

# AGENDA

## BAY ARENAC BEHAVIORAL HEALTH BOARD OF DIRECTORS

### RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE MEETING

Thursday, August 1, 2024 at 5:00 pm

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

<b>Committee Members:</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>	<b>Committee Members</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>	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 July 30, 2024		3.1) No action necessary
4.	Training 4.1) Statutory Establishment, 3-1-1 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) August Site Visits		6.1) No action necessary

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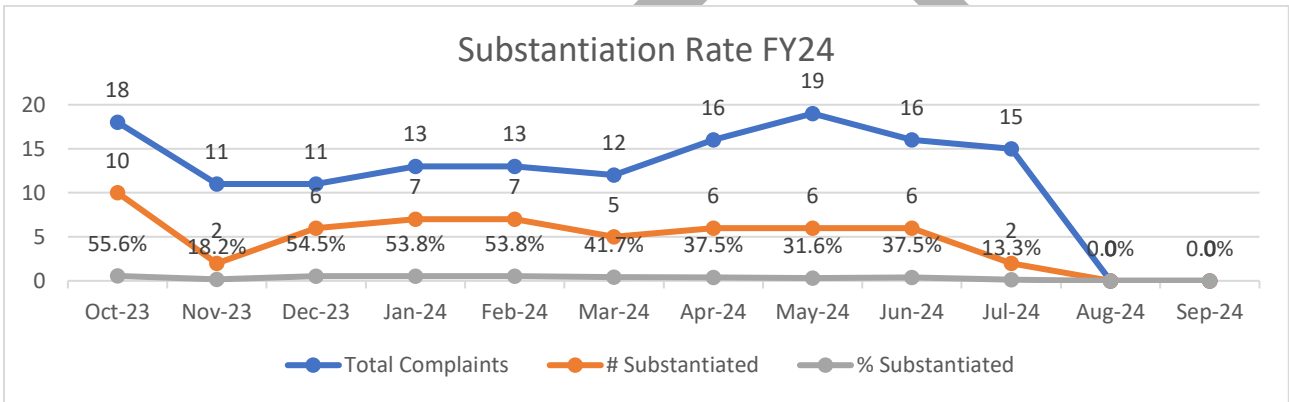
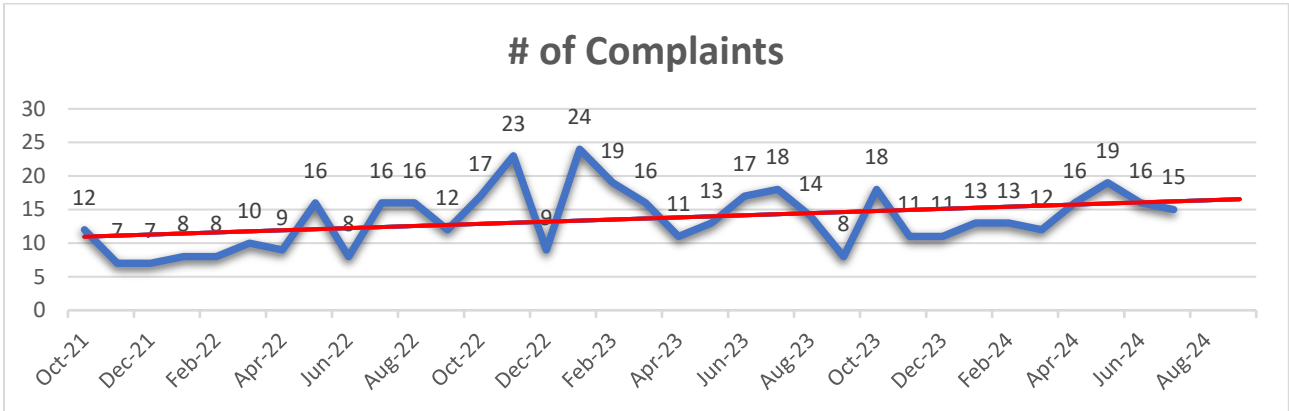
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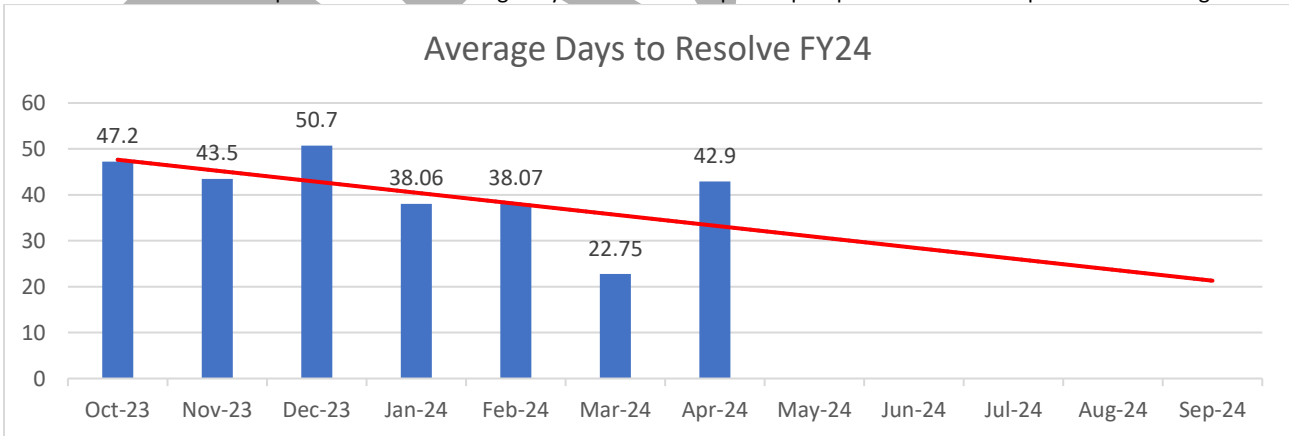
	6.2) Fiscal Year 2025 Recipient Rights (RR) Assessment Process Changes  6.3) Special RR Advisory & Appeals Committee Meeting is Scheduled for Tuesday, August 27, 2024 for the Purpose of a Mock Appeal  6.4) 2024 RR Conference: Wednesday – Friday, September 25 – 27, 2024 at the Westin Southfield Detroit		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 [DRAFT] July 30, 2024**

