


RECIPIENT RIGHTS

CHAPTER: 1	SECTION: 1	SUBJECT: RECIPIENT RIGHTS
TITLE: RECIPIENT RIGHTS OFFICE AND STAFF		
DATE OF ORIGIN: 9/5/1984	REVIEWED DATES: 12/15/1995, 7/29/1999, 3/14/2002, 6/20/05, 5/7/08, 3/1/10, 3/28/11, 7/23/12, 3/25/13, 3/17/14, 3/23/15, 3/28/16, 3/20/17, 6/25/18, 6/24/19, 3/23/20, 3/22/21, 3/28/22, 3/27/23	
LAST REVISED/EFFECTIVE DATE: 03/23/2020		
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

- I. **PURPOSE:**
To establish policy and procedure concerning recipient rights of consumers of Agency services.
- II. **APPLICATION:**
All Community Mental Health of Ottawa County (CMHOC) staff and contract agency staff as specified by contract.
- III. **DEFINITIONS:**
N/A
- IV. **POLICY:**
It is the policy of CMHOC to uphold and protect the rights of all consumers of Agency operated and contracted programs as mandated by the Michigan Mental Health Code, Administrative Rules, and the Michigan Department of Health and Human Services (MDHHS) policies.
- V. **PROCEDURE:**
 - A. A representative from the Office of Recipient Rights will be available to staff and consumers by email and cell phone as needed for emergency consultation (i.e., reporting abuse, neglect, or death).
 - B. In matters of apparent violations of rights, guaranteed by Chapter 7 of the Michigan Mental Health Code, the office will do the following: receive reports; conduct investigations or interventions; act to resolve disputes relating to apparent violations; act on behalf of consumers of mental health services to obtain remedy for any apparent violations; and otherwise endeavor to safeguard these rights.
 - C. The Office of Recipient Rights will have unimpeded access to all of the following:
 - a. All programs and services operated by or under contract with CMHOC.
 - b. All staff, interns and/or volunteers employed by or under contract with CMHOC.
 - c. All staff who are employed by consumers/guardians through self-determination.
 - d. All evidence necessary to conduct a thorough investigation or to fulfill its monitoring function, including being able to interview recipients from other counties.
 - D. The Director of Recipient Rights and the Recipient Rights Officer (if applicable) shall:

- Be an employee of CMHOC or under contract to the Community Mental Health Board.
 - Have no direct service responsibilities.
 - Be subordinate only to the Community Mental Health Executive Director.
 - Have the education, training, and experience to fulfill the responsibilities of the office, as specified in the specific job descriptions.
- E. All recipient rights staff (i.e., rights director, rights officer, alternate) will attend and successfully complete ORR Basic Skills Training programs offered by the Michigan Department of Health and Human Services – Office of Recipient Rights within three (3) months of hire (including those contractual agencies/hospitals allowed/required to establish their own rights system).
- F. The Office of Recipient Rights staff will receive annual training in recipient rights protection, new laws, policies and procedures, and assure agency and contract agency staff is kept informed of such.
- G. The Recipient Rights Officers will comply with the continuing education requirements identified in the contract attachment. Recipient Rights Officer will acquire at least three (3) continuing education credits each calendar year.
- H. A minimum of twelve of the required thirty-six hours of continuing education requirements will be approved as either Category I or II.
- I. Administrative functions of the Office of Recipient Rights involve assuring that adequate policies and procedures are in place to guarantee rights of consumers are not violated.
- J. Training for staff/contractual staff in the Community Mental Health system will be provided to help ensure all persons who work with consumers are aware of these rights.
- K. The Office of Recipient Rights will serve as a resource for educating the public concerning the rights of mental health consumers.
- L. Consumers, parents of a minor, guardians or other legal representatives are notified of their rights guaranteed by Chapter 7 and 7A of the Mental Health Code in an understandable manner, both at the time services are initiated and annually thereafter. This will be accomplished by way of a verbal explanation as well as offering/providing written summaries of Chapter 7 and 7A.
- M. The Office of Recipient Rights will be funded adequately to assure these mandates are accomplished. The funding will be reviewed annually by the Recipient Rights Advisory Committee.

VI. ATTACHMENT:

N/A

VII. REFERENCE:

Michigan Department of Community Health Standards for Mental Health: Section 1, Chapter 8
 MDHHS Administrative Rules
 Michigan Mental Health Code
 MDHHS-ORR Attachment B
 MDHHS/CMHSP Contract Attachment C.6.3.2.3A