

Appendix A

Sample Rights Notification

Your Rights Under the Community Options Program (COP)

A. Applying for COP

1. You have a right to be told about COP and other programs that can help you live at home. You have a right to be told about services and other types of assistance COP can provide for you.
2. You have a right to apply for COP. And you have a right not to participate in COP.
3. You have a right to a written answer to your application within 30 days (sooner if it is an emergency). The answer must say one of three things: 1) Yes, you are eligible (approval), 2) No, you are not eligible (denial) and why, or 3) More information is needed (pending) and what information is needed.
4. If you are put on a waiting list, you must be told why and for how long.
5. If your application is denied, you have the right to file a county grievance and/or file a state appeal in certain circumstances. You have the right to be told how to file a grievance or an appeal.

B. Deciding if You Are Eligible for COP

1. If your application is approved, you have a right to a meeting to help decide what you need to live at home (assessment). This assessment must be done within 45 days from the time you applied (or sooner in an emergency). The assessment must be done by a qualified person. This means someone who knows about your particular disability and needs, and who knows about services to help you live at home.
2. You have a right to say what you think in the assessment and in developing a plan of services for you (case plan). You have a right to have friends, relatives or anyone you want to be with you in these meetings.
3. You have a right to any help you need for you to understand and take part in meetings. This includes interpreters, taped or Braille material or other communication aids.
4. You have a right to have someone explain what your assessment says, and what choices you have to help you live at home. You have a right to a written copy of your assessment if you ask for it.

5. You have a right to have someone explain your plan for services (case plan). This plan must say what problems you have and what will be done to solve them. The plan must pay attention to what you choose. You have a right to a written copy of your case plan if you ask for it.
6. You have a right to say from whom you would like to get services. The person you choose must be qualified. COP must try to respect your preferences.
7. You have the right to disagree with your case plan. You have a right to ask the county to change things with which you disagree. If you disagree, you have a right to file a county grievance.
8. You have a right to decide whether or not to live at home with the services offered in your case plan.

C. Getting COP Services

1. You have a right to services if there is money available and you are eligible.
2. If money is not available, you have a right to be on a waiting list for services. If you are told that you have to wait for COP services, you have a right to know how the waiting list works, how many others are waiting before you and when the county thinks you will get services.
3. You have the right to know the amount, if any, that you will have to pay for services.
4. You have a right to be helped by a person (care manager) after you get services. The care manager helps to make sure that you are getting the services in your plan and that the services work well together. You have a right to meet with this person as often as necessary.
5. You have a right to review your case plan every 6 months. You have the right to have anyone you want at this meeting.
6. You have a right to a written notice, at least 10 days in advance, whenever your services are going to be reduced or ended. You have a right to file a county grievance or state appeal if you disagree.

D. Certain Other Statutory Rights

You may also have a number of other rights specified in Wisconsin Statutes (Sections 46.27, 49.001, 50.08, 51.61, and 55.07). These include:

1. You have the right to be treated with dignity and respect.
2. You have a right to control your life and control the services you get as much as you are able.

3. You have a right not to be hurt or threatened. You have a right not to be tied or locked up or forced to take drugs.
4. You have a right to privacy, including the right to talk, to telephone or to write anyone you want.
5. You have a right to see your file.
6. You have the right to special equipment or services to help you have an equal opportunity to benefit from COP services. For example: interpreters, Braille, or taped material.

E. Right to Appeal

1. You have a right to be told how to file a county grievance or a state appeal. This includes being told what you can grieve or appeal, whom to contact, what the steps are and if there are time limits for filing the grievance or appeal.
2. You can appeal to the state within 45 days only if you are denied eligibility for an assessment, case plan or COP services; or, your COP-funded services are reduced or ended. If you file a state appeal within 10 days, you have a right to keep getting the types and amounts of services until the appeal is decided. State appeals should be sent to:

Department of Health Services
Office of Administrative Hearings
PO Box 7875
Madison, WI 53707-7875

(608) 266-3038

3. You may get help with a county grievance or a state appeal from your case manager or from:

The Board on Aging Long-Term Care
Ombudsman Program
122 East Dayton Street
Madison, WI 53703

1-800-242-1060 (roll free, voice or TDD)

Persons with developmental disabilities and mental illness also may contact:

The Wisconsin Coalition for Advocacy
16 North Carroll, Suite 400
Madison, WI 53703

(608) 267-0214