State of Alabama
Mental Health Bill of Rights

Current with legislation from 2024 effective through July 1, 2024. Section 22-56-4 – Rights
Ala. Code § 22-56-4 (1975) Acts 1995, No. 95-744, p. 1690, §4.

Consumers of mental health services have the same general rights as other citizens of Alabama. These rights include but are not limited to the following:

1. The right to exercise rights as a citizen of the United States and the State of Alabama.
2. The right to be served through general services available to all citizens.
3. The right to choose to live, work, be educated, and recreate with persons who do not have disabilities.
4. The right to be presumed competent until a court of competent jurisdiction, abiding by statutory and constitutional provisions, determines otherwise.
5. The right to vote and otherwise participate in the political process.
6. The right to free exercise of religion.
7. The right to own and possess real and personal property. Nothing in this section shall affect existing laws pertaining to conveyance of real or personal property.
8. The right to make contracts.
9. The right to obtain a driver's license on the same basis as other citizens.
10. The right to social interaction with members of either sex.
11. The right to marry and divorce.
12. The right to be paid the value of work performed.
13. The right to exercise rights without reprisal.

In addition, the rights of consumers of mental health services within inpatient, residential, or outpatient settings include, but are not limited to, the following:

1. The right to access individualized mental health services.
2. The right to participate in the treatment planning process, with material involved in this process presented in language appropriate to the consumer's ability to understand.
3. The right to be accorded human respect and dignity on an individual basis in a consistently humane fashion.
4. The right to be fully informed, on an individual basis, when needed, concerning services provided, with information presented in a setting and in language appropriate to the consumer's condition and ability to understand.
5. The right to a statement of any applicable charges for mental health services, itemized when possible, and the right to be informed of any limitations placed on the duration of services.
6. The right to confidentiality of all information in the consumer's mental health, medical, and financial records.
7. The right to access upon request all information in the consumer's mental health, medical, and financial records, unless a clinical determination has been made by professional staff that access would be detrimental to the consumer's health.
8. For those consumers legally committed to facilities or programs, the right to be informed of one's commitment status including the requirements of the commitment, if any, and the length of the commitment.
9. The right to be free from any physical, verbal, sexual, or psychological abuse, exploitation, coercion, reprisal, intimidation, or neglect.

10. The right to make an individual, written decision to consent or refuse to participate in research or experimentation, based upon information which is presented in a non-threatening environment and in language appropriate to the consumer's condition and ability to understand. The information presented shall follow the General Requirements for Informed Consent as cited under the Code of Federal Regulations 45 C.F.R. 46.116, Department of Health and Human Services, National Institute of Health, Office for Protection from Research Risks: "Protection of Human Subjects."
11. The right to be informed specifically of the procedures for initiating a complaint or grievance procedure and the applicable appeals process, including the means of requesting a hearing or review of the complaint.
12. The right to be informed of the means for accessing advocates, ombudsmen, or rights protection services within the program and, as applicable, the State of Alabama mental health system, the Alabama Department of Human Resources, the federal advocacy system, and other advocacy services. Access must be allowed without reprisal.
13. The right to have access to courts and attorneys.
14. The right to enforce rights in a court of competent jurisdiction or appropriate administrative proceeding.
15. The right to use services in a safe and humane environment.
16. The right to be free from seclusion, physical restraints, drugs, or other interventions administered for purposes of punishment, discipline or staff convenience. Restraint, seclusion, or other intrusive treatments may be administered only in situations defined by established standards of medical care taking into consideration the health status of the individual and by applicable governing standards.
17. The right to refuse mental health services without reprisal except when refusals are not permitted under applicable law.
18. In residential or inpatient programs, the right to privacy.
19. In residential or inpatient programs, the right to have access to and privacy of mail, telephone communications, and visitors, unless legally restricted.
20. In residential or inpatient programs operated or certified by the State of Alabama, the right to adequate food and shelter.
21. In residential or inpatient programs operated or certified by the State of Alabama, the right to access dental and medical care, including vision and hearing services.
22. The right to conditions of mental health services which are supportive of each consumer's personal liberty and restrict liberty only to the extent necessary, consistent with each consumer's treatment needs, applicable requirements of law, and applicable judicial orders. This right applies to general rights within a clinical setting as well as to specific rights enumerated in subsection (b).

For those individuals legally committed to mental health services operated by the State of Alabama or community or regional mental health centers, the right to inclusion in the community with appropriate and adequate supports, on completion of or in conjunction with the terms of commitments.