


CHAPTER: 1	SECTION: 14	SUBJECT: RECIPIENT RIGHTS
TITLE: TREATMENT BY SPIRITUAL MEANS		
EFFECTIVE DATE: 12-31-86	REVISED DATE: 9/9/99, 2/22/02, 4/24/02, 9/25/02, 6/20/05, 5/9/08, 6/27/11, 9/20/12, 6/24/13, 3/17/14, 3/23/15, 3/28/16, 3/20/17, 6/25/18, 6/24/19, 6/22/20, 7/26/21	
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

I. PURPOSE:

To define policy and procedures for consumers to request treatment by spiritual means.

II. APPLICATION:

All Community Mental Health of Ottawa County (CMHOC) providers and contract providers as specified by contract.

III. DEFINITIONS:

Nearest relative includes spouse, parents, adult children and siblings, whether natural or adopted, or in their physical absence, another blood relative deemed to be in close association with a consumer.

Treatment by spiritual means encompasses a spiritual discipline or school of thought upon which a consumer wishes to rely on to aid physical or mental recovery.

IV. POLICY:

It is the policy of CMHOC to assure consumers of mental health services are permitted to access treatment by spiritual means by request, at the request of the consumer, parent of a minor child, or guardian. It is also the policy of CMHOC to refer consumers to their own minister, local church of their choice, or to the interfaith council.

V. PROCEDURE:

- A. At the consumer's expense, he/she will have access to printed, recorded, or visual material essential or related to the treatment by spiritual means and to a symbolic object of similar significance.
- B. A consumer will be allowed to practice his/her spiritual beliefs providing:
 - 1. his/her practice is not deemed harmful to his/herself or others.
 - 2. that his/her practice incurs no expense to the program.
 - 3. his/her practice does not interfere with the treatment program, or violate the rights of others in the program.
 - 4. that his/her practice does not violate the law or court orders.

- C. CMHOC shall insure the right to treatment by spiritual means by adopting policies and procedures which include all of the following:
1. Recourse to court proceedings when there is refusal of medication or other treatment for a minor.
 2. Notice to the requesting person of a denial of a request and the reasons for denial.
- D. Opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as consumers are permitted to see private physicians and mental health professionals.
- E. The "right to treatment by spiritual means" includes the right of consumers, guardians, or parents of a minor to refuse medication, or other treatment, if:
- on spiritual grounds which predate the current allegations of mental illness or disability,
 - there is no court order empowering the guardian or facility to make those decisions, or
 - when the consumer is not imminently dangerous to self or others
- F. The right to treatment by spiritual means does not include the right:
- a. To use mechanical devices or chemical or organic compounds which are physically harmful.
 - b. To engage in activity prohibited by law.
 - c. To engage in activity which physically harms the consumer or others.
 - d. To engage in activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the consumer.
- G. If a minor's refusal of either medication or treatment poses a danger to either the minor or others, a petition will be made to the probate court to secure a court order for treatment.
- H. If a request for treatment by spiritual means is denied, written notice will be given to the consumer, parent of a minor, or legal guardian, with an explanation for the denial.
- I. A denial of treatment by spiritual means by providers may be appealed to the Office of Recipient Rights at the option of the person requesting treatment.

VI. ATTACHMENT:

None Applicable

VII. REFERENCE:

MDHHS Administrative Rules
Michigan Mental Health Code
MDHHS-ORR Attachment B