

Worksheet for Client Rights & Responsibilities and Provider Standards

2506* **CLIENT RIGHTS**

2506.1 Clients served within the Continuum of Care shall have the right to at all times, be treated by providers and the Department with dignity and respect;

2506.2 Clients served within the Continuum of Care shall have the right to access services within the Continuum of Care free from discrimination on the basis of race, color, religion, national origin, language, culture, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, and source of income, and in accordance with the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*), the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 328; 42 U.S.C. § 12101 *et seq.*), the Rehabilitation Act of 1973, approved August 7, 1998 (112 Stat. 1095; 29 U.S.C. § 701 *et seq.*), Title II of the Civil Rights Act of 1964, approved July 2, 1964 (78 Stat. 243; 42 U.S.C. § 2000a *et seq.*), and the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*);

* Note that the numbering in this document reflects proposed numbering for where these provisions would fit into the structure of the emergency rules.

2506.3 Clients served within the Continuum of Care shall have the right to receive reasonable modifications to policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the client's provider demonstrates that the modifications would fundamentally alter the nature of the services;

2506.4 Clients served within the Continuum of Care shall have the right to access services within the Continuum of Care free from verbal, emotional, sexual, financial, and physical abuse and exploitation;

2506.5 Clients served within the Continuum of Care shall have the right to shelter in severe weather conditions;

2506.6 Clients served within the Continuum of Care shall have the right to at a reasonable time and with reasonable prior notice, view and copy, or have an authorized representative view and copy, all records and information that are related to the client and maintained by the client's provider, including any relevant personal, social, legal, financial, educational, and medical records and information, subject to the provisions of subsection 2506.7;

2506.7 Clients served within the Continuum of Care shall have the right to confidential treatment by the Department and providers of personal, social, legal, financial, educational, and medical records and information related to a client or any member of a client's family, whether obtained from the client or from any other source, in a manner consistent with the confidentiality requirements of District and federal law;

2506.8 Clients served within the Continuum of Care shall have the right to engage in or abstain from the practice of religion, including the religion of a particular provider or other clients;

2506.9 Clients served within the Continuum of Care shall have the right to upon request, be told the name and job title of any provider staff member delivering services;

2506.10 Clients served within the Continuum of Care shall have the right to provide input and feedback to providers on their delivery of services;

2506.11 Clients served within the Continuum of Care shall have the right to file complaints with, testify before, or provide information to a provider or the Mayor regarding the provider's delivery of services or treatment of the client;

2506.12 Clients served within the Continuum of Care shall have the right to participate actively in development of any service plan for the client, be told of the progress made toward the goals of that service plan, and receive a review of the service plan upon request;

2506.13 Clients served within the Continuum of Care shall have the right to be free from testing for drugs or alcohol except when:

- (a) Program guidelines prohibit intoxication and a licensed social worker with experience identifying indications of drug or alcohol use or a certified addiction counselor determines that there is reasonable cause to believe that the client is engaging in drug or alcohol use; or
- (b) A client consents to drug or alcohol testing as part of the client's case management plan developed in accordance with paragraph (12) of this subsection;

2506.14 Clients served within the Continuum of Care shall have the right to meet and communicate privately with attorneys, advocates, clergy, physicians, and other professionals;

2506.15 Clients served within the Continuum of Care shall have the right to timely notice, where required by **section 19 (§ 4-754.33)**, of any decision by the Department or a provider that adversely affects the client's receipt of services within the Continuum of Care;

2506.16 Clients served within the Continuum of Care shall have the right to appeal, where permitted by **sections 26 and 27 (§§ 4-754.41 and 4-754.42)**, of any decision by the Department or a provider that adversely affects the client's receipt of services within the Continuum of Care;

2506.17 Clients served within the Continuum of Care shall have the right to be free from retaliation, punishment, or sanction for exercising any rights provided under this act; and

2506.18 Clients served within the Continuum of Care shall have the right to continuation of shelter and supportive housing services without change, other than transfer pursuant to section 20 (§ 4-754.34) or emergency transfer, suspension, or termination pursuant to section 24 (§ 4-754.38), pending the outcome of any fair hearing requested within 15 calendar days of receipt of written notice of a suspension or termination.

