

# Mental Health & Human Services Telephone Consultation Service (TCS)

## » WHAT IS TCS?

The Law Offices of Nye & Associates, Ltd., attorneys to Health and Human Services Professionals and their clients, offer legal consultation by telephone to individual health, mental health, and social service professionals for a yearly fee. Piece of mind at your fingertips! Membership is available for individuals, group practices, institutions, not-for-profit agencies, EAPs, and formal or informal associations. The emphasis of the service is on primary prevention of professional liability, risk avoidance and loss containment. Ready access to information on the law of practice minimizes legal risk and maximizes opportunities to use the law creatively to enhance care delivery. Subscribers have unlimited telephone consultation privileges and their attorney can also phone us at their request.

## » HOW THE SERVICE OPERATES:

The Firm will provide to subscribers unlimited telephone consultation on legal aspects of health, mental health and social services delivery, including mental health laws and related issues as described below. Service hours are generally from 9 a.m. to 5 p.m. weekdays, except legal/court holidays, however an emergency number is made available when staff is available to answer.

## » WHAT IS COVERED IN THE TCS CONTRACT

### Phone consultations regarding:

#### Managed Care Issues

- \* Contract questions
- \* Liability

#### Professional Licensure and Credentialing

- \* Contract situations, applications, and denial of privileges
- \* Utilization review
- \* Disciplinary proceedings: state, institutional, and professional associations
- \* Anti-trust/ inter-professional competition issues
- \* Right to Practice
- \* Advertisements
- \* Unauthorized practice
- \* The "new health professions" and their relationships with each other, the "old" professions, the state and institutions
- \* Hospital privileges and anti-trust issues

#### Confidentiality and Clinical Records

- \* What to record and what not to
- \* How long to keep records
- \* Access to records: patients and others
- \* Alteration of Records
- \* Consent to disclose
- \* Breach of Confidentiality
- \* Privileged communications; how to protect patients' information
- \* Reporting laws; duty to disclose
- \* Family records; children's records
- \* Parents' and children's rights
- \* Sexual, parental, and reproductive rights
- \* Consent and medical emergencies
- \* Child abuse and neglect cases

#### Patients' Rights and Clinical Responsibilities

- \* Informed consent
- \* Competency; guardianship
- \* Involuntary treatment
- \* Right to obtain or refuse care; including medication
- \* Parent and children's rights
- \* Sexual, parental, and reproductive rights
- \* Consent and medical emergencies

#### Malpractice Avoidance

- \* Proper record-keeping
- \* Dangerous patients
- \* Child abuse and neglect issues
- \* Intrusive treatments
- \* Medication
- \* Abandonment
- \* Liability for trainees, students, and supervisees
- \* Assault and battery; use of force with patients
- \* Liability for patient's injury of third persons; duty to warn or otherwise act
- \* Informed Consent
- \* Insurance and how to use it

#### The Clinician in the Courtroom

- \* Testifying in court
- \* What to do if a subpoena comes
- \* Writing reports for court
- \* Being an "expert witness"
- \* Divorce and custody cases
- \* Commitment and competency hearings

## » WHAT IS NOT INCLUDED IN THE TCS CONTRACT

Correspondence between The Law Offices of Nye & Associates, Ltd. and the TCS member or any third party, cases requiring fact investigation, record or document review, personal interviews, legal research and document preparation, representation in litigation, negotiation and drafting of documents, development or alteration of practice structure, representation in administrative or investigative hearings or other dispute processes are not included. Upon request these and other legal services are available from our office or by referral to a local law firm on an hourly fee or retainer basis. Once an issue requires such work, all time involving the case will be billed at a fee which is discounted by \$50.00 from our normal attorney hourly fees.

## » USING THE SERVICE

Upon receipt of your subscription fee, you or your agency will be enrolled as a subscriber and you will be entitled to unlimited calls regarding matters outlined in the "what's covered" section of this document. You and/or your staff may immediately start using the service. Simply instruct your authorized staff member to phone the TCS number and identify her/hi-self as a TCS member or a staff member of a subscribing agency. S(he) will be connected to a TCS staff member who will take the inquiry. In most instances, an immediate answer will be forthcoming; occasionally, a brief review of the statutes or consultation with a supervisor will be necessary, in which event you will be called back as soon as possible.

## » SUBSCRIPTION FEES

Individual \$185.00

### Agency, Group Practice, Educational, & EAP's:

2-4 professionals	\$390.00
5-10 professionals	\$825.00
11 and More	\$95.00 per

**Law Offices of Nye & Associates, Ltd.**  
**Telephone Consultation**  
**Service Agreement**

Send to: 1672 Barclay Blvd., Buffalo Grove, Illinois 60089 or  
 Fax: 847-279-0337

I(We) hereby enroll in the Nye & Associates, Ltd. Telephone Consultation Service. I(We) have read and understand the terms of the Telephone Consultation Service incorporated hereby in this agreement. I(We) understand that the service will commence upon receipt by the Service of this application and accompanying check or credit card payment for a one-year subscription.

\_\_\_\_\_  
 Name of Agency/Practice Telephone Number

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City State Zip

\_\_\_\_\_  
 Executive Director Clinical Director

\$ \_\_\_\_\_ \$ \_\_\_\_\_  
 Agency Annual Budget Annual Fee (per schedule)

**Major Agency/Practice Programs**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> In-Patient       | <input type="checkbox"/> Out-Patient     | <input type="checkbox"/> Rehabilitation |
| <input type="checkbox"/> Habilitation     | <input type="checkbox"/> Substance Abuse | <input type="checkbox"/> Adults         |
| <input type="checkbox"/> Aged             | <input type="checkbox"/> Children        | <input type="checkbox"/> Adolescents    |
| <input type="checkbox"/> Day Hospital     | <input type="checkbox"/> Home Visits     | <input type="checkbox"/> ER             |
| <input type="checkbox"/> Crisis Line      | <input type="checkbox"/> M.H. Center     | <input type="checkbox"/> Residential    |
| <input type="checkbox"/> Private Practice | <input type="checkbox"/> Group Practice  |   |
| <input type="checkbox"/> Fam. Service     |  |   |
| <input type="checkbox"/> Extended Care    | <input type="checkbox"/> Other _____     |   |

**General Staffing (how many)**

- |   |   |
|---|---|
| <input type="checkbox"/> General Physicians     | <input type="checkbox"/> Psychiatrists  |
| <input type="checkbox"/> Clinical Psychologists | <input type="checkbox"/> Social Workers |
| <input type="checkbox"/> Guidance Counselors    | <input type="checkbox"/> Nurses         |
| <input type="checkbox"/> Other _____            |   |

(If paying by charge card)

Date: \_\_\_\_\_ \*Exp. Date: \_\_\_\_\_

\*Visa/MasterCard No. \_\_\_\_\_

\_\_\_\_\_  
 Authorized Signature

\* If paid by VISA/MasterCard, the issuer of the card identified on this item is authorized to pay the amount shown as the annual fee identified above upon proper presentation. I agree to pay such fee (together with any other charges due thereon) subject to and in accordance with the agreement so governing.

THIS DOCUMENT CONTAINS ADVERTISING MATERIALS



**The Law Offices of Nye & Associates, Ltd.**

**Mental Health &  
 Human Services  
 Legal Telephone  
 Consultation Service  
 (TCS)**



**The Law Offices of Nye & Associates, Ltd.**

111 N. Wabash, Ste. 1805, Chicago, Illinois 60602  
 1672 Barclay Blvd., Buffalo Grove, Illinois 60089  
 847-279-0026 Fax: 847-279-0337  
 E-Mail office@nyelawyer.com