

Client Bill of Rights

Under New Jersey law, clients receiving mental health services have all of the following rights:

1. The right to be free from unnecessary or excessive medication.
2. The right to not be subjected to non-standard treatment or procedures, experimental procedures or research, psycho-surgery, sterilization, electro-convulsive therapy or provider demonstration programs, without written informed consent, after consultation with counsel or interested party of the client's choice.
3. The right to treatment in the least restrictive setting, free from physical restraints and isolation, except under specific conditions during inpatient care.
4. The right to be free from corporal punishment.
5. The right to privacy and dignity.
6. The right to the least restrictive conditions necessary to achieve the goals of treatment/services.
7. In inpatient or other residential care:
 - i. The right to normal opportunities for interaction with members of the opposite sex;
 - ii. The right of a client to wear his/her clothes; to keep and use his/her personal possessions including toilet articles; and to keep and be allowed to spend his/her own money for expenses and purchases;
 - iii. The right to have access to individual storage space for his/her private use;
 - iv. The right to see visitors each day;
 - v. The right to have reasonable access to and use of telephone, both to make and receive confidential calls;
 - vi. The right to have ready access to letter writing materials, including stamps, and the right to mail and receive unopened correspondence;
 - vii. The right to regular physical exercise several times a week;
 - viii. The right to be outdoors at regular and frequent intervals, in the absence of medical considerations;
 - ix. The right to practice the religion of his/her choice or abstain from religious practices. Provisions for such worship in Inpatient Care shall be made available to each person on a nondiscriminatory basis.

- x. The right to receive prompt and adequate medical treatment for any physical ailment.
8. These rights may not be denied to clients in Outpatient Care.
 9. These rights may be denied to clients in Inpatient Care for good cause, in any instance in which the Director of the Program Element feels that it is imperative to deny any of these rights; provided, however, that under no circumstances shall a client's right to communicate with his/her attorney, physician or the courts be restricted.
 - i. Any such denial of a client's rights shall take effect only after a written notice of the denial, which includes an explanation of the reason for the denial has been filed in the client's record.
 - ii. Any such denial of a client's rights shall be effective for a period not to exceed 30 days and may be renewed for additional 30-day periods only by a written statement entered by the Director of the Program Element in the client's treatment record which indicates the detailed reason for such denial or renewal.
 10. Every client in Inpatient Care is entitled to a writ of habeas corpus upon proper petition by himself, by a relative, or a friend to any court of competent jurisdiction in the county in which she/he is detained and shall further be entitled to enforce any of the rights stated by civil action or other remedies otherwise available by common law or statute.