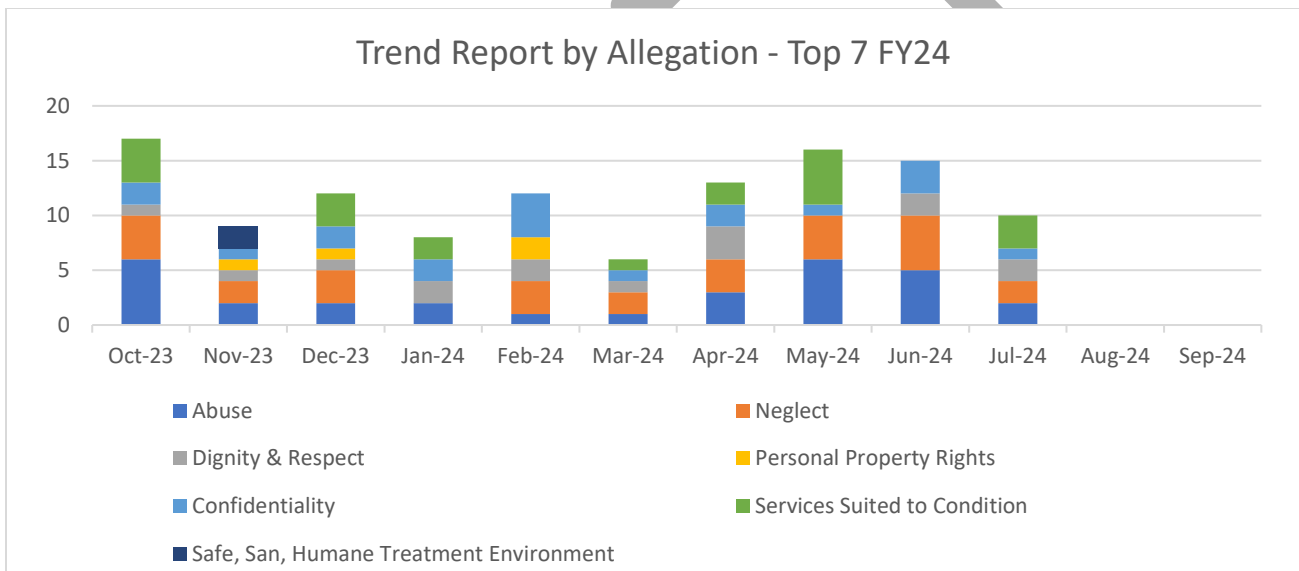
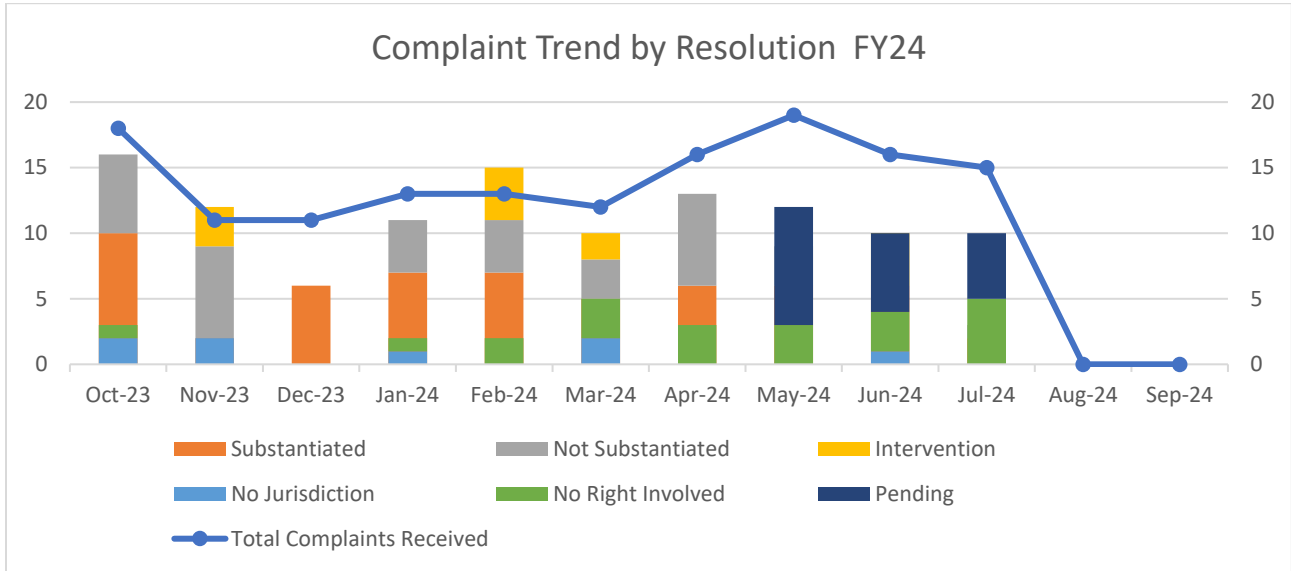
**Overall Summary of the Office of Recipient Rights (ORR) Complaints through July 2024:**



