

AGENDA

BAY ARENAC BEHAVIORAL HEALTH BOARD OF DIRECTORS RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE MEETING

Thursday, June 6, 2024 at 5:00 pm

Behavioral Health Center, Room 225, 201 Mulholland Street, Bay City, MI 48708

Committee Members:	Present	Excused	Absent	Committee Members	Present	Excused	Absent	Others Present:
Patrick McFarland, Ch	_____	_____	_____	Toni Marie Reese	_____	_____	_____	BABH: Melissa Prusi, Chris Pinter, and Sara McRae
Sally Mrozinski, V Ch	_____	_____	_____	Laurie Van Wert	_____	_____	_____	
Robert Bowers	_____	_____	_____	Robert Pawlak, Ex Off	_____	_____	_____	
Kathy Niemiec	_____	_____	_____	Richard Byrne, Ex Off	_____	_____	_____	
Justin Peters	_____	_____	_____					Legend: M-Motion; S-Support; MA-Motion Adopted; AB-Abstained

	Agenda Item	Discussion	Motion/Action
1.	Call To Order & Roll Call		
2.	Public Input (Maximum of 3 Minutes)		
3.	Advisory Committee Report 3.1) Executive Summary of Complaints Through May 31, 2024		3.1) No action necessary
4.	Training 4.1) Denial of Services 3-2-7 4.2) Investigation Scenarios		4.1) No action necessary 4.2) No action necessary
5.	Unfinished Business 5.1) None		
6.	New Business 6.1) June Site Visits		6.1) No action necessary

