

Individuals with an SMI designation have the same rights as all other citizens of Arizona. In addition, they are guaranteed specific legal rights by federal and state laws. In Arizona, you can find these rights in the Arizona Revised Statutes (A.R.S. section 36-504 through 36-514).

Some of these rights include:

- To participate in your mental health treatment and service plan,
- To consent to or refuse treatment (except by court order),
- To have a case manager assist you in obtaining behavioral health treatment and services such as counseling, supported employment, or peer support,
- To be free from unnecessary seclusion or restraint,
- To be treated in the least restrictive environment,
- To have a discharge plan upon discharge from a hospital,
- To file a grievance if your rights have been violated,
- To have anyone of your choosing participate in your treatment planning, and
- The right to be assessed for Special Assistance criteria.



Special Assistance is a support for members who would otherwise be unable to advocate on their own behalf. For members who meet criteria for Special Assistance, they have a right to choose a designated representative (advocate) to assist them with treatment planning, discharge planning, and the SMI appeal, grievance, and investigation processes.

You can review your rights in the Arizona Administrative Code Title 9, Chapter 21, “Behavioral Health Services for Persons with Serious Mental Illness, R9-21: If your rights as an individual with an SMI designation have been violated, you have the option to:

- Tell your provider about the issue,
- File a grievance with your health plan, and/or
- File a written grievance or appeal a decision, including your recommended solution (you can contact the AHCCCS Office of Human Rights (OHR) at 1-800-421-2124 for more information).

The Arizona Health Care Cost Containment System (AHCCCS) is committed to ensuring the availability of timely, quality health care. If you know of an AHCCCS member who is unable to access health services, or if you have a concern about the quality of care, please call your AHCCCS health care plan's Member Services number. If your concern is not resolved, please call AHCCCS Clinical Resolution Unit at 602-364-4558, or 1-800-867-5308.