

No. 497/2003

Act on Cooperation on Client Services within Rehabilitation

Adopted in Helsinki on 13 June 2003

Chapter 1 – General Provisions

Section 1

Aim and scope of application

- (1) The aim of this Act is to help rehabilitees to obtain the rehabilitation services needed by them and for that purpose to promote the cooperation of relevant authorities and other organisations and institutions in situations that require measures by several organisations organising rehabilitation. The purpose of this Act is also to promote the status of the rehabilitees and their involvement in the handling of their matters concerning rehabilitation.
- (2) The Act provides for the principles regarding the cooperation of different administrative sectors and the client's status as well as for the procedures to be observed in that cooperation.

Section 2

Forms of cooperation

- (1) Social welfare and health care authorities, employment and educational authorities and the Social Insurance Institution shall cooperate with each other at the local, regional and national level. These authorities shall also cooperate with other organisations organising rehabilitation.
- (2) Cooperation on client services is primarily carried out as a part of the usual activities of the relevant authorities. Furthermore, cooperation is carried out in local, regional and national cooperation bodies. Provisions on those bodies are laid down below.

Section 3

Definitions

- (1) For the purposes of this Act:
 - 1) *rehabilitee* means a person who seeks, needs or uses rehabilitation services and whose rehabilitation presupposes cooperation referred to in this Act between the authorities, other organisations or institutions organising it in order to maintain or restore the person's work ability or functional capacity, to organise necessary education or training, to support access to employment, or to provide income security for the period of rehabilitation; and
 - 2) *cooperation on client services* means activities that involve agreeing on the principles and procedures for the mutual cooperation of authorities and service-providers and seeking solutions to satisfy the rehabilitees' rehabilitation needs.

Section 4

Relation to other legislation

- (1) This Act refers to cooperation on client services within rehabilitation unless otherwise laid down by statute.
- (2) Obligations concerning the cooperation of rehabilitation providers are subject to separate provisions.
- (3) A decision on rehabilitation is made by the organisation responsible for organising rehabilitation subject to separate provisions. Each organisation involved in the activity is itself responsible for covering the costs caused by the cooperation on client services.

Chapter 2 – Local Cooperation

Section 5

Cooperation groups for client services within rehabilitation

- (1) The municipal authorities shall see to it that there is a cooperation group for client services within rehabilitation operating appropriately within the municipality. The municipal authorities appoint the cooperation group for a term of four years at a time and inform the municipal inhabitants, other authorities and rehabilitation providers about the activities and composition of the group.
- (2) Several municipalities may agree on having a joint inter-municipal cooperation group.

Section 6

Composition of the cooperation group

- (1) The cooperation group for client services within rehabilitation shall be composed of representatives appointed by the social welfare, health care, educational and employment authorities, the Social Insurance Institution and other appropriate organisations, at least one representative per each. If a representative dies during his/her term of office, the organisation represented by him/her shall appoint a new representative.
- (2) The cooperation group may be divided in sub-groups for the handling of matters.
- (3) The cooperation group shall, as necessary, also invite to its meetings representatives of other authorities, accident, motor liability and earnings-related pension insurance schemes, employers and employees, as well as of other organisations and institutions. Furthermore, it may consult other experts.

Section 7

Tasks of the cooperation group

- (1) The task of the cooperation group for client services within rehabilitation is to develop the forms of cooperation between the authorities, other organisations and institutions referred to in this Act, agree on the principles and procedures for the mutual cooperation of authorities and service providers, manage the exchange of information necessary for the cooperation and deal

with other joint matters regarding the organisation of rehabilitation. The cooperation group plans, promotes and monitors the rehabilitation of clients.

- (2) The cooperation group for client services also deals with matters related to cooperation on client services for individual rehabilitees. The group shall evaluate different service options in order to find the solution that will meet the rehabilitee's rehabilitation needs, plan the services and exchange information relating to that.
- (3) The cooperation group will, as necessary, assist in drawing up the rehabilitation plan referred to in other provisions concerning rehabilitation.

Section 8

Handling of matters

- (1) Rehabilitees have the right to have a matter concerning the cooperation on their rehabilitation handled in the cooperation group for client services. Also the authority, other organisation or institution referred to in this Act has the right to have the matter concerning an individual rehabilitation of a rehabilitee handled in the cooperation group.
- (2) The cooperation group must have the rehabilitee's written consent to handling a matter concerning cooperation on client services in regard to the rehabilitation of an individual rehabilitee. The matter must be dealt with in the cooperation group without delay. If the request for handling is probably unfounded, the matter need not be taken up for consideration.
- (3) The cooperation group shall ensure that a contact person familiarised with rehabilitation has been appointed for the rehabilitee in consultation with him/her. If necessary, the cooperation group will appoint the contact person.
- (4) The handling of a matter and information concerning rehabilitees is subject to the provisions of the legislation on administrative practices, the Language Act (148/1922), the Act on the Openness of Government Activities (621/1999) and the Personal Data Act (523/1999). The cooperation group is as the keeper of the register responsible for the handling of the personal data produced in the course of the group's work.