AGENDA

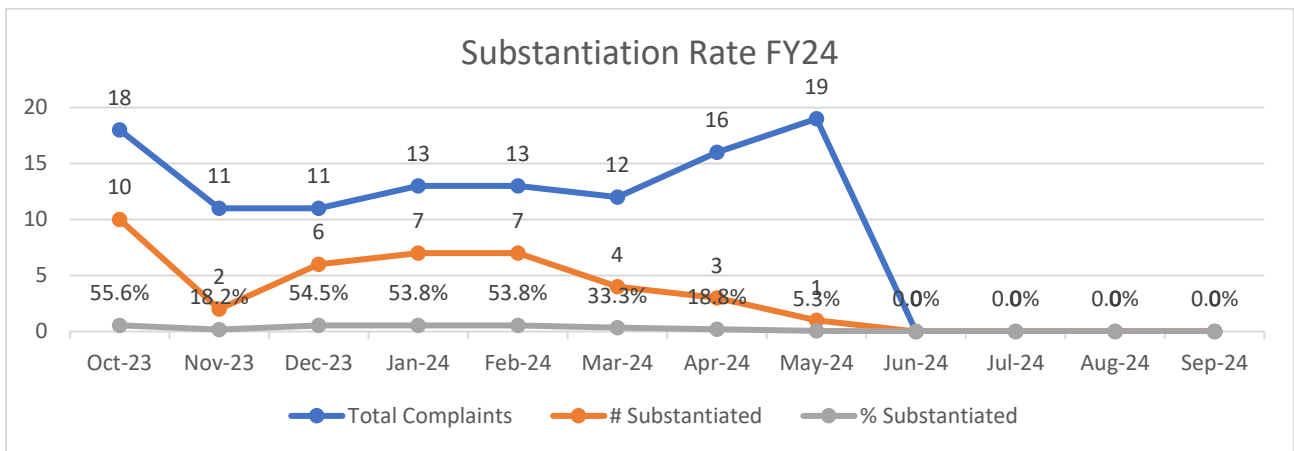
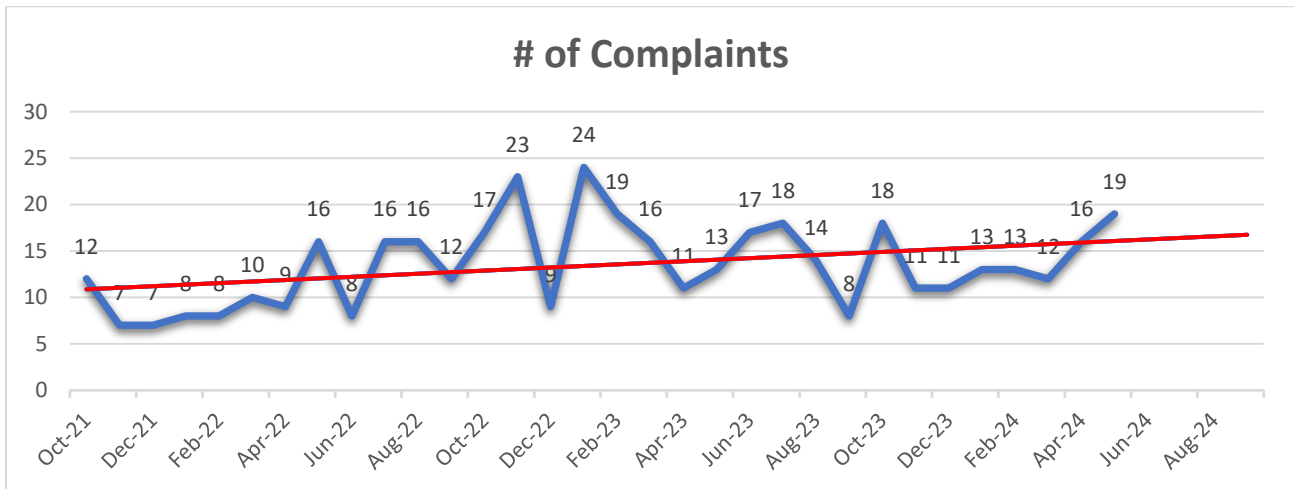
BAY ARENAC BEHAVIORAL HEALTH
BOARD OF DIRECTORS
RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE MEETING
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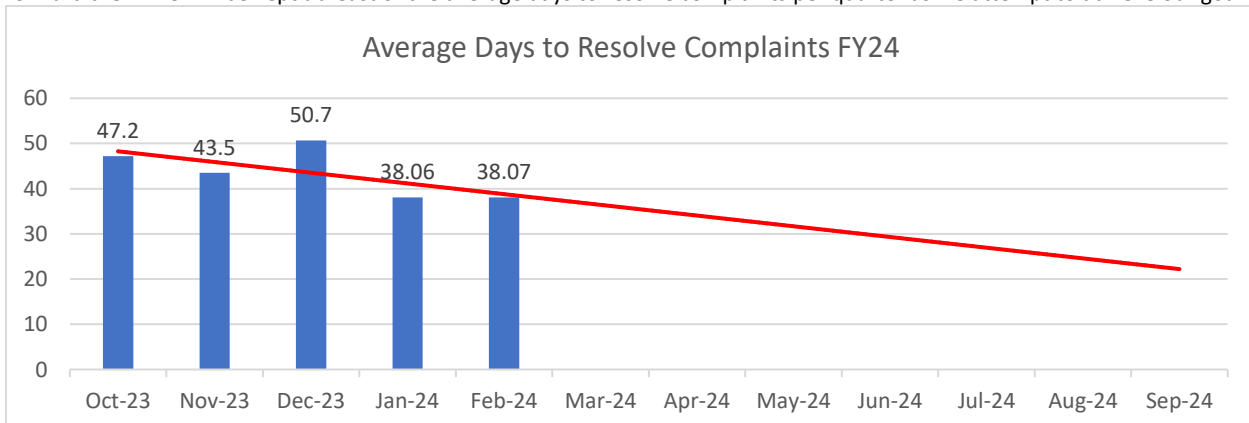
	6.2) Reschedule July 4, 2024 Regular Meeting Due to Holiday 6.3) 2024 Recipient Rights Conference: Wednesday – Friday, September 25 – 27, 2024 at the Westin Southfield Detroit 6.4) Special Meeting for Appeals Training at 5:00 pm on Monday, June 24, 2024		6.2) No action necessary 6.3) No action necessary 6.4) No action necessary
7.	Adjournment	M -	S - pm MA

Recipient Rights Advisory and Appeals Committee
Executive Summary of Complaints through May 31, 2024