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.

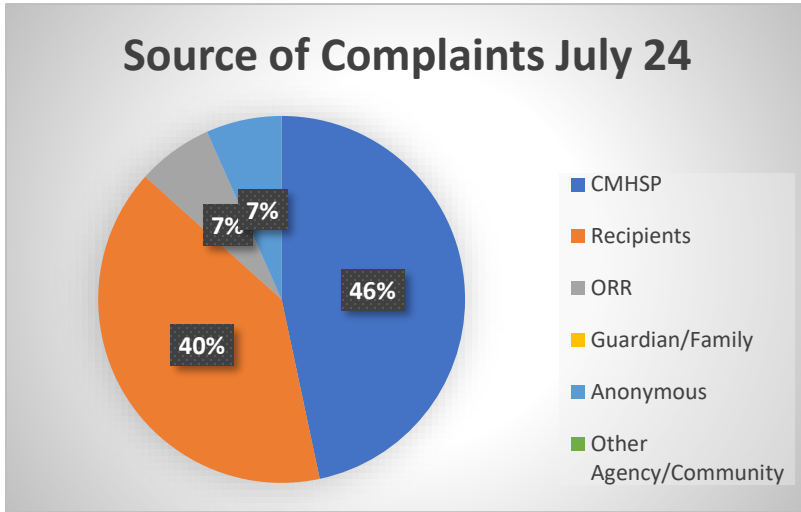


Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
18	11	11	13	13	12	16					



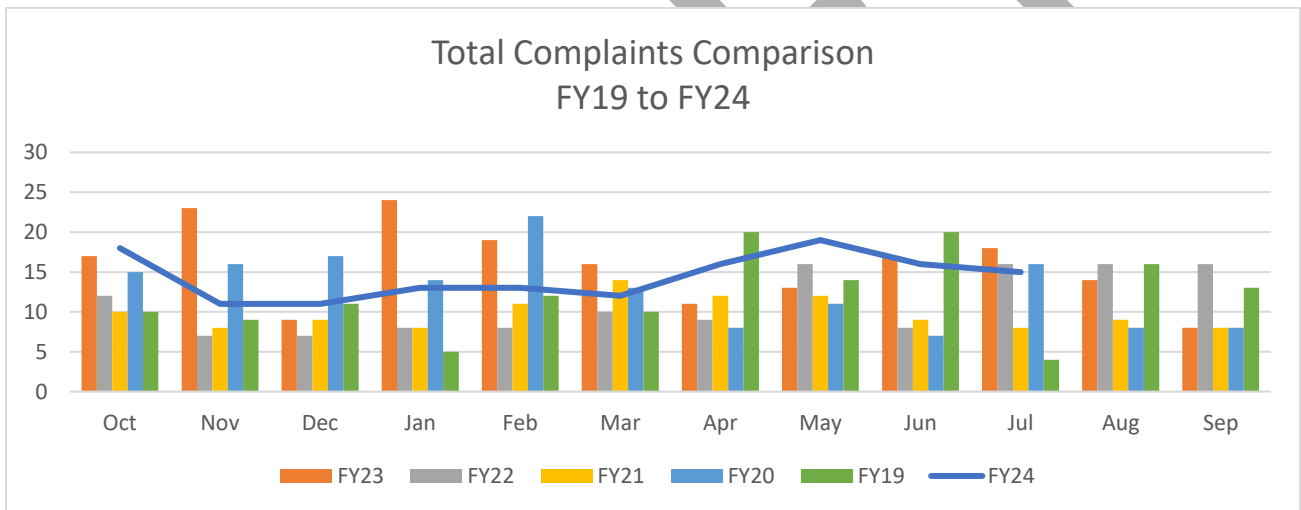
Trend Report by Allegation Top 7	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Abuse	6	2	2	2	1	1	3	6	5	2	0	0
Neglect	4	2	3	0	3	2	3	4	5	2	0	0
Dignity & Respect	1	1	1	2	2	1	3	0	2	2	0	0
Personal Property	0	1	1	0	2	0	0	0	0	0	0	0
Confidentiality	2	1	2	2	4	1	2	1	3	1	0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

