



Rights & Complaint Policy

It is the policy of the Bureau of Disabilities Services (BDS) and New Leaf Recreation, LLC that an individual's rights shall not be violated and shall be protected under penalty of the law.

Detailed Policy Statement:

1. A Provider's owners, directors, officers, employees, contractors, subcontractors and agents shall not Abuse, Neglect, Exploit, or mistreat an Individual or otherwise violate an Individual's rights.
2. Misappropriation of an Individual's funds shall be considered a violation of Individual's rights.
3. A Provider who delivers services through owners, directors, officers, employees, contractors, subcontractors or agents shall adopt policies and procedures that prohibit:
 - a. Abuse, Neglect, or Exploitation of an Individual; or
 - b. Violation of an Individual's rights.
4. Practices prohibited under this section include but are not limited to the following:
 - a. Corporal punishment inflicted by the application of painful stimuli to the body, which includes but is not limited to:
 - i. Forced physical activity;
 - ii. Hitting;
 - iii. Pinching;
 - iv. The application of painful or noxious stimuli;
 - v. The use of electric shock; or
 - vi. The infliction of physical pain.
 - b. Seclusion
 - c. Emotional/verbal abuse, including but not limited to communicating with words or actions in a person's presence with intent to:
 - i. Cause the individual to be placed in fear of retaliation;
 - ii. Cause the individual to be placed in fear of confinement or restraint;
 - iii. Cause the individual to experience emotional distress or humiliation;
 - iv. Cause others to view the individual with hatred, contempt, disgrace or ridicule;
 - v. Cause the individual to react in a negative manner.
 - d. A practice that denies an Individual any of the following without a physician's order:
 - i. Sleep.
 - ii. Shelter.
 - iii. Food.

- iv. Drink.
- v. Physical movement for prolonged periods of time.
- vi. Medical care or treatment.
- vii. Use of bathroom facilities.
- e. Work or chores benefiting others without pay unless:
 - i. The Provider has obtained a certificate from the US Department of Labor authorizing the employment of workers with a disability at special minimum wage rates;
 - ii. The services are being performed by an Individual in the Individual's own residence as a normal and customary part of housekeeping and maintenance duties; or
 - iii. An Individual desires to perform volunteer work in the community.
- 5. Aversive techniques intended to cause pain or other unpleasant sensation shall not be used to support individuals receiving waiver funded services. Examples include but are not limited to:
 - a. Contingent exercise
 - b. Contingent noxious stimulation
 - c. Corporal punishment
 - d. Negative practice
 - e. Overcorrection
 - f. Seclusion
 - g. Visual or facial screening
 - h. Any other technique that:
 - i. incorporates the use of painful or noxious stimuli;
 - ii. incorporates denial of any health related necessity; or
 - i. degrades the dignity of an Individual.

Definitions:

1. "Abuse" means:
 - a. Intentional or willful infliction of physical injury.
 - b. Unnecessary physical or chemical restraints or isolation.
 - c. Punishment with resulting physical harm or pain. Sexual molestation, rape, sexual misconduct, sexual coercion, and sexual exploitation.
 - d. Verbal or demonstrative harm caused by oral or written language, or gestures with disparaging or derogatory implications.
 - e. Psychological, mental, or emotional harm caused by unreasonable confinement, intimidation, humiliation, harassment, threats of punishment, or deprivation.
2. "BDS" means Bureau of Disabilities Services as created under IC 12-11-1.1-1.
3. "Contingent exercise" means required physical exercise after occurrence of an unwanted behavior;
4. "Contingent noxious stimulation" means administration of an unpleasant sensory agent following the occurrence of an unwanted behavior, directed at any of the following:
 - a. Sight;

- b. Hearing;
 - c. Touch;
 - d. Smell;
 - e. Taste.
5. “Corporal punishment” means intentional infliction of pain as consequence of an unwanted behavior;
 6. “Exploitation” means:
 - a. Unauthorized use of personal services, the property, or the identity of an individual; or
 - b. Any other type of criminal exploitation, including exploitation under IC 35-46-1-1; for one’s own profit or advantage, or for the profit or advantage of another.
 7. “Negative practice” means required practice of an unwanted behavior for extended period of time;
 8. “Neglect” means failure to provide supervision, training, appropriate care, food, medical care, or medical supervision to an individual.
 9. “Overcorrection” means repetition of appropriate behavior after occurrence of unwanted behavior;
 10. “Seclusion” means involuntary placement in a room or area alone, from which exit is prohibited.
 11. “Visual or facial screening” means the placement of a cloth or other material over the face and eyes blocking view of the environment;

New Leaf Recreation, LLC Complaint Policy:

Individuals with a complaint about the policies or practices of New Leaf Recreation, LLC’s agents are encouraged to file a complaint in writing or via telephone to the company owners; Kayci Irmscher, Taylor Stieb, Lori Schweyer at the contact information below. You will receive a response addressing your complaint within two weeks.

Address: Kayci Irmscher/Taylor Stieb/Lori Schweyer
New Leaf Recreation, LLC
104 E Collins Rd.
Fort Wayne, IN 46825

Telephone: (260) 267-5425

This policy is in compliance with the DDRS policy on the complaint reporting process.