

EDUCATION AND TRAINING

Training of staff and patients is not only a statutory duty of advocates; it is an important tool for developing understanding of and compliance with Patients' Rights. One of the most effective ways to ensure compliance with patients' rights is through provider education. As mentioned above, advocates have a statutory duty to provide training and education to mental health providers in the area of rights and mental health law. By taking advantage of this role, advocates can be proactive rather than merely responding to complaints as they arise.

Training can be formally organized for groups or can be informal technical assistance. Advice may be offered in person, by phone or in writing on how to handle a specific issue. Working one-to-one or in small groups can be one of the most effective ways of imparting information.

The key to effective training is to make it interesting and relevant to the particular audience. This may require variations in style, language, pacing, emphasis and materials.

Specific Techniques

- Incorporate the patient perspective; include a patient in presentations to staff.
- For patients and staff, refer to institutional realities and include practical strategies for problem resolution.
- Develop multiple perspective training programs that include both legal and clinical standards and procedures for staff.
- Make the training component on legal requirements concrete and how to.
- Emphasize a few key points. Incorporate concepts and resources from other successful training programs. Integrate case examples into the training.
- Use role playing and question/answer to illustrate standards and demonstrate techniques
- Encourage that staff who work together are trained together.

- Allow for an opportunity for staff and patients to talk openly about their concerns and discuss their own attitudes, perceptions, and opinions.
- Provide time for questions. Use consultants with expertise in the field to provide the training.
- Vary presenters.
- Provide materials and/or things to look at.
- Involve the audience.
- Move around.
- Use creative training approaches.
- Work toward a natural style.

Steps to Develop an Effective Training

Getting up in front of a group of people to provide training is a challenging advocacy task. The more training you do, the more comfortable it becomes.

First, develop an outline for the training. Include the basic material you want to cover, case examples, questions to the audience and points where handouts are distributed. Decide whether or not to allow questions throughout the presentations or after each section. Rehearse the training out loud to yourself if it's your first time.

Second, make sure that you feel comfortable with your material. Remember, if you don't know the answer to a question you can always get back to the person later. While you are reviewing your materials, look for potential handouts, case examples and visual aids to use in the training.

Third, assess your audience and their perspective. Identify their interests and incentives and direct your training to meet them. Modify language, examples and instructions according to audience characteristics.

Sample Training Topics:

- ∑ The Commitment Process
- ∑ Patients' Rights: Observance and Denial
- ∑ Informed Consent and Capacity Hearings

- ∑ Avoiding Seclusion and Restraint with Less Restrictive Interventions
- ∑ Patients' Rights to Participate in Assessment and Treatment Planning
- ∑ Confidentiality of Mental Health Information
- ∑ Conservatorship: Process and Protections
- ∑ Medical Treatment Decision Making

Client Education and Self Advocacy

Advocates must also work to provide information to and increase participation of clients in advocacy services by keeping their clients fully informed about advocacy activities.

Advocates should seek to promote peer and self advocacy in their communities.

- Peer advocacy is clients supporting and assisting each other in advocacy activities.
- Self advocacy is the client taking on his/her own representation.

Both processes recognize that clients' unique expertise - their experience with the problems they are attempting to resolve and the energy and commitment built through personal experience - are valuable, special qualities of good advocacy work.

The following is an excerpt from Lori Shepard - "Description of Self Advocacy" *Introduction to Self Advocacy* (PAI, 1998):

"Self advocacy is different from the traditional form of advocacy services. In a regular advocacy program, you would give your complaint to the advocate and the advocate would take the issue to the appropriate authorities for you and follow whatever due process or appeals might be necessary to get you your desired goal, then report back to you when the issue has been resolved.

In a self advocacy program the goal is for you to decide what it is you want, find out how to go about getting what you want, develop a plan and carry that plan out. This might include learning new skills, utilizing others to get what you want and seeking assistance from those in a position to assist you. You may learn some of the skills necessary to successfully advocate for yourself from a Patients' Rights Advocate or another person who has experienced similar problems. In self-

advocacy, the role of the advocate becomes a supportive one of helping you learn strategies and skills necessary to resolve your problem such as: "Who do you approach first?" "How do you negotiate?" The advocate may assist you to learn listening, negotiation, problem solving or assertiveness skills. A major goal of self-advocacy is to empower you to speak for yourself and participate in decisions effecting your life."

Training for Advocates

The California Office of Patients' Rights is responsible for providing training, technical assistance and support to County Patients' Rights Advocates. The Office can provide training materials upon request to all counties experiencing a change in advocacy staff, is available to assist in answering questions from advocates, and administers an e-mail list-serve that patients' rights advocates can use to query other advocates about issues that arise in their work. In addition the Office creates and distributes quarterly mailings containing a patients' rights directory of all Title 9 advocates as well as pertinent updates on patients' rights issues to all county advocacy programs. The Office also conducts an annual statewide training in patients' rights and mental health law with topics selected in consultation with the Department of Mental Health, county advocates.

Being an effective Patients' Rights Advocate requires a great deal of self education. Advocates can increase their knowledge by actively seeking out and reading materials related to patients' rights and mental health law and creating their own library, observing other advocates, participating in regional advocacy coalitions and maintaining an exchange of information with other advocacy, client, and family member groups.