**Source of Complaints:**



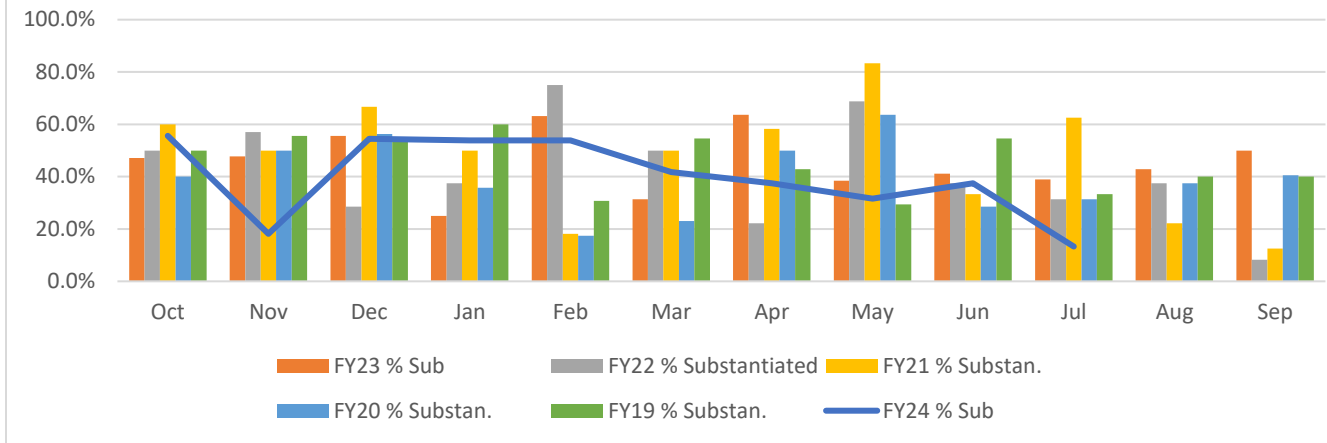
CMSHP Network Staff	7
Recipients	6
ORR	1
Guardian/Family	0
Anonymous	1
Other Agency/Community	0

**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	16	15		
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%	41.7%	37.5%	31.6%	37.5%	13.3%		
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 April 2024:**

Complaint ID	Rcv Date	Inv. Report Sent Date	Allegation Type	Remedial Action 1	Remedial Action 2	Remedial Action 3
1617	4/23/2024	4/23/2024	Freedom of Movement	Employment Termination		
1616	4/19/2024	7/10/2024	Dignity and Respect	Employment Termination	Training	Training
1610	4/11/2024	7/2/2024	Neglect, Class III	Written Reprimand	Employment Termination	Training
1607	4/5/2024	6/20/2024	Mental Health Services Suited to Condition (Includes Chapter 4 Violations)	Policy Revision/Development	Training	
1604	4/3/2024	6/25/2024	Disclosure of Confidential Information	Employee left agency but substan	Training	Written Reprimand
1604	4/3/2024	6/25/2024	Disclosure of Confidential Information	Employee left agency but substan	Training	Written Reprimand
1604	4/3/2024	6/25/2024	Disclosure of Confidential Information	Employee left agency but substan	Training	Written Reprimand
1602	4/2/2024	5/23/2024	Neglect, Class III	Written Reprimand	Training	

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
3	28	7.5

**Training by Recipient Rights Officer for Consumers previous month:**

Number of Training Sessions	Number of People Attending	Number of Hours
3	21	3.5

7/17/2024 Bay Consumer Council Meeting policy training by Melissa.

7/23/24 MCSI Training by Melissa.

7/24/2024 Arenac Consumer Council Meeting policy training by Melissa.

**Training received by the Recipient Rights Office:**

None

**Site Visits:**

None



**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		2	3			19
7081	Mh Services Suite to Condition	4		3	2		1	2	4		3			19
7082	Safe, Sanitary/Humane Treatment/Environment		2											2
7100	Physical and Mental Exams													0
7120	Person Centered Process													0
7110	Family Dignity & Respect													0
7120	Individual Plan of Service	1												1
7130	Choice of Physician or Mental Health Professional													0
7150	Services of a Mental Health Professional													0
7221	Abuse I													0
72221	Abuse II - Non-Accidental Act	1	1						3	1				6
72222	Abuse II - Unreasonable Force	2		2	2									6
72225	Abuse II - Exploitation	1	1					1	1	2				6
7223	Abuse III	1				1	1	1	1	2	2			9
7224	Abuse I - Sexual Abuse	1						1	1					3
72251	Neglect I		1											1
72252	Neglect I - Failure to Report													0
72261	Neglect II					1		1	2		1			5
72262	Neglect II - Failure to Report			1										1
72271	Neglect III	4	1	2		2	2	2	2	5	1			21
7240	Photographs, Fingerprints - Prior Consent				1									1
7249	Video Surveillance													0
7262	Communications-Telephone													0
7263	Communications-Mail													0
7281	Personal Property - Possession		1	1		2								4
7286	Personal Property-Limitations													0
7300	Safeguarding money													0
7360	Labor & compensation													0
7400	Restraint													0
7420	Seclusion						1							1
7440	Freedom of Movement							1			1			2
7480	Disclosure of Confidential Information	2	1	2	2	4	1	2	2	3	1			20
7550	Rights Protection System													0
7555	Retaliation/Harassment				1									1
0001	Outside jurisdiction	2	2		1		2			1				8
0000	No Right involved	1	0		2	2	3	3	3	3	5			22
														0
	Subtotal	21	12	13	14	14	12	17	19	19	17	0	0	158
														158

