

**OFFICE OF PATIENTS' RIGHTS
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M E M O R A N D U M

TO: Interested Persons

FROM: California Office of Patients' Rights

RE: Patient Access to Denial of Rights Records

DATE: October 30, 1999

 California Welfare and Institutions Code provides for mental health clients to have access to information and records when they have been denied a right.

Notwithstanding any other provision of law, **information pertaining to denial of rights** contained in the person's treatment record shall be made available, on request, to the person, his or her attorney, his other conservator or guardian, the local mental health director, or his or her designee, or the Patient's Rights Office of the State Department of Mental Health.

Welfare and Institutions Code §5326.1 (emphasis added)

What is to be provided includes: consent forms, required documentation for convulsive treatment, documentation regarding the use of restraints and seclusion, physician's orders, nursing notes, and involuntary detention and conservatorship papers. Cal. Welf & Instit. Code §5326.1

There is no provision in this statute for denying a client this information.

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