

### **The Individual's Bill of Rights**

Each individual has the right to:

- Be treated as an adult with respect and dignity.
- Be informed of all rights and all house rules.
- Be encouraged and assisted to exercise legal rights, including the right to vote.
- Be informed of his or her medical condition and the right to consent to or refuse treatment.
- Receive appropriate care and services, and prompt medical care as needed.
- A safe and secure environment.
- Be free from mental and physical abuse.
- Be free from restraints except as described in 411-360-0160
- Complete privacy when receiving treatment or personal care.
- Associate and communicate privately with any person the individual chooses.
- Send and receive personal mail unopened.
- Participation in activities of social, religious and community groups.
- Have medical and personal information kept confidential.
- Keep and use a reasonable amount of personal clothing and belongings, and to have a reasonable amount of private, secure storage space.
- Manage the individual's own money and financial affairs unless legally restricted.

- Be free from financial exploitation. The provider may not charge or ask for application fees or nonrefundable deposits and may not solicit, accept, or receive money or property from an individual other than the amount agreed to for services.
- A written agreement regarding the services to be provided and the rate schedule to be charged. The provider must give 30 days' written notice before any change in the rates or the ownership of the home.
- Not to be transferred or moved out of the AFH-DD without 30 days' advance written notice and an opportunity for a hearing. A provider may transfer or discharge an individual only for medical reasons including a medical emergency described in ORS 443.738(11)(b), or for the welfare of the individual or other individuals residing in the AFH-DD, or for nonpayment.
- Be free of discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, source of income, duration of Oregon residence, or other protected classes under federal and Oregon Civil Rights laws.
- Make suggestions and complaints without fear of retaliation.
- Be encouraged and assisted in exercising all legal, civil, and human rights accorded to other citizens of the same age, except when limited by a court order.

### **LGBTQIA2S+ Bill of Rights and Protections**

A provider and the staff of an AFH-DD may not take any of the following actions based, in whole or in part, on a resident's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus status:

- Deny admission to an AFH, transfer or refuse to transfer a resident within an AFH, or to another home or discharge or evict from an AFH.
- Deny a request by a resident to choose the resident's roommate when a resident is sharing a room.

- If rooms are assigned by gender, assign, reassign, or refuse to assign a room to a transgender or other LGBTQIA2S+ resident other than in accordance with the resident's gender identity, unless at the request of the resident or if required by federal law.
- Prohibit a resident from using or harass a resident who seeks to use or does use, a restroom that is available to other individuals of the same gender identity as the resident, regardless of whether the resident is making a gender transition, has taken or is taking hormones, has undergone gender affirmation surgery, or presents as gender nonconforming. Harassment includes, but is not limited to, requiring the resident to show documentation of gender identity in order to gain entrance to the restroom or other area of the AFH that is available to other individuals with the same gender identity as the resident.
- Repeatedly and willfully refuse to use a resident's name or pronouns after being reasonably informed of the resident's name or pronouns.
- Deny a resident the right to wear or be dressed in clothing, accessories, or cosmetics, or to engage in grooming practices, that are permitted to any other resident.
- Restrict a resident's right to associate with other residents or with visitors, including the resident's right to consensual sexual relations or to display physical affection, unless the restriction is uniformly applied to all residents in a nondiscriminatory manner.
- Deny or restrict medical or nonmedical care that is appropriate to a resident's organs and bodily needs, or provide medical or nonmedical care that, to a similarly situated, reasonable person, unduly demeans the resident's dignity or causes avoidable discomfort.
- Fail to accept a resident's verbal or written attestation of the resident's gender identity or require a resident to provide proof of the resident's gender identity using any form of identification.
- Fail to take reasonable actions, within the AFH's control to prevent discrimination or harassment when the facility knows, or should have known, about the discrimination or harassment.

- Refuse or willfully fail to provide any service, care, or reasonable accommodation to a resident.
- Refuse or willfully fail to provide any service, care or reasonable accommodation to a potential resident applying for services or care.