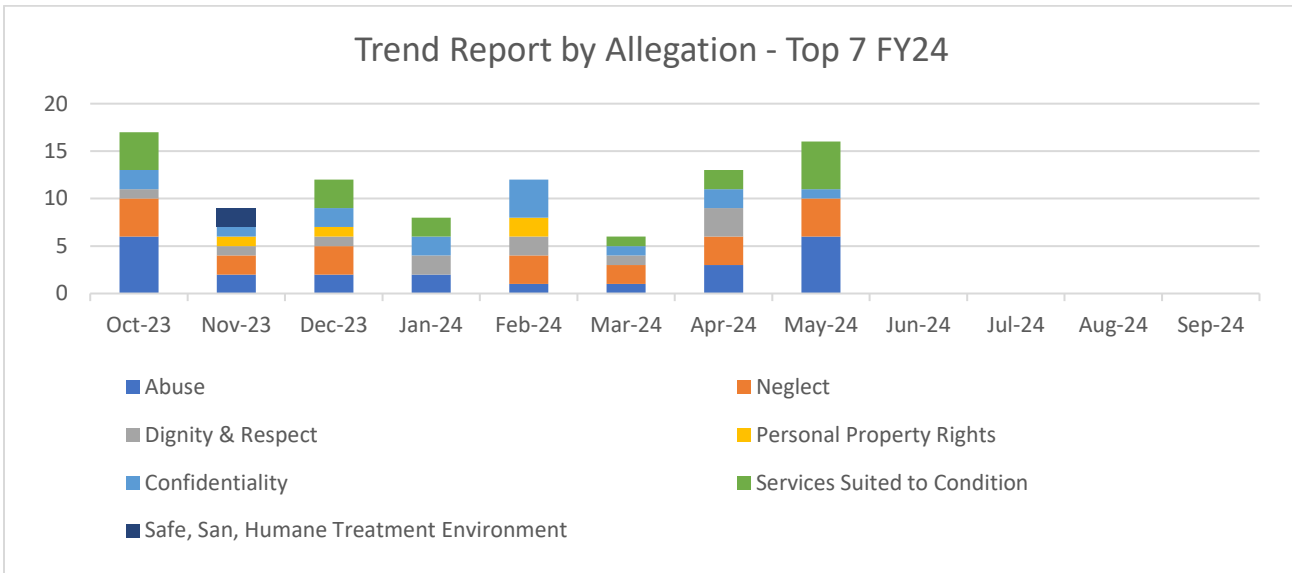
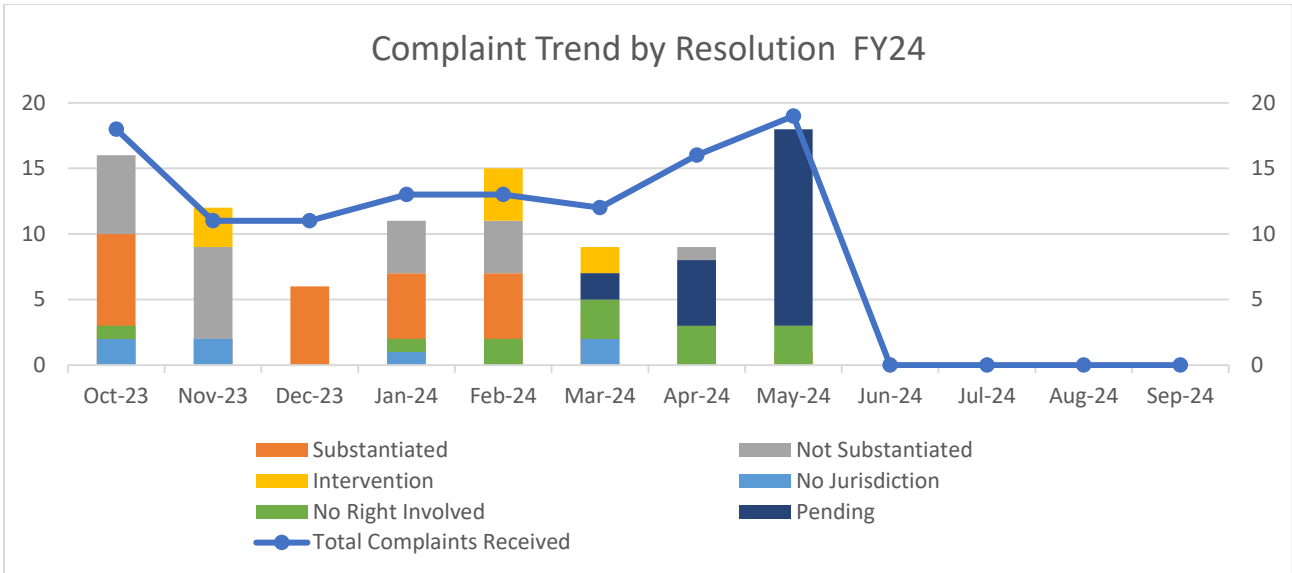
Overall Summary of the Office of Recipient Rights (ORR) Complaints through May 2024:



The BABHA ORR completed 190 ORR Complaints for FY23 with an average number of days to resolve the complaints being 57.675 days. The BABHA ORR’s goal is to complete RR complaint investigations within 30 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days to resolve complaints per quarter as we attempt to achieve our goal.

