

NON-COERCION POLICY*Chryenne Spitzler***OPS.076**

Approved By: Chief Operations Officer	Adopted Date: 7/15/2009
Distribution: All ODCHC Staff	Revision Date(s): 6/11, 4/13

PURPOSE

It is the purpose of this policy to inform all employees, contractors and volunteers that Open Door Community Health Centers abides by federal law which prevents the coercion of patients in any way, including coercion regarding abortion and sterilization procedures.

POLICY

Coercion is defined as any attempt, successful or not, to deny the patient her or his right to informed voluntary consent, either through verbal or written communication, pictures, other media, verbal or physical intimidation or other physical action or restraint. Coercion is defined to include any threatened or actual denial of benefits, access to services, or other rights normally available to all other patients. Coercion does not include the provision of objective information regarding the benefits and/or consequences of participation or non-participation in any medical treatment or procedure. In all cases, alternatives to any suggested or recommended medical treatment or procedure will be provided. Patients will be given the opportunity to have their questions and concerns addressed in a factual and objective manner. The voluntary consent of the patient is required for any family planning service or procedure.

Open Door Community Health Centers recognizes and abides by the fact that its employees may be subject to prosecution under Federal law should they coerce or endeavor to coerce any patient of Open Door Community Health Centers, or any other individual who inquires about ODCHC services, to undergo an abortion or sterilization procedure (e.g., tubal ligation, vasectomy). ODCHC recognizes its responsibilities to inform its employees, contractors and volunteers of this policy and the consequences of violating this policy.

PROTOCOL

Employees will provide documentation in the patient's medical record regarding the suggestion or recommendation of any family planning service or procedure and note that alternatives were discussed. Voluntary consent will be noted in the chart as necessary and obtained in writing for all invasive procedures. Patients provided with samples, supplies or prescriptions for contraceptives will be deemed to have granted consent by the acceptance of such samples and/or filling of prescriptions for such medications. The patient may choose to use such samples, supplies or prescriptions at their discretion. Patients will not be denied care of any kind should they choose not to use, fill or continue using any provided or prescribed medications; however, qualified medical personnel have the obligation to discuss the consequences of failure to follow treatment plans, including the use or non-use of any medications.

Failure to abide by this policy will result in appropriate disciplinary action by the ODCHC Human Resources Department in consultation with the Chief Medical Officer as necessary. Such disciplinary action may include termination from employment. Individuals who deliberately violate this policy may not be covered under ODCHC professional or general liability insurance policies for purposes of defense against Federal prosecution or other legal actions.

DISTRIBUTION

The ODCHC Human Resources Department will incorporate distribution and acknowledgement of this policy into its new employee orientation process, to be completed before any new employee, contractor or volunteer begins work for the corporation. A copy of the signed acknowledgement will be provided to the individual and maintained in the individual's personnel file.

ACKNOWLEDGEMENT OF RECEIPT OF NON-COERCION POLICY

I have been given a copy of the Non-Coercion Policy of Open Door Community Health Centers. I know that should I have questions regarding the content of this policy I may contact any site Medical Director, Chief Medical Officer, Chief Operations Officer, or Human Resources Director. I understand that, as an employee, contractor or volunteer of ODCHC, I am required to comply with the ODCHC Non-Coercion Policy and to report to appropriate ODCHC management staff any known or suspected violation of that policy. I understand that I may be subject to ODCHC disciplinary action, including termination of employment, for violation of this policy. I further understand that I may be subject to prosecution under Federal law for violation of this policy and the attempted or actual coercion of any individual to undergo an abortion or sterilization procedure.

Printed Name: _____ Title/Position: _____

✕ Signature: _____ Date: _____