


CHAPTER: 1	SECTION: 21	SUBJECT: RECIPIENT RIGHTS
TITLE: COMMUNICATION: MAIL, TELEPHONE, & VISITING RIGHTS		
EFFECTIVE DATE: 12/31/86	REVISED DATE: 9/13/99, 3/14/02, 6/20/05, 5/29/08, 8/3/09, 9/26/11, 12/17/12, 12/16/13, 9/22/14, 9/28/15, 12/19/16, 10/16/17, 12/17/18, 12/16/19, 09/28/20, 09/29/21	
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

- I. **PURPOSE:**
To establish policy and procedure to define consumer's right to access telephone, mail, and visitors.

- II. **APPLICATION:**
All Community Mental Health of Ottawa County (CMHOC) staff, volunteers, and contract agency staff, as specified by contract.

- III. **DEFINITIONS:**
None Applicable

- IV. **POLICY:**
It is the policy of CMHOC to assure that all consumers will have reasonable access to private telephone conversations, private, unopened, uncensored mail, and visitation rights except when limited in the consumer's plan of service.

- V. **PROCEDURE:**
 - A. **Mail:**
 - 1. Programs assisting with mail shall provide to a consumer, unless otherwise restricted, all of the following:
 - a. Correspondence via mail shall be conveniently and confidentially received and mailed.
 - b. Daily distribution of mail (within 24 hours of receipt).
 - c. Non-letterhead stationery, envelopes, and pens or pencils, and postage upon request in reasonable amounts.
 - d. A postal box or daily pickup and deposit of mail.
 - 2. Mail for a consumer or outgoing mail from a consumer shall not be opened, destroyed, or delayed unless one of the following conditions are met:
 - a. Without written consent of the consumer, a legally empowered guardian, or the parent of a minor.
 - b. There is reasonable belief that the mail is in violation of an authorized limitation in the consumer's written plan of service.
 - 3. Instances of opening or destruction of mail by staff shall be recorded and placed in the consumer's record.
 - 4. A consumer's right to communicate by mail shall not be further limited except as authorized in the consumer's plan of service.

B. Telephone:

1. Telephones shall be reasonably accessible.
2. Funds for telephone usage will be available in reasonable amounts.
3. A consumer shall be able to place and receive telephone calls and to talk on the telephone in private.
4. A consumer's right to communicate by telephone shall not be further limited except as authorized in the consumer's plan of service.

C. Visits:

1. A consumer shall be able to have visitors he or she wishes to see.
2. Space will be made available for visits.
3. A consumer's right to receive visitors shall not be further limited except as authorized in the consumer's plan of service.

D. Limitations:

1. Reasonable times and places for the use of telephones and for visits may be established and if established, will be in writing and authorized in the consumer's plan of service.
2. Any limitations on a consumer's right to private phone calls, mail, and visitors will be decided through the person centered planning process and be included in the plan of service.
3. Mail, calls to or from, and visits from a consumer's private physician or attorney, a mental health professional, a court, or other person when the communication is or may be the subject of legal inquiry shall not be limited.
 - a. "Legal inquiry" includes any matter concerning civil, criminal, or administrative law.
 - b. A consumer's request to see their private physician or legal counsel will be promptly facilitated by program staff.
 - c. Non-emergency visits of a private physician or mental health professional may be limited to reasonable times which do not seriously tax the effective functioning of the program.
4. A consumer may voluntarily limit incoming phone calls or visits while working to stabilize a crisis or for other personal reasons.

VI. ATTACHMENT:

None Applicable

VII. REFERENCE:

Michigan Mental Health Code
MDHHS-ORR Attachment B