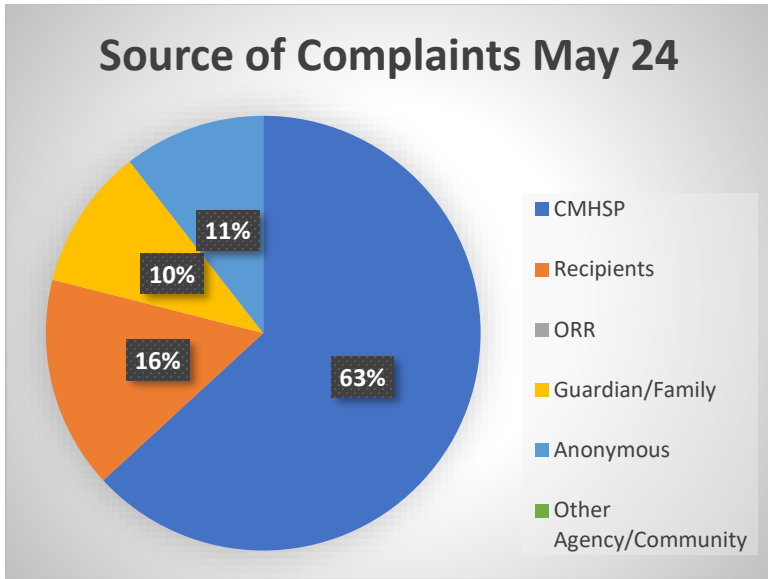


Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
18	11	11	13	13	12	16	19				



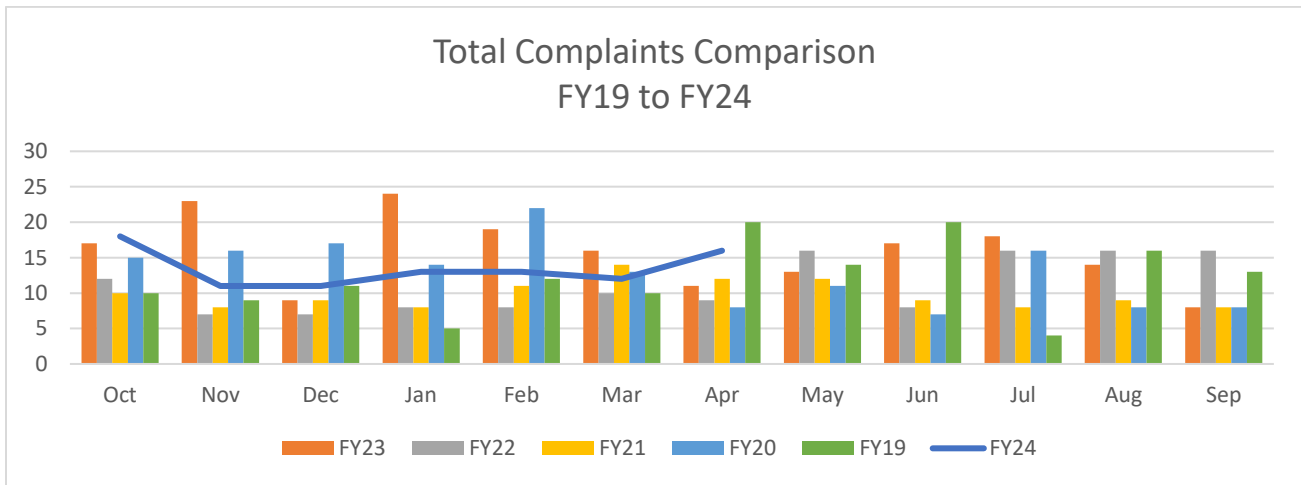
Trend Report by Allegation Top 7	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Abuse	6	2	2	2	1	1	3	6	0	0	0	0
Neglect	4	2	3	0	3	2	3	4	0	0	0	0
Dignity & Respect	1	1	1	2	2	1	3	0	0	0	0	0
Personal Property	0	1	1	0	2	0	0	0	0	0	0	0
Confidentiality	2	1	2	2	4	1	2	1	0	0	0	0
Svcs Suited to Cond	4	0	3	2	0	1	2	5	0	0	0	0
Safe, San, Humane Tx	0	2	0	0	0	0	0	0	0	0	0	0

