THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES

Your Personal Rights

As someone who is receiving services from the Division of Developmental Disabilities, you have certain rights. These do not change because you have a developmental disability, and you do not lose them if you participate in a program, including a residential program of any kind, operated or paid for by the Division of Developmental Disabilities (DDD).

DDD believes it is important for you to understand your rights.

You have the right to:

- Register and vote in elections
- Worship as you please, or not worship at all if that's what you prefer
- Send and receive letters and packages that no one but you and the person you are corresponding with has opened or read
- Receive help in reading or writing letters if you ask for it
- Have reasonable opportunities to visit or communicate privately without having to tell anybody first
- Have opportunities to associate with people you choose
- Have all your records handled confidentially and kept private unless you or your guardian, if you have one, gives permission for someone else to see them. This includes your medical records, your personal records and records related to any service you receive through DDD.
- Go to court to have your rights enforced
- Be presumed to have capacity to make your own decisions

If you move to a facility funded and/or administered by DDD, you have additional rights related to the services you receive. You have the right to:

- Receive an education while you are between the ages of five and 21 that is not only thorough and efficient, but also suited to your age and abilities
- Receive routine medical and dental care and receive additional care if you become sick or have other health needs

- Have enough healthy food to eat

- Take part in developing a plan for your services and have that plan revised each year, as necessary, to make sure your services continue to meet your needs and goals. This plan is referred to as your Service Plan. It also may be called an Individual Habilitation Plan (IHP), an Essential Lifestyle Plan (ELP) or a Person Centered Plan (PCP).

- Have your Service Plan kept private, unless you or your legal guardian say it is OK to share it with someone else.

- Be treated in a respectful manner by anyone who manages or works in DDD's residential programs.

You also have the right <u>not</u> to be:

- Punished physically

- Given any medication unless it is prescribed by a doctor as a necessary part of the services or treatment you receive

- Physically or chemically restrained or kept in isolation unless it is an emergency in which you or someone else might be harmed.

- Given shock treatment, psychosurgery, sterilization or be subject to research unless you agree to it in writing after receiving an explanation of why it is necessary. If you have a guardian, a court order is required.

The rights listed above are found in the Developmentally Disabled Rights Act, which can be found at N.J.S.A. 30:6D-1 through 12 and also P.L. 42 U.S.C.§§ 15001 et seq.

If you think your rights have been violated, you can do something about it.

- If you live in a **developmental center**, you should talk to the person in charge of the facility. He or she will make sure the Human Rights Committee reviews your complaint, if necessary.

- If you live in **a residence funded by DDD** such as a group home or Community Care Residence, talk to the person in charge of that facility. If you are not happy with the answer, talk to your DDD case manager.

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