that there are other licensed professionals in the state of Washington who also provide counseling services. In addition, there are unlicensed counselors who carry the designation of “agency affiliated counselor” who provide these services but are not required to meet the licensed counselor standards. Each of these licensed counselor categories has its own training, experience, supervision, and continuing education requirements. The differences generally affect the types of services offered and the cost. Determining the ‘best fit’ for you, your children, or your family will be your responsibility and challenge. You are encouraged to review the Personal Disclosure Statement of the clinicians you are considering, and to ask questions about your particular situation.

To be licensed, your counselor must have successfully completed:

- A Master’s or Doctorate degree from a program approved by the Department of Health and accredited by nationally recognized standards.
- An approved examination.
- A supervised post-graduate practice of between 3,000 and 4,000 hours.
- Thirty-six (36) continuing education hours every 2 years, including Ethics and the Law.

Confidentiality and Health Care Information Access and Disclosure

Your counselor will create records relating to your counseling process. These records are personal and sensitive and therefore should be properly documented, stored, and retained and released only under specific circumstances. Your counselor should have a clear procedure to ensure confidentiality of your records. You have the right to expect that anything you tell your counselor will be held in confidence with just a very few exceptions:

Reviewed/revised January 2024

- If you are involved in a civil or criminal lawsuit, a judge can order your file to be turned over to the court.
- If you make statements that a child, elderly or disabled person has been abused or neglected, your counselor is required by law to report that information to the appropriate authorities.
- If you make statements that indicate that you intend to harm yourself or others, your counselor may report that information to the appropriate authorities. See enclosed Duty to Warn policy.

There may also be circumstances where you are asked to sign an authorization for release of information regarding your treatment. These may include inquiries from your insurance company, or a need for your counselor to consult with another of your healthcare providers. You should be informed of the reason for such disclosures and are encouraged to ask questions about anything that is unclear to you, prior to signing this authorization (Chapter 70.02 RCW-Uniform Health Care Act and Federal Health Insurance Portability and Accountability Act (HIPPA) standards regulate these policies).

Maintaining a Professional Relationship

Your relationship with your counselor should be strictly professional in nature. Since counseling by its very nature deals with the most private aspects of your life, it is your licensed counselor's responsibility to ensure an atmosphere of safety for you, free from any exploitation. For example, a licensed counselor should not invite you into a business venture, ask you for personal favors, subcontract with you for services, or engage in any sexual contact with you. If you are involved with a licensed counselor in another relationship, such as a personal friend or a business relationship, you and your counselor should discuss the effect of these multiple relationships on services you may receive and take precautions so that your treatment is not at risk. The process of counseling often deals with difficult and emotionally charged issues. You need to feel as safe as possible in order to work on these issues. There may be times when you find yourself feeling confused or troubled by something that occurs in the course of counseling. You are encouraged to talk with your counselor to come to a more comfortable resolution. If you do not feel the issue has been resolved, you may wish to get a second opinion from another counselor, and/or review the section of the law that describes forms of unprofessional conduct. Unprofessional conduct includes, but is not limited to:

- Misrepresentations or false advertising
- Incompetence, negligence, or malpractice
- Violation of any state or federal code
- Willful betrayal of confidentiality

If for any reason you are unable to resolve such a concern with your counselor, you may wish to file a complaint with the Department of Health. Contact the **Department of Health Customer Service Center** for assistance.

In July 2001, the Washington State Legislature authorized the licensing of counselors and gave the Department of Health regulatory power (WAC 246-810). The intent of the rules and laws developed

Reviewed/revised January 2024

(18.255 RCW) is to protect the public and ensure the competence of the professionals providing counseling services. Licensed counselors act in accordance with state law and Department of Health rules, as well as the Codes of Ethics of their national professional organizations. An advisory committee made up of members from each of the four licensed counselor professions, plus three public members, meets regularly to advise the Department of Health and to assure collaboration between professionals, the Department of Health, and the public. The public is welcome and encouraged to attend these meetings. Contact the Department of Health for meeting information.