Source of Complaints:



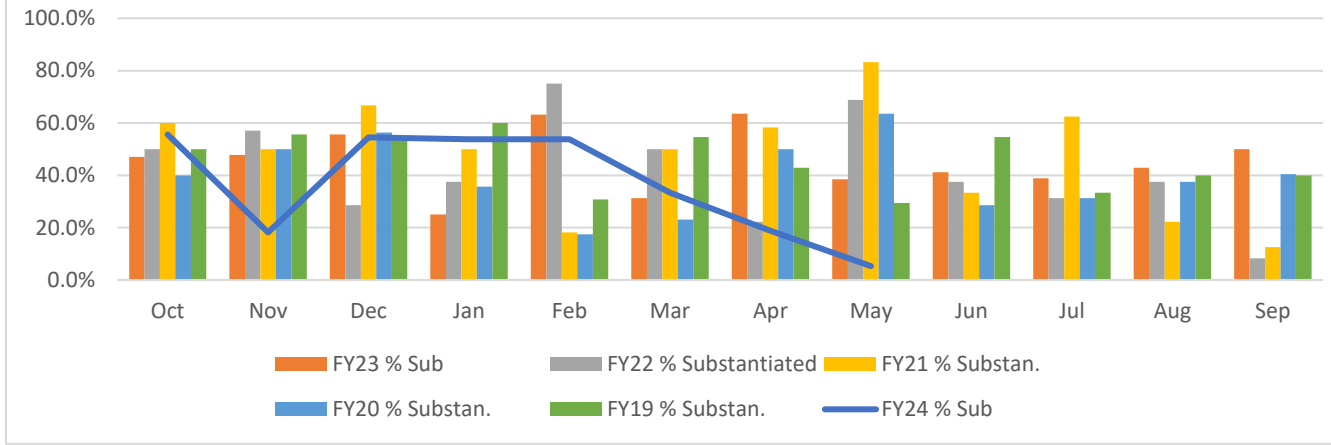
CMSHP Network Staff	12
Recipients	3
ORR	0
Guardian/Family	2
Anonymous	2
Other Agency/Community	0

Comparison of Complaints for FY98 to FY24 (DRAFT):



Total Comp	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY24	18	11	11	13	13	12	16	19				
FY23	17	23	9	24	19	16	11	13	17	18	14	8
FY22	12	7	7	8	8	10	9	16	8	16	16	16
FY21	10	8	9	8	11	14	12	12	9	8	9	8
FY20	15	16	17	14	22	13	8	11	7	16	8	8
FY19	10	9	11	5	12	10	20	14	20	4	16	13

Substantiation Rate Comparison FY19 to FY24



	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY24 % Sub	55.6%	18.2%	54.5%	53.8%	53.8%	33.3%	18.8%	5.3%				
FY23 % Sub	47.1%	47.8%	55.6%	25.0%	63.2%	31.3%	63.6%	38.5%	41.2%	38.9%	42.9%	50.0%
FY22 % Sub	50.0%	57.1%	28.60%	37.5%	75.0%	50.0%	22.2%	68.8%	37.5%	31.3%	37.5%	8.0%
FY21 % Sub	60.0%	50.0%	66.7%	50.0%	18.2%	50.0%	58.3%	83.3%	33.3%	62.5%	22.2%	13.0%
FY20 % Sub	40.0%	50.0%	56.3%	35.7%	17.4%	23.1%	50.0%	63.6%	28.6%	31.3%	37.5%	40.5%
FY19 % Sub	50.0%	55.6%	54.6%	60.0%	30.8%	54.6%	42.9%	29.4%	54.6%	33.3%	40.0%	40.0%

When comparing FY18 with FY19, FY20, FY21, FY22 and FY23 there were significant differences in the number of complaints received in the following months:

- In April 2018 BABHA’s ORR received twenty complaints whereas in April 2019 seven complaints were received.
- In June 2018 BABHA’s ORR received twenty complaints whereas in June 2019 eleven complaints were received.
- In July 2018 BABHA’s ORR received four complaints whereas in July 2019 fifteen complaints were received.
- FY20’s total number of complaints is higher for the first quarter than the first quarter for FY19, and FY18.