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<b>Section: 1</b>	<b>Recipient Rights Systems</b>		
<b>Topic: 1</b>	<b>Statutory Establishment</b>		
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**Policy**

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that in addition to the rights, benefits, and privileges guaranteed by other provisions of the law, the Constitution of 1963, and the Constitution of the United States, a recipient of Mental Health Services shall have his/her rights guaranteed by P.A. 258, 1974, Chapter 7 and 7A, which provides a system for determining whether, in fact, violations have occurred; and shall ensure that firm and fair disciplinary and appropriate remedial action is taken in the event of a violation. BABHA shall establish procedures to address the complaint process and the appeal process.

The Chief Executive Officer (CEO) will ensure that BABHA has written policies and procedures for the operations of the rights system on file with the Michigan Department of Health and Human Services (MDHHS) – Office of Recipient Rights (ORR). Education and training in Recipient Rights policies and procedures are provided to its Recipient Rights Advisory Committee and its Appeals Committee.

Further, it is the policy of BABHA that the Recipient Rights Officer shall report to and serve as a consultant to the CEO for matters pertaining to Recipient Rights.

And, further, it is the policy of BABHA that the Recipient Rights Officer shall take necessary actions to assure a uniform process of implementing Recipient Rights protection to recipients of services from directly provided as well as contractually provided services to recipients. This shall include, at a minimum, annual site visits, with site visit checklists, to each service delivery site (direct or contracted), assurance that all persons receiving services outside of BABHA’s catchment area are provided the same level of Recipient Rights protection and services, and that contracts for services with provider agencies contain Michigan Mental Health Code (MMHC) protected Recipient Rights assurances.

BABHA and the Recipient Rights Advisory Committee shall approve an annual budget that assures adequate provision of Recipient Rights services to BABHA’s recipients.

The Officer of Recipient Rights with authority from BABHA and the CEO shall intervene as necessary to protect recipient rights within the Community Mental Health Services Program (CMHSP) system.

Furthermore, it is the policy of BABHA that:

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- A. The complainants, staff or the ORR, and any staff acting on behalf of a recipient, shall be protected from harassment or retaliation resulting from recipient rights activities.
- B. Appropriate disciplinary action shall be taken in accordance with agency policy and procedure if there is evidence of harassment or retaliation.

**Purpose**

This policy and procedure is established to ensure that the rights of all recipients are protected.

**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**

**Harassment:** Words, gestures, or actions which threaten an individual; unreasonably interfere with an individual's work performance; or create an intimidating, hostile, or offensive work environment.

**Retaliation:** Unjustified negative actions taken against an individual. Examples include but are not limited to: discharge; deterioration in performance evaluations; changes in job classification, job responsibilities, compensation, benefits, classification, compensation, benefits, location, number of hours assigned, or specific shift assigned.

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**Procedure**

In the performance of its duties, the ORR shall provide for the safeguarding of code-protected rights in a manner that does not violate employee rights. The ORR will be protected from pressures that could interfere with the impartial, even-handed, and thorough performance of its duties. Upon receipt of substantiated violation reports, the CEO will implement the appropriate personnel action.

The CEO shall select a director of the rights office who has the education, training and experience to fulfill the responsibilities of the office.

