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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Individual’s Identifier: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Provider: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Service(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | | | | |  | |
| Date of Admission: \_\_\_\_\_\_\_\_\_\_\_ | |  | | |  | |  | |  | |
| Date of Discharge (if applicable): | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | | |  | |
| Type of Review: |  | New Restrictions |  | Revised | |  | LHRC- requested Review |  | |

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| **For Restrictions under Dignity, (section 50):**  Was the Human Rights Advocate notified of the reason for the restriction prior to implementation?  Did a licensed professional document in the service record that demonstrable harm will result without the restriction?  Is the need for the restriction reviewed by the team monthly and documented in the individual’s services record?  Will the restriction last longer than seven days or be imposed three or more times during a 30-day period?  **For Restrictions under Freedoms of Everyday Life, (section 100):**  Did a qualified professional involved in providing services, in advance, assess the need for the restriction and document all possible alternatives to the restriction?  Did a qualified professional involved in providing services document in the individual’s services record the specific reason for the restriction?  Did a qualified professional involved in providing services explain and provide written notice so the individual can understand the reason for the restriction, the criteria for removal, and the individual’s right to a fair review of whether the restriction is permissible? (please attach the written notice)    Does a qualified professional regularly review the restriction and the restriction is discontinued when the individual has met the criteria for removal?  Is the restriction a result of a court order?  Will the restriction last longer than seven days or be imposed three or more times during a 30-day period? | Yes  No  Yes  No  Yes  No  Yes  No  Yes  No  Yes  No  Yes  No  Yes  No    Yes  No  Yes  No | | |  | |  | |  | |
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| **List ALL restrictions:** |
| |  |  |  |  | | --- | --- | --- | --- | | Purpose of Restriction | List Less Restrictive Interventions Attempted | List All Restrictions | Criteria for Removal for Each Restriction | |  |  |  |  | |  |  |  |  | |  |  |  |  | |

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| Name of LHRC | LHRC Chair Signature |
|  |  |

Recommendations: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Instructions for LHRC Review of Restrictions to Dignity and Freedoms of Everyday Life

All provider requests for review by the LHRC in accordance with 12VAC35-115-270 must go through the Office of Human Rights using a standard form and process.

The provider is responsible for notifying the Office of Human Rights concerning the need for review of individual restrictions under sections 50 and 100 of the Human Rights Regulations. Upon request, the assigned Advocate will review with the provider regulatory requirements for the implementation of aforementioned restrictions, provide a copy of the corresponding LHRC Review Form, and provide information about upcoming scheduled LHRC meetings in the region. Approval of restrictions by the LHRC, under section 12VAC35-115-50 and 100 do not have to occur prior to implementation; however, the provider is required to ensure compliance with all documentation and review requirements in the corresponding regulation sections, immediately upon use of the restriction. For restrictions under 12VAC35-115-50, refer to required involvement of a licensed professional and their judgment concerning demonstrable harm.

Providers are responsible for ensuring the protection of individuals PHI by using an “Individual Identifier”, listed as the individuals first and last name *initials* in the space provided on the LHRC Review Request Form. When PHI is necessary to the review process, the LHRC will conduct the review with the provider and all parties involved in Executive Closed session.

The LHRC Chairperson will sign the LHRC Review Request Form and give a copy to the provider following the LHRC meeting. When applicable, LHRC recommendations will be listed on the LHRC Review Request Form and reflected in the LHRC meeting minutes. The provider Director or designee is responsible for addressing any LHRC recommendations and communicating compliance through the assigned Advocate, in accordance with the corresponding Human Rights Regulations. Providers should direct questions regarding this process to the assigned Advocate.

**Attachments should include the following (see also 12VAC35-115-50 and 12VAC35-115-100):**

* **Documentation to indicate a qualified professional (restrictions under section 100) or licensed professional (restrictions under section 50) has assessed all possible alternatives, in advance of implementation**
* **Documentation regarding the specific reasons identified for the restriction(s)**
* **Copy of written notice provided to the individual explaining the reason for the restriction, criteria for removal, and the individual’s right to a fair review of whether the restriction is permissible**

For general questions about the LHRC Review process, contact the OHR Regional Manager in your area:

Region 1, Cassie Purtlebaugh [cassie.purtlebaugh@dbhds.virginia.gov](mailto:cassie.purtlebaugh@dbhds.virginia.gov)

Region 2, Ann Pascoe [ann.pascoe@dbhds.virginia.gov](mailto:ann.pascoe@dbhds.virginia.gov)

Region 3, Jennifer Kovack [jennifer.kovack@dbhds.virginia.gov](mailto:jennifer.kovack@dbhds.virginia.gov)

Region 4, Sharae Henderson [sharae.henderson@dbhds.virginia.gov](mailto:sharae.henderson@dbhds.virginia.gov)

Region 5, Reginald Daye [reginald.daye@dbhds.virginia.gov](mailto:reginald.daye@dbhds.virginia.gov)

For information about LHRC meeting dates, times and locations by Region:

<http://www.dbhds.virginia.gov/quality-management/human-rights>