- COVID-19 significantly reduced the number of RR complaints reported to BABHA’s ORR. (Starting March 2020 through FY22.)
- FY23 complaints are trending above FY22 and FY21:
 - FY21 October 2020 through September 2021 the ORR received 118 complaints.
 - FY22 October 2021 through September 2022 the ORR received 133 complaints.
 - FY23 October 2022 through September 2023 the ORR received 190 complaints.

Report of Remedial Action for Substantiated Complaints for February 2024:

ID	Rcv Date	Report Date	Allegation Type	Remedial Action 1	Remedial Action 2
1589	2/26/2024	2/26/2024	Disclosure of Confidential Information	Written Reprimand	Other (include explanation)
1588	2/26/2024	3/8/2024	Disclosure of Confidential Information	Employment Termination	
1587	2/22/2024	5/17/2024	Neglect, Class III	Employee left agency but substan	
1585	2/12/2024	3/26/2024	Neglect, Class III	Contract Action	Training
1583	2/9/2024	5/6/2024	Personal Property – Possession and Use	Other (include explanation)	
1583	2/9/2024	5/6/2024	Personal Property – Possession and Use	Other (include explanation)	
1581	2/7/2024	4/4/2024	Neglect, Class III	Employment Termination	
1577	2/1/2024	4/23/2024	Personal Property – Possession and Use	Other (include explanation)	

The matrix displays the substantiated complaints with the date that each complaint was received, resolved, and the date the Summary Report was issued. It is important to note that all complaints were resolved within the 90-calendar day requirement established by the Michigan Mental Health Code. The Mental Health Code dictates that the Responsible Mental Health Agency (RMHA) takes remedial action to correct and prevent reoccurrence of substantiated Recipient Rights Complaints. In addition, if the violation of Abuse or Neglect is substantiated then the RMHA must take fair disciplinary action as well. The matrix above lists the substantiated complaint allegation type and all of the remedial action utilized by the RMHA. The Office of Recipient Rights can only call for disciplinary action as required in the Mental Health Code. The Office cannot dictate the level of disciplinary action as the RMHA determines this action.

Additional Activities by the Office of Recipient Rights:

Training by Recipient Rights Officer for Staff previous month:

Number of Training Sessions	Number of People Attending	Number of Hours

12	40	14
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Training by Recipient Rights Officer for Consumers previous month:

Number of Training Sessions	Number of People Attending	Number of Hours
2	13	2
5/16/24	OC Training	1 hour 9 people
5/22/24	BABH Arenac CAC	1 hour 4 people

Training received by the Recipient Rights Office:

None

Site Visits:

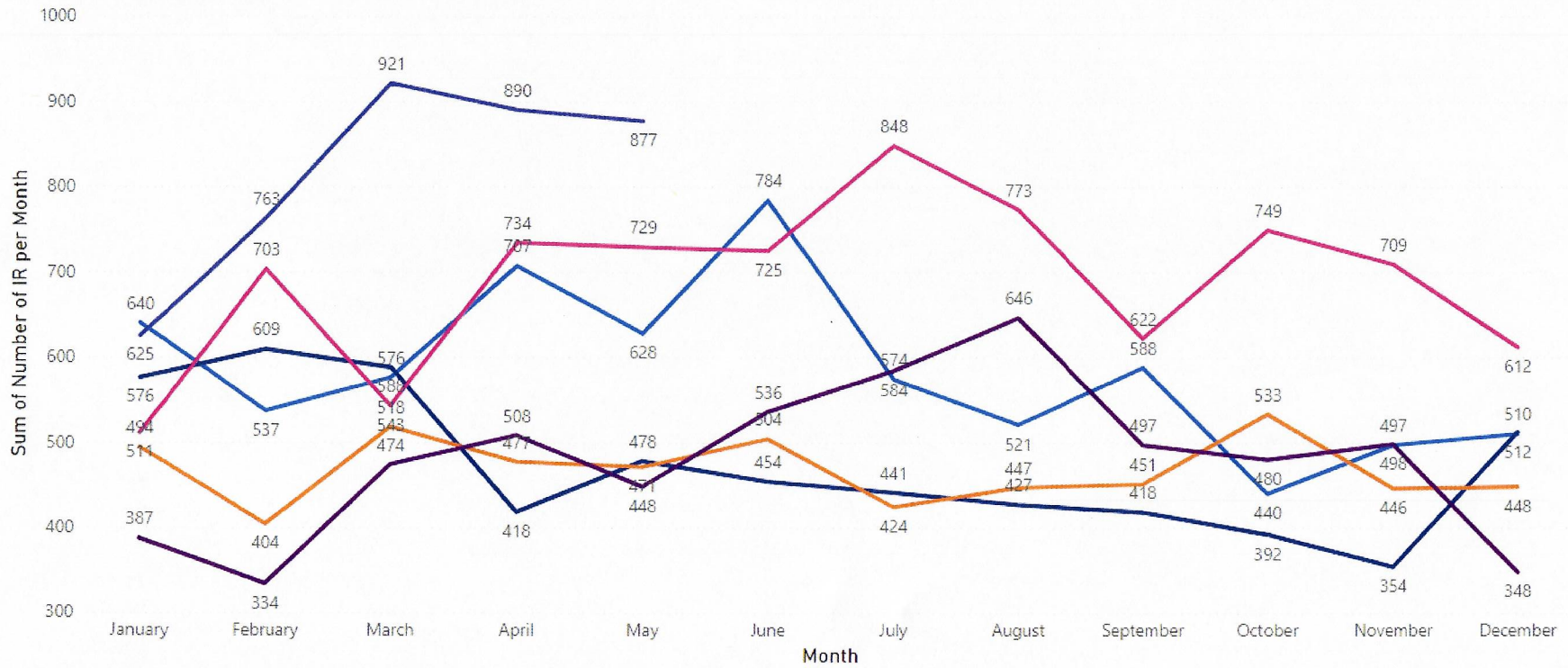
- 5/2/2024 Georgetown
Bangor Rd
Mason
- 5/6/2024 Samaritas
New Dimensions
Fitzhugh
- 5/16/2024 Kasemeyer
- 5/17/2024 Brookwood
Jean Rd
- 5/20/2024 Hope Network-Bay House
Hope Network-Harbor House
- 5/22/2024 GLRC/Superior Care
Autism Plus
- 5/23/2024 Beacon – The Lodge
Beacon – Sandhurst
Beacon – Ypsilanti
- 5/29/2024 Knight Home
Nebobish
Parker
Beechwood
Candlestick
Fisher
- 5/30/2024 Huntington SIAP
North/Madison SIP
Midland Manor/Westview SIP

Recipient Rights Complaints
Reporting Period - Oct 2023 - September 2024

Category	Category Description	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Total Allegations YTD
7084	Dignity and Respect	1	2	2	3	2	1	3						14
7081	Mh Services Suite to Condition	4		3	2		1	2	4					16
7082	Safe, Sanitary/Humane Treatment/Environment		2											2
7100	Physical and Mental Exams													
7120	Person Centered Process													
7110	Family Dignity & Respect													
7120	Individual Plan of Service	1												1
7130	Choice of Physician or Mental Health Professional													
7150	Services of a Mental Health Professional													
7221	Abuse I													
72221	Abuse II - Non-Accidental Act	1	1						3					5
72222	Abuse II - Unreasonable Force	2		2	2									6
72225	Abuse II - Exploitation	1	1					1	1					4
7223	Abuse III	1				1	1	1	1					5
7224	Abuse I - Sexual Abuse	1						1	1					3
72251	Neglect I		1											1
72252	Neglect I - Failure to Report													
72261	Neglect II					1		1	2					4
72262	Neglect II - Failure to Report			1										1
72271	Neglect III	4	1	2		2	2	2	2					15
7240	Photographs, Fingerprints - Prior Consent				1									1
7249	Video Surveillance													
7262	Communications-Telephone													
7263	Communications-Mail													
7281	Personal Property - Possession		1	1		2								4
7286	Personal Property-Limitations													
7300	Safeguarding money													
7360	Labor & compensation													
7400	Restraint													
7420	Seclusion						1							1
7440	Freedom of Movement							1						1
7480	Disclosure of Confidential Information	2	1	2	2	4	1	2	2					16
7550	Rights Protection System													
7555	Retaliation/Harassment				1									1
0001	Outside jurisdiction	2	2		1		2							7
0000	No Right involved	1	0		2	2	3	3	3					14
	Subtotal	21	12	13	14	14	12	17	19					122
	Grand Total - Allegations YTD													122

