

# **UNIVERSAL STANDARDS OF CARE**

## **Code of Ethics**

1. All Ryan White Title II Services will be provided to eligible and qualified clients without discrimination on the basis of HIV infection, race, creed, color, age, sex, gender, marital or parental status, sexual orientation, gender identity, religion, ancestry, national origin, physical or mental disability (including substance abuse), immigrant status, political affiliation or belief, ex-offender status, unfavorable military discharge, membership in activist organization, or any basis prohibited by law.
2. All Ryan White Title II Services will serve the best interests of the client emphasizing confidentiality, respect for the client's rights and personal dignity, and enhancement of the client's humanity and self-esteem.
3. All Ryan White Title II Service Providers will maintain a grievance procedure which provides for the objective review of client grievances. All Ryan White Title II eligible and qualifying clients will be routinely informed about and assisted in utilizing the grievance procedure and shall not be discriminated against for doing so.

## **Verification of Eligibility**

1. All Service Providers will verify and document the eligibility and qualification for services, under Title II of the Ryan White CARE Act, of individuals seeking services, in a manner consistent with HRSA guidelines as described in Section 2616 (b) (1) [300ff-26] of the Ryan White CARE Act, and throughout the Ryan White Title II Manual (see attachment 1).
2. All Service Providers will document verification of HIV-positive status in a manner consistent with HRSA guidelines as described in Section 2616 (b) (1) [300ff-26] of the Ryan White CARE Act, and throughout the Ryan White Title II Manual (see attachment 1).

## **Confidentiality of Client Information**

1. All Ryan White Title II Service Providers will protect client confidentiality in accordance with local, state and federal laws.
2. All Ryan White Title II Service Providers will provide the agency's volunteer and paid staff an orientation/training on Client Confidentiality.
3. All Ryan White Title II Clients will be educated on their right to confidentiality and will be provided with a document, for their completion, that expressly describes the circumstances under which their client information can be released and to whom.

### **Cultural Competency**

1. All Ryan White Title II Service Providers will provide appropriate services and referrals in an equitable and non-judgmental manner to all clients.
2. All Ryan White Title II Service Providers will provide reasonable accommodation to foreign language and/or sign language services for all clients.
3. All Ryan White Title II Service Providers will take into account and be responsive to cultural differences with the provision of direct client services.
4. All Ryan White Title II Service Providers will provide appropriate cultural competency/sensitivity training to all direct service staff.

### **Continuity of HIV Service Delivery**

1. All Ryan White Title II Service Providers will document referral relationships with other Ryan White, and non-Ryan White, HIV/AIDS health and social services available within the State.
2. All Ryan White Title II Service Providers will establish and maintain a written referral process for all clients needing services outside of the Providers' agency.

### **Client Satisfaction**

1. All Ryan White Title II Service Providers will compile and report client satisfaction data, consistent with the Quality Management contractual requirements with ADHS.
2. All Ryan White Title II Service Providers will develop an improvement process, as needed, based on the outcome of the annual Client Satisfaction Survey.

### **Client Rights and Responsibilities**

1. All Ryan White Title II Service Providers will provide all Ryan White Title II Clients a copy of the Statement of Consumer Rights and Responsibilities contained herein.
2. All Ryan White Title II Service Providers will take the necessary actions to ensure that services are provided in accordance with the Statement of Consumer Rights and Responsibilities and that each client fully understands his/her rights and responsibilities.

## Statement of Consumer Rights and Responsibilities

All Ryan White Title II Service Providers will provide all Ryan White Title II clients with a copy of their Statement of Consumer Rights and Responsibilities, which will include the following elements:

### Consumer Rights

- **Respect, courtesy and privacy:** The consumer has the right to be treated at all times with respect and courtesy within a setting that provides the highest degree of privacy possible.
- **Freedom from discrimination:** The consumer has the right to freedom from discrimination related to age, ethnicity, national origin, gender, disability, religion, sexual orientation, gender identity, values and beliefs, marital status, medical condition, or any other arbitrary reasons.
- **Access to HIV/AIDS service information:** The consumer has the right to full access to information from the health care providers about current FDA approved or other proven HIV/AIDS treatments. The consumer has the right to full access to information from all service providers about HIV-related social and support services.
- **Identity and provider credentials:** The consumer has the right to know the identities, titles, specialties, and affiliations of all service providers, as well as anyone else, involved in the consumer's care.

The consumer has the right to know about the service provider's rules and regulations that are pertinent to the care or type of care the consumer receives.

Any biases or conflict of interest the service provider may have will be disclosed. Consumers must be advised of the risk and benefits of any proposed treatment considered to be experimental in nature.

- **Culturally sensitive provision of information:** The consumer has the right to have information provided in a way that is easily understood and sensitive to each consumer's background, culture, and orientation.
- **Care plan:** The consumer has the right to be involved in and make decisions about their plan of care prior to the start of and during the course of service. Consumers have the right to renegotiate the care plan at any time.
- **Access to services:** The consumer has the right to access all Title II services, provided that the service and funding is currently available and all program guidelines, and eligibility requirements, have been met.
- **Right to information:** The consumer has the right to be informed, within a reasonable amount of time, of any termination of Ryan White Title II services.

- **Refusal of services:** The consumer has the right to refuse to participate in any service. The consumer may change his or her mind after refusing service without affecting ongoing care.
- **Access to financial information:** The consumer has the right to receive an explanation of any fees related to services received, and to obtain a copy of the criteria used to determine eligibility and availability for services.
- **A consumer grievance procedure:** The consumer has the right to voice complaints and suggest changes without interference, pressure, or reprisal.