The CEO shall ensure adequate Recipient Rights coverage. In the absence of the Recipient Rights Officer, the CEO may request aid from another CEO in the affiliation for a Rights Officer to serve in the Rights Officer’s absence as outlined in the Letter of Agreement for Reciprocal Aid among offices of Recipient Rights.

Each provider under contract with BABHA will follow the written policies and procedures established by BABHA that are consistent with Chapter 7 of the MMHC, and are designed to protect recipients from, and prevent repletion of, violation rights guaranteed by Chapter 7 and 7A.

It shall be responsibility of the Recipient Rights Office to receive reports of and investigate complaints in accordance with requirements of Chapter 7A, P.A. 2258, alleged or suspected violations of rights guaranteed by Chapter 7, P.A. 258, 1974; act to resolve disputes relating to apparent violations; act on behalf of recipients of mental health services to resolve alleged complaints; and safeguard the rights guaranteed in a timely manner.

BABHA’s Rights Officer shall:

1. Provide or coordinate the protection of recipient rights for all directly operated or contracted services.
2. Ensure that recipients, parent(s) with legal custody of a minor, and guardians or other legal representatives have access to summaries of the rights guaranteed by Chapter 7 and 7A of the MMHC in a language they can understand. The receipt shall be documented in the case record. The Recipient Rights system shall be verbally explained. If the recipient

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is unable to read or understand the material, every effort shall be made to assist in that explanation, and this will be noted in the case record.

3. Ensure that all recipients, guardians, parents or other concerned parties have ready access to rights complaint forms. The name, address, and phone number of the Rights Officer shall be conspicuously posted in all service sites.
4. Investigate complaints of rights violations with assistance from other staff when necessary. BABHA employees and contract staff shall cooperate in investigations as needed.
5. Ensure that those reports of alleged or suspected rights violations that did not warrant investigation are recorded in accordance to Chapter 7A.
6. Maintain a record system for all reports of apparent or suspected rights violation received and secure storage of all investigative documents and evidence. All complaints shall be logged in upon receipt.
7. Make an independent determination of whether each allegation is substantiated or not substantiated and recommend to the CEO appropriate remedial action when an allegation is substantiated. The preponderance of evidence standard shall be used in making this determination.
8. Assure that appropriate remedial action to a complaint is implemented timely and that complaints and their dispositions are recorded on appropriate complaint forms.
9. Inform complainants of substantiated violations of the action taken in a manner that does not violate employee rights.
10. Review incident reports to determine if they involve possible rights violation.
11. Assure that when the complainant is neither the recipient nor guardian that written consent be obtained from the recipient prior to the disclosure of confidential information.
12. Inform the complainant when an allegation is outside of the agency jurisdiction and assist the recipient in contacting the appropriate agency.

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13. Assure that records compiled in the course of investigating alleged violations are maintained independent of client case records and subject to all applicable confidentiality safeguards. All investigative documents and evidence shall be secured.
14. Act as a consultant to the CEO and staff to assure compliance in rights matters and shall be subordinate only to the CEO.
15. Ensure that all rights complainants, rights staff, and other advocates shall not be harassed or retaliated against due to the investigation or determination of a rights complaint. Any actions construed to be harassment or retaliation shall be reported immediately to the CEO and appropriate disciplinary action shall be taken.
16. Ensure that all BABHA sites and contracted service sites, where BABHA has responsibility to provide recipient rights services, are visited on site with the frequency necessary for protection of rights but in no case less than annually. Ensure unimpeded access to all programs and services operated by or under contract to BABHA and all staff employed by or under contract and all evidence necessary to conduct a thorough investigation or to fulfill its monitoring function.
  - a. Recipients will be protected from rights violations while they are receiving services under the contract.
  - b. Policies and procedures require employee cooperation in recipient rights investigations.
17. Participate in development and review of policy and procedure pertinent to rights of recipients.
18. Assure that both staff and recipients are aware of their due process rights, specifically:
  - a. The nature of the complaint/investigation
  - b. The opportunity to provide evidence on their behalf
  - c. Their ability to secure outside legal or law enforcement assistance, if desired
19. Ensure that all individuals employed by, or a contract agency of, BABHA shall receive a training