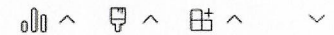
Sum of Number of IR per Month by Month and Year

Year ● 2019 ● 2020 ● 2021 ● 2022 ● 2023 ● 2024



Filters

vw_IncidentReporting_Summary_By_Month. Number of IR per Month by Month and Year
 Live data Data updated on 6/4/24, 5:41 AM



BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY POLICIES AND PROCEDURES MANUAL

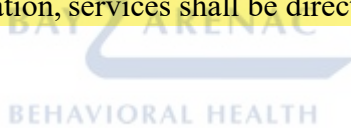
Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 7	Denial of Services		
Page: 1 of 3	Supersedes Date: Pol: Proc:	Approval Date: Pol: 6-18-98 Proc:	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"><i>Board Chairperson Signature</i></div> <div style="border-bottom: 1px solid black; padding-bottom: 5px;"><i>Chief Executive Officer Signature</i></div>
	Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 6/4/2024. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.		

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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that if the applicant has been denied mental health services, the applicant, his or her guardian, if one has been appointed, or the applicant’s parent or parents if the applicant is a minor, may request a second opinion of the Chief Executive Officer (CEO). The CEO shall secure the second opinion from a physician, licensed psychologist, registered nurse, Master’s level social worker, or Master’s level psychologist.

If the individual providing the second opinion determines that the applicant has a serious mental illness, serious emotional disturbance, a developmental disability, or is experiencing an emergency situation or urgent situation, services shall be directed to the applicant.



Purpose

This policy is established to ensure that recipients have the right to a second opinion.

Education Applies to

- All BABHA Staff
- Selected BABHA Staff, as follows:
- All Contracted Providers: Policy Only Policy and Procedure
- Selected Contracted Providers, as follows:
- Policy Only Policy and Procedure
- BABHA’s (Affiliates): Policy Only Policy and Procedure

Definitions

N/A

**BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY
POLICIES AND PROCEDURES MANUAL**

Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 7	Denial of Services		
Page: 2 of 3	Supersedes Date: Pol: Proc:	Approval Date: Pol: 6-18-98 Proc:	_____ <i>Board Chairperson Signature</i> _____ <i>Chief Executive Officer Signature</i>
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Procedure

N/A

Attachments

N/A

Related Forms

N/A

Related Materials

N/A



References/Legal Authority

Michigan Mental Health Code 330.1705.

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights and Responsibilities		
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Page: 3 of 3	Supersedes Date:	Approval Date:	_____
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	Proc:	Proc:	_____
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SUBMISSION FORM				
AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/ SUPERVISOR	APPROVAL /REVIEW DATE	ACTION (Deletion, New, No Changes, Replacement or Revision)	REASON FOR ACTION - If replacement list policy to be replaced
Marlene Wolber	Linda Maze	11/10/09	Changes	Triennial Review-format and language updated.
		12/31/12	No changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	6/27/16	No changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	06/19/2019	No changes	Triennial and annual review – no changes.
Melissa Prusi	Christopher Pinter	08/04/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Annual Review

BEHAVIORAL HEALTH



**Recipient Rights Advisory & Appeals Committee
Site Reviews
June 2024**

Site Reviews:

- None

July 2024

BABH Board of Directors

July 2024						
Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6
14	8	9	10	11	12	13
21	15	16	17	18	19	20
28	22	23	24	25	26	27

August 2024						
Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	1	2	3
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 30	Jul 1 5:00pm Health Care Improvement & Compliance Committee	2	3	4 5:00pm Recipient Rights Committee	5	6
7	8 5:00pm Facilities & Safety Committee	9	10 5:00pm Finance Committee 5:30pm Bylaws Committee	11 5:00pm Program Committee	12	13
14	15	16 5:00pm Audit Committee	17	18 5:00pm REGULAR BOARD MEETING	19	20
21	22	23 5:00pm Personnel & Compensation Committee	24	25	26	27
28	29	30	31	Aug 1	2	3



MDHHS

The 31st Annual Recipient Rights Conference

31st Annual Recipient Rights Conference

Pre-Conference Workshop: September 24, 2024

Main Conference Workshop: September 25-27, 2024

**The Westin
Southfield Detroit
1500 Town Center
Southfield, MI 48075**

Lodging is \$159.00 for a single room occupancy.