

## OFFICE OF PATIENTS' RIGHTS

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### MEMORANDUM

TO: All Interested Parties

FROM: Office of Patients' Rights

RE: Denial of Rights/Seclusion and Restraint Statistical Reporting

DATE: May 25, 1999

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The statistical reporting process for denial of rights and seclusion, restraint, or combined seclusion and restraint continues to be somewhat confusing and had led to misreporting of otherwise important statistical information. The purpose of this memo is to clarify some questions that have been asked regarding this reporting process.

When reporting seclusion, restraint, or seclusion and restraint combined recognize that fact that these are *separate and distinct* reporting categories.

1. If a client is secluded only, then it should be statistically reported as *seclusion*.
2. If a client is in restraints only and not secluded, it should be statistically reported as *restraint*.
3. If a client is placed in seclusion *and* restraint, it should be statistically reported as *seclusion and restraint*.

A common mistake in the statistical reporting process is the indication that all rights have been denied anyone placed into seclusion and restraint. An important note to remember in the reporting process is that persons placed into seclusion and restraint *retain* all rights unless individually denied for good cause. If any right is actually denied to a person in seclusion, restraint, or combined seclusion and restraint, it must be documented as such showing good cause for denial. The

individual right denied must be reported in the statistical reporting of rights denied and in the appropriate category (i.e. visitors, personal possessions, etc.).

We hope this information provides some clarification to the reporting process. If you have any additional questions or need clarification, please contact our office.

*County advocates should consult with legal counsel designated by the county to represent and/or advise the advocate (often referred to as the County Counsel).*