**2507 ADDITIONAL RIGHTS FOR CLIENTS IN TEMPORARY
SHELTER OR SUPPORTIVE HOUSING.**

2507.1 Clients residing in temporary shelter or supportive housing shall have the right to receive visitors in designated areas of the shelter or housing premises during reasonable hours and under such reasonable conditions as specified in the provider's Program Rules established pursuant to **section 18 (§ 4-754.32)**;

2507.2 Clients residing in temporary shelter or supportive housing shall have the right to Leave and return to the shelter or housing premises within reasonable hours as specified by the Program Rules established pursuant to **section 18 (§ 4-754.32)**;

2507.3 Clients residing in temporary shelter or supportive housing shall have the right to reasonable prior notice specifying the date and time of any inspections of a client's living quarters and of the provider staff member authorized to perform the inspection, except when, in the opinion of the provider's executive or program director, there is reasonable cause to believe that the client is in possession of a substance or object that poses an imminent threat to the health and safety of the client or any other person on the provider's premises and such reasonable cause is documented in the client's record;

2507.4 Clients residing in temporary shelter or supportive housing shall have the right to be present or have an adult member of the family present at the time of any inspection unless, in the opinion of the provider's executive or program director, there is reasonable cause to believe that the client is in possession of a substance or object that poses an imminent threat to the health and safety of the client or any other person on the provider's premises and such reasonable cause is documented in the client's record;

2507.5 Clients residing in temporary shelter or supportive housing shall have the right to reasonable privacy in caring for personal needs and in maintaining personal living quarters; and

2507.6 Clients residing in temporary shelter or supportive housing shall have the right to conduct their own financial affairs, subject to the reasonable requirements of Program Rules established pursuant to section 18 (§ 4-754.32) or to a service plan pursuant to **section 9(12) (§ 4-754.11)**.

2508 CLIENT RESPONSIBILITIES

2508.1 Clients receiving services within the Continuum of Care shall seek appropriate permanent housing or Housing First, except when the client is residing in severe weather and low barrier shelter;

2508.2 Clients receiving services within the Continuum of Care shall seek employment, education, or training when appropriate, except when the client is residing in severe weather and low barrier shelter;

2508.3 Clients receiving services within the Continuum of Care shall refrain from the following behaviors while on a provider's premises:

- (a) The use or possession of alcohol or illegal drugs;
- (b) The use or possession of weapons;
- (c) Assaulting or battering any individual, or threatening to do so; and
- (d) Any other acts that endanger the health or safety of the client or any other individual on the premises;

2508.4 Clients receiving services within the Continuum of Care shall ensure that children within the client's family and physical custody are enrolled in school, where required by law;

2508.5 Clients receiving services within the Continuum of Care shall ensure that the client's minor children receive appropriate supervision while on the provider's premises;

2508.6 Clients receiving services within the Continuum of Care shall utilize child care services when necessary to enable the adult client to seek employment or housing or to attend school or training, unless the client meets any of the exemptions of section 519g of the District of Columbia Public Assistance Act of 1982, effective April 20, 1999 (D.C. Law 12-241; D.C. Official Code § 4-205.19g), or section 5809.4(b)-(e) of Title 29 of the District of Columbia Municipal Regulations, including any subsequent revisions.

2508.7 Clients receiving services within the Continuum of Care shall respect the safety, personal rights, and private property of provider staff members and other clients;

2508.8 Clients receiving services within the Continuum of Care shall maintain clean sleeping and living areas, including bathroom and cooking areas;

2508.9 Clients receiving services within the Continuum of Care shall use communal areas appropriately, with attention to cleanliness and respect for the interests of other clients;

2508.10 Clients receiving services within the Continuum of Care shall be responsible for one's own personal property; and

2508.11 Clients receiving services within the Continuum of Care shall follow all Program Rules established by a provider pursuant to **section 18 (§ 4-754.32)**.

2508.12 Clients residing in temporary shelter and transitional housing shall participate in the provider's assessment and case management services.

2509 COMMON STANDARDS FOR ALL SHELTER AND SUPPORTIVE HOUSING PROVIDERS

2509.1 Providers shall ensure staff members are appropriately trained, qualified, and supervised;

2509.2 Providers shall maintain safe, clean, and sanitary facilities that meet all applicable District health, sanitation, fire, building, and zoning codes;

2509.3 Providers shall assist clients to prepare for living in permanent housing, as deemed appropriate by the provider and the client;

2509.4 Providers shall collaborate and coordinate with other service providers to meet the client's needs, as deemed appropriate by the provider and the client;

2509.5 Providers shall receive and utilize client input and feedback for the purpose of evaluating and improving the provider's services;

2509.6 Providers shall establish procedures for the provider's internal complaint procedures;

2509.7 Providers shall provide clients with copies of printed information describing the range of services within the Continuum of Care;

2509.8 Providers shall, in accordance with **section 8(c)** (§ 4-753.02) and as openings occur, inform all clients of services for which they may be eligible;

2509.9 Providers shall deliver or provide access to culturally competent services and language assistance for clients with limited English proficiency;

2509.10 Providers shall provide services free from discrimination on the basis of race, color, religion, national origin, language, culture, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, and source of income, and in accordance with the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401 *et seq.*), the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 328; 42 U.S.C. § 12101 *et seq.*), the Rehabilitation Act of 1973, approved August 7, 1998 (112 Stat. 1095; 29 U.S.C. § 701 *et seq.*), and Title II of the Civil Rights Act of 1964, approved July 2, 1964 (78 Stat. 243; 42 U.S.C. § 2000a *et seq.*);

2509.11 Providers shall provide reasonable modifications to policies, practices, and procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the provider demonstrates that making the modifications would fundamentally alter the nature of the services;

2509.12 Providers shall ensure confidential treatment of the personal, social, legal, financial, and medical records and information related to a client or any member of a client’s family, whether obtained from the client or from any other source, consistent with the confidentiality requirements of District and federal law;

2509.13 Providers shall establish Program Rules in accordance with **section 18 (§ 4-754.32)**;

2509.14 Providers shall provide notice of its Program Rules in accordance with **section 19 (§ 4-754.33)**;

2509.15 Providers shall collect, record, and annually report to the Mayor all complaints, including requests for fair hearings or administrative reviews, made against or related to the provider during the year; and

2509.16 Providers shall establish procedures to revise practices and policies as may be necessary to ensure that clients may access services free from discrimination on the basis of disability.

2510 ADDITIONAL STANDARDS FOR PROVIDERS OF SEVERE WEATHER SHELTER

When severe weather conditions continue overnight, providers of severe weather shelter shall provide:

2510.1 A clean bed with clean linens, pad, and blanket for each bed;

2510.2 Basic needs, such as food and clothing and other supportive services, or information about where to obtain such basic needs and supportive services;

2510.3 24-hour, properly functioning toilet facilities;

2510.4 Cool water, available via water cooler, fountain, or other means; and

2510.5 Properly functioning heating and cooling systems during the appropriate seasons.

2511 ADDITIONAL STANDARDS FOR PROVIDERS OF LOW BARRIER SHELTER

In addition to the requirements in sections 12, 13 (§§ 4-754.21 and 4-754.22), providers of low barrier shelter shall also provide:

2511.1 Case management services with an appropriately trained, qualified, and supervised case manager, which shall include the development of a service plan.

2511.2 Hot shower facilities; and

2511.3 Personal hygiene supplies.

**2512 ADDITIONAL STANDARDS FOR PROVIDERS OF TEMPORARY
SHELTER AND SUPPORTIVE HOUSING**

In addition to the requirements in sections 12, 13, and 14 (§§ 4-754.21-.23), providers of temporary shelter and supportive housing shall also provide:

2512.1 Assessment by an appropriately trained, qualified, and supervised case manager to identify each client’s service needs;

2512.2 Direct provision of, or referral to, appropriate supportive services to enable the client to fulfill the goals and requirements in the client’s service plan;

2512.3 Mail and phone services, or procedures for handling mail and phone messages, that enable the client to receive mail and messages without identifying the client as residing in temporary shelter or supportive housing;

2512.4 Private, secure space for the temporary storage of personal belongings;

2512.5 Access to laundry facilities in the immediate vicinity of the shelter or supportive housing facility when all of the units are in one location;

2512.6 Reasonable access to phones during reasonable hours and during emergencies;

2512.7 The opportunity to establish a voluntary savings or escrow account; and

2512.8 In supportive housing and temporary shelters for families, access to immediate indoor or outdoor areas equipped with basic facilities for exercise and play for use by minor children.

2513 ADDITIONAL STANDARDS FOR PROVIDERS OF TRANSITIONAL HOUSING

In addition to the requirements of sections 12, 13, 14, and 15 (§§ 4-754.21-.24), all providers of transitional housing shall also provide:

2513.1 Follow-up supportive services, for a minimum of 6 months, for clients who have transferred to permanent housing from their program, unless the client is receiving such supportive services from another provider;

2513.2 An apartment-style or group home housing accommodation; and

2513.3 Access to private space and personal time.