Provider Credential Search Website

The Department of Health's Office of Health Professions Quality Assurance provides easy access to information on the 300,000 health care professionals in the state, including license status of professionals throughout the state and current restrictions or disciplinary actions. If you have a question regarding a specific provider, you are also encouraged to contact the Department of Health.

https://fortress.wa.gov/doh/hpqa1/Application/Credential_Search/profile.asp

Licensed Counselor Websites

For more information regarding ethics, please view the following website for ethics information:

- https://fortress.wa.gov/doh/hpqa1/hps7/marriage_family_therapist/default.htm
- https://fortress.wa.gov/doh/hpqa1/hps7/mental_health_counselor/default.htm
- https://fortress.wa.gov/doh/hpqa1/hps7/social_worker/default.htm

For more information, contact:

Washington State Department of Health Customer Service Center
310 Israel Road SE, Tumwater, WA 98501
Phone: (360)236-4700
Fax: (360)236-4818
Website: www.doh.wa.gov Email: hpqacsc@doh.wa.gov

BLUE MOUNTAIN COUNSELING

BEHAVIORAL HEALTH POLICIES - CLINICAL

Reviewed/revised January 2024

Individual Client Rights for All Clients (WAC 246-341-0600)

POLICY

Each agency, such as Blue Mountain Counseling, licensed by the department to provide any behavioral health service must develop a statement of individual participant rights applicable to the service categories the agency is licensed for, to ensure an individual's rights are protected in compliance with chapters 71.05, 71.12, and 71.34 RCW.

POLICY

(1) In addition, the agency, Blue Mountain Counseling, must develop a general statement of individual participant rights that incorporates at a minimum the following statements. "You have the right to:"

- (a) Receive services without regard to race, creed, national origin, religion, gender, sexual orientation, age, or disability;
- (b) Practice the religion of choice as long as the practice does not infringe on the rights and treatment of others or the treatment service. Individual participants have the right to refuse participation in any religious practice;
- (c) Be reasonably accommodated in case of sensory or physical disability, limited ability to communicate, limited English proficiency, and cultural differences;
- (d) Be treated with respect, dignity, and privacy, except that staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises;
- (e) Be free of any sexual harassment;
- (f) Be free of exploitation, including physical and financial exploitation;
- (g) Have all clinical and personal information treated in accord with state and federal confidentiality regulations;
- (h) Review your clinical record in the presence of the administrator or designee and be given an opportunity to request amendments or corrections;
- (i) Receive a copy of agency grievance system procedures, according to WAC, upon request and to file a grievance with the agency, or behavioral health organization (BHO), if applicable, if you believe your rights have been violated; and
- (j) Lodge a complaint with the department when you feel the agency has violated a WAC requirement regulating behavior health agencies.

(2) Each agency must ensure the applicable individual participant rights described in subsection (1) of this section are:

- (a) Provided in writing to each individual on or before admission;
- (b) Available in alternative formats for individuals who are visually impaired;
- (c) Translated to the most commonly used languages in the agency's service area;
- (d) Posted in public areas; and

- (e) Available to any participant upon request.
- (3) Each agency must ensure all research concerning an individual whose cost of care is publicly funded is done in accordance with WAC 388-04, protection of human research subjects, and other applicable state and federal rules and laws.
- (4) In addition to the requirements in this section, each agency providing services to Medicaid recipients must ensure an individual seeking or participating in behavioral health treatment services, or the person legally responsible for the individual is informed of their Medicaid rights at time of admission and in a manner that is understandable to the individual or legally responsible person.
- (5) The grievance system rules in WAC 182-538D-0654 – 182-538D-0680 apply to an individual who receives behavioral health services funded through a federal Medicaid program or sources other than a federal Medicaid program.

BLUE MOUNTAIN COUNSELING

BEHAVIORAL HEALTH POLICIES – CLINICAL

RIGHTS SPECIFIC TO MEDICAID RECIPIENTS
(WAC 182-538D-0680)

- (1) Medicaid recipients have general individual rights and Medicaid-specific rights when applying for, eligible for, or receiving behavioral health services authorized by a behavioral health organization (BHO).
 - (a) General rights that apply to all individuals, regardless of whether an individual is or is not a Medicaid recipient, include:
 - (i) All applicable statutory and constitutional rights;
 - (ii) The participant rights provided under WAC 182-538D-0600; and
 - (iii) Applicable necessary supplemental accommodation services.
 - (b) Medicaid-specific rights that apply specifically to Medicaid recipients include the following. You have the right to:
 - (i) Receive medically necessary behavioral health services, consistent with access to care standards adopted by the Health Care Authority in its managed care waiver with the federal government. Access to care standards provide minimum standards and eligibility criteria for behavioral health services and are available on the behavioral health administration's (BHA's) division of behavioral health and recovery (DBHR) website.