Section 9

The client's status in handling his/her matter

- (1) The cooperation group may not give a statement to authorities or another organisation or institution without the rehabilitee's written consent.
- (2) The rehabilitee has the right to be consulted in his/her matter and to take part in its handling in the cooperation group for client services. The group may upon written consent by the rehabilitee also consult persons close to the rehabilitee.
- (3) The rehabilitee must be given information about the rehabilitation options and other circumstances related to rehabilitation. The provisions in sections 26 – 28 of the Personal Data Act apply to the rehabilitee's right to check the data concerning him/herself in the person register.
- (4) The rehabilitee's individual needs shall be taken into account in the handling of the matter.

Section 10

Receiving, supplying and retaining of information

- (1) Anyone who receives information on a rehabilitation client in the context of a matter referred to in section 8 or 9 is responsible for keeping it confidential as laid down in the Act on the Openness of Government Activities.
- (2) The cooperation group and the contact person referred to in section 8 (3) have the right of access to the information subject to confidentiality on the rehabilitee in accordance with the rehabilitee's consent.
- (3) In addition to what is provided in the Act on the Openness of Government Activities the information subject to confidentiality on the rehabilitee may be supplied to third parties only by the rehabilitee's written consent.
- (4) After the handling of the matter has been completed the documents concerning an individual rehabilitee are filed as a separate file at the relevant municipal health centre. The health centre is responsible for supplying and other handling of information in the filed documents as laid down in this Act. The documents shall be retained for ten years from the date of concluding the handling of the matter.

Chapter 3 – Regional cooperation

Section 11

Cooperation committees for client services within rehabilitation

- (1) The State Provincial Offices shall appoint a cooperation committee for client services within rehabilitation for each hospital district for a term of four years at a time. There may be a joint committee for several hospital districts.
- (2) The task of the Provincial State Offices is to coordinate the work of the committees within their territory.

Section 12

Composition of the cooperation committee

- (1) The cooperation committee for client services within rehabilitation consists of representatives appointed by relevant social welfare and health care authorities, nongovernmental organisations representing rehabilitation clients, other organisations and institutions operating in the rehabilitation sector, educational and labour administration, and the Social Insurance Institution.
- (4) The cooperation committee shall, as necessary, also invite to its meetings representatives of other authorities, accident, motor liability and earnings-related insurance schemes, other organisations and institutions as well as of employers and employees. Furthermore, it may consult other experts.

Section 13

Tasks of the cooperation committee

- (1) The cooperation committee for client services within rehabilitation shall plan, promote and monitor the cooperation of authorities and other organisations and institutions in accordance with this Act, as well as deal with questions concerning cooperation on client services that are important as a matter of principle.
- (2) Furthermore, the committee shall promote the work of the local cooperation groups and organise necessary guidance and training.

Chapter 4 – Cooperation at the national level

Section 14

Advisory Board for Rehabilitation

- (1) The Advisory Board for Rehabilitation in conjunction with the Ministry of Social Affairs and Health is appointed by the Government for a term of four years at a time. Its task is to guide, develop and coordinate the activities of the relevant authorities, organisations and institutions as well as of the regional committees for client services within rehabilitation.
- (2) More detailed provisions on the Advisory Board for Rehabilitation are laid down by Government Decree.

Chapter 5 – Miscellaneous provisions

Section 15

Rules of procedure

- (1) The cooperation groups referred to in section 5 and the cooperation committees referred to in section 11 shall adopt for themselves rules of procedure including provisions on the convening of meetings, manner of work, decision procedures and other circumstances necessary for a proper management of tasks.

Section 16

Breach of the confidentiality obligation

- (1) The punishment for breach of the confidentiality obligation laid down in section 10 (1) is imposed according to Chapter 38, section 1 or 2, of the Penal Code (39/1889) unless the act is punishable under Chapter 40, section 5, of the Penal Code, or if no severer punishment is laid down for it elsewhere.

Section 17

Entry into force

- (1) This Act enters into force on 1 October 2003.

- (2) This Act repeals the Act on Cooperation in Respect of Client Services of 27 March 1991 (604/1991) with amendments and the Decree on the Advisory Board for Rehabilitation (878/1991) issued in virtue of it on 31 May 1991.
- (3) The cooperation groups and committees for client services within rehabilitation and the Advisory Board for Rehabilitation that were set up before the entry into force of this Act continue as bodies referred to this Act. Any changes required by this Act in respect of them shall however be made within one year from the entry into force of this Act.
- (4) Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.