

ARKANSAS DEPARTMENT OF HUMAN SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES  
DDS DIRECTOR'S OFFICE POLICY MANUAL

Policy	Subject of Policy	Policy No.
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Service	Human Rights Committees	3010-I
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1. Purpose. This policy is designed to provide guidelines for defining human rights issues for individuals receiving services from DDS and to provide mechanisms by which those issues can be addressed. This policy will help ensure protection of individuals.
2. Scope. This policy applies to all programs operated by DDS. HDCs will include a review of this policy as part of the employee orientation process.
3. Definition of Terms. Operational definitions of terms and phrases related to this policy are found in DDS Director's Office Policies on Behavior Management, 3011-D; Maltreatment Prevention, Reporting and Investigating, 3004-I; and Research Involving Individuals, 3003-I.
4. Human Rights Committee (HRC) Structure. Each program operated by DDS will have an HRC appointed by the on-site administrator. Each Human Rights Committee member is given a statement of, and receiving training in, the committee's duties and responsibilities.
  - A. Membership. When meeting on issues germane to human rights of program individuals, the HRC will consist of:
    - 1) Chairman or Vice Chairman (if both are present, only one may vote) selected on the basis of administrative abilities and knowledge of human rights issues;
    - 2) At least one member of the committee who has training or experience with issues and decisions regarding human rights;
    - 3) Direct Care Staff Member (with one year or more on-site experience);
    - 4) Medical or Nursing Staff Person;

Replacement Notation: This Policy replaces DDS Commissioner's Office Policy #3010-I, dated January 28, 1981, and January 8, 1987.

Effective Date: March 15, 1993

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References: Accreditation Council

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	<ul style="list-style-type: none"> <li>5) Psychology Staff Person (advisory capacity, non-voting);</li> <li>6) At least one-third of the committee's members are not affiliated with the agency;</li> <li>7) Individuals served by the facility and/or their representatives.</li> <li>8) Additional participants may be invited at the discretion of the Chairman, in a non-voting and advisory capacity chosen on the basis of their expertise in relation to the issue under consideration.</li> </ul>	
	<ul style="list-style-type: none"> <li>B. Membership Terms. Members shall be appointed to specific lengths of service as determined by the on-site administrator at the time of appointment.</li> <li>C. Quorum. A quorum will consist of at least three voting members.</li> </ul>	
5.	<p><u>HRC Function.</u> The broad purpose of the HRC is to ensure and protect the human rights of individuals receiving services, keep abreast of current knowledge and issues in the area of human rights, and provide a mechanism for information dissemination of such knowledge and issues to the program staff. Specific functions include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>A. As determined by policy, reviewing proposals involving the use of behavior management (DDS Director's Office Policy on Behavior Management, 3011-D).</li> <li>B. Monitoring and evaluating all uses of behavior management programs requiring HRC approval.</li> <li>C. Reviewing documented evidence of alleged cases referred to the committee of maltreatment/other situations as covered by DDS policy (as in Director's Office Policy 3004-I) to determine the appropriateness and adequacy of the investigation.</li> <li>D. Reviewing and/or gathering documented evidence of alleged cases of denial of individual's rights referred to the HDC.</li> </ul>	

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<p>E. Maintaining a complete and up-to-date record of its work.</p> <p>F. Reviewing all human rights issues in research proposals to be carried out on-site, and to make recommendations to the DDS Research Review Board through the on-site administrator.</p> <p>G. Setting up procedures to carry out the above and to file those with the Office of the DDS Director.</p> <p>H. Establishing procedures for committee operations which include the following components:</p> <ul style="list-style-type: none"><li>1) Schedule of meetings;</li><li>2) Rules of order;</li><li>3) Rules of record keeping;</li><li>4) Removal of committee members.</li></ul>		
<p>6. <u>Reporting of Complaints.</u> Complaints or questions regarding aspects of individual's rights may be made directly to any Human Rights Committee member, as well as to the on-site administrator. The Human Rights Committee must immediately inform the on-site administrator of any question or complaint brought to it directly. The on-site administrator shall be given an opportunity to solve whatever problems exist. The on-site administrator must report back to the Human Rights Committee on the final outcome of any complaint or question regardless of its origin within five (5) working days.</p>		
<p>7. <u>Conflict of Interest.</u> Personal or professional interest which influences or can influence the ability to make fair objective decisions. In cases where conflict of interest arises, the on-site Administrator retains the right to intervene.</p>		
<p>8. <u>Removal of Committee Members.</u> Committee members may be dismissed from committee membership for unethical conduct such as, but not limited to violation of confidentiality, repeated failure to attend and/or participate, and flagrant disregard for individual's rights. Removal shall be accomplished by the on-site administrator and a replacement appointed.</p>		

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9. Advocate Office. Nothing in this policy prohibits complaints of denial of rights from being made directly to:

Advocate Office  
Department of Human Services  
P.O. Box 1437  
Little Rock, Arkansas 72203  
Phone: 682-8650