- (ii) Receive the name, address, telephone number, and any languages offered other than English, of behavioral health providers in your BHO.
- (iii) Receive information about the structure and operation of the BHO.
- (iv) Receive emergency or urgent care or crisis services.
- (v) Receive post-stabilization services after you receive emergency or urgent care or crisis services that result in admission to a hospital.
- (vi) Receive age and culturally appropriate services.
- (vii) Be provided with a certified interpreter and translated material at no cost to you.
- (viii) Receive information you request and help in the language or format of your choice.
- (ix) Have available treatment options and alternatives explained to you.
- (x) Refuse any proposed treatment.
- (xi) Receive care that does not discriminate against you.
- (xii) Be free of any sexual exploitation or harassment.
- (xiii) Receive an explanation of all medications prescribed and possible side effects.
- (xiv) Make a mental health advance directive that states your choices and preferences for mental health care.
- (xv) Receive information about medical advance directives.
- (xvi) Choose a behavioral health care provider for yourself and your child if your child is under thirteen years of age.
- (xvii) Change behavioral health care providers at any time for any reason.
- (xviii) Request and receive a copy of your medical or behavioral health services records and be told the cost for copying.
- (xix) Be free from retaliation.
- (xx) Request and receive policies and procedures of the BHO and behavioral health agency as they relate to your rights.
- (xxi) Receive the amount and duration of services you need.
- (xxii) Receive services in a barrier-free (accessible) location.
- (xxiii) Medically necessary services in accordance with the early periodic screen, diagnosis, and treatment (EPSDT) under WAC 182-534-0100, if you are twenty years of age or younger.
- (xxiv) Receive enrollment notices, informational materials, materials related to grievances, appeals, and administrative hearings, and instructional materials relating to services provided by the BHO, in an easily understood format and non-English language that you prefer.
- (xxv) Be treated with dignity, privacy, and respect, and to receive treatment options and alternatives in a manner that is appropriate to your condition.
- (xxvi) Participate in treatment decisions, including the right to refuse treatment.
- (xxvii) Be free from seclusion or restraint used as a means of coercion, discipline, convenience, or retaliation.
- (xxviii) Receive a second opinion from a qualified professional within your BHO area at no cost, or to have one arranged outside the network at no cost to you, as provided in 42 C.F.R. § 438.206 (b)(3)(2015).
- (xxix) Receive medically necessary behavioral health services outside of the BHO if those services cannot be provided adequately and timely within the BHO.

- (xxx) File a grievance with the Behavioral Health Agency or BHO if you are not satisfied with a service.
 - (xxxi) Receive a notice of adverse benefit determination so that you may appeal any decision by the BHO that denies or limits authorization of a requested service, that reduces, suspends, or terminates a previously authorized service, or that denies payment for a service, in whole or in part.
 - (xxxii) File an appeal if the BHO fails to provide services in a timely manner as defined by the state.
 - (xxxiii) Request an administrative (fair) hearing if your grievance or appeal is not resolved in your favor or if the BHO does not act within the grievance or appeal process time frames described in WAC 182-538D-0660 and 182-538D-0670.
 - (xxxiv) Request services by the behavioral health ombuds office to help you in file a grievance or appeal or request an administrative hearing.
- (2) A behavioral health agency licensed by the division of behavioral health and recovery (DBHR) that provides DBHR-certified mental health, substance use disorder services or both, must ensure the Medicaid rights described in subsection (1)(b) of this section are:
- (a) Provided in writing to each Medicaid recipient, and if appropriate, the recipient's legal representative, on or before admission;
 - (b) Upon request, given to the Medicaid recipient in an alternative format or language appropriate to the recipient and, if appropriate, the recipient's legal representative;
 - (c) Translated to the most commonly used languages in the agency's service area; and
 - (d) Posted in public areas.