The consumer will be informed of the service provider's grievance process for problem resolution. The consumer has the right to receive a response to a grievance in a timely manner, as stated in the service provider's agency policies.

- **Confidentiality:** The consumer has the right to confidentiality per federal and state guidelines.
- **Access to records:** The consumer may have access to treatment records as allowed by federal and state guidelines. The consumer will be provided with copies of their records as allowed by law, at a fair cost and within the timeline established by each service provider to furnish these documents.
- **Referral and continuity of care:** The consumer has the right to continuity of care whenever possible. The consumer has the right to appropriate referrals, based on eligibility and availability, to another HIV service provider.

## Consumer Responsibilities

- **Respect and courtesy:** The consumer has the responsibility of treating all service providers with respect and courtesy. Providers want to guarantee the consumer with a safe and confidential setting in which to receive services. Every consumer is expected to behave in a way that promotes the safety and confidentiality of others.

Certain behaviors could result in the reduction or denial of services at provider agencies. These include:

- Violent or threatening behavior
  - Repeated rude or inappropriate behavior
  - Misuse of emergency financial help
  - Bringing alcohol or illegal drugs to the provider agencies
  - Coming to appointments drunk or high
  - Violating the confidentiality of other clients.
- **Correct and complete information:** The consumer has the responsibility to provide correct and complete information to the service provider about their health status.

The consumer has the responsibility to provide immediate notification of any and all changes in residency, employment, insurance and/or financial status.

The consumer has the responsibility to disclose the availability or use of other payment sources, treatment medications, and health or social service providers.

The consumer has the responsibility of collecting and furnishing to the service provider any and all documentation necessary for the purposes of determining eligibility for Ryan White Services.

- **Seeking information about care:** The consumer has the responsibility for seeking facts and asking questions about the current eligibility, availability, risks, benefits, financial aspects, or other components of a service or treatment.
- **Care plan adherence:** The consumer has the responsibility of following the agreed upon care plan. The consumer is responsible for the results if they choose to act against professional advice or does not follow instructions of an agreed to care plan.
- **Scheduled appointments:** The consumer has the responsibility for keeping scheduled appointments. The consumer has the responsibility of canceling and/or rescheduling with the service provider in a timely manner when an appointment cannot be kept.

The consumer has the responsibility for paying for all costs incurred for missed appointments.

- **Communicating your financial needs:** The consumer has the responsibility for disclosing financial burdens related to their care plan prior to receiving health and/or social services. It is the responsibility of the consumer to provide accurate information about payment sources.
- **Rules and regulations of service providers:** The consumer has the responsibility for following the rules and regulations of the service providers and their relevant funding sources.
- **Being respectful of others:** The consumer has the responsibility of being respectful of the rights, property, and confidentiality of others.
- **Voicing complaints:** The consumer has the responsibility for voicing individual complaints and requests for change in an appropriate and timely manner via the service provider's grievance procedures.

## ATTACHMENT 1

### **Ryan White CARE Act SEC. 2616. [300ff-26] PROVISION OF TREATMENTS.**

(a) IN GENERAL.-A State shall use a portion of the amounts provided under a grant awarded under this part to establish a program under section 2612(a)(5) to provide therapeutics to treat HIV disease or prevent the serious deterioration of health arising from HIV disease in eligible individuals, including measures for the prevention and treatment of opportunistic infections.

(b) ELIGIBLE INDIVIDUAL.-To be eligible to receive assistance from a State under this section an individual shall-

- (1) have a medical diagnosis of HIV disease; and
- (2) be a low-income individual, as defined by the State.

(c) STATE DUTIES.-In carrying out this section the State shall-

- (1) determine, in accordance with guidelines issued by the Secretary, which treatments are eligible to be included under the program established under this section;
- (2) provide assistance for the purchase of treatments determined to be eligible under paragraph (1), and the provision of such ancillary devices that are essential to administer such treatments;
- (3) provide outreach to individuals with HIV disease, and as appropriate to the families of such individuals;
- (4) facilitate access to treatments for such individuals;
- (5) document the progress made in making therapeutics described in subsection (a) available to individuals eligible for assistance under this section; and
- (6) encourage, support, and enhance adherence to and compliance with treatment regimens, including related medical monitoring.

Of the amount reserved by a State for a fiscal year for use under this section, the State may not use more than 5 percent to carry out services under paragraph (6), except that the percentage applicable with respect to such paragraph is 10 percent if the State demonstrates to the Secretary that such additional services are essential and in no way diminish access to the therapeutics described in subsection (a).

(d) DUTIES OF THE SECRETARY.-In carrying out this section, the Secretary shall review the current status of State drug reimbursement programs established under section 2612(2) and assess barriers to the expanded availability of the treatments described in subsection (a). The Secretary shall also examine the extent to which States coordinate with other grantees under this title to reduce barriers to the expanded availability of the treatments described in subsection (a).

(e) USE OF HEALTH INSURANCE AND PLANS.-

- (1) IN GENERAL.-In carrying out subsection (a), a State may expend a grant under this part to

provide the therapeutics described in such subsection by paying on behalf of individuals with HIV disease the costs of purchasing or maintaining health insurance or plans whose coverage includes a full range of such therapeutics and appropriate primary care services.

(2) LIMITATION.-The authority established in paragraph (1) applies only to the extent that, for the fiscal year involved, the costs of the health insurance or plans to be purchased or maintained under such paragraph do not exceed the costs of otherwise providing therapeutics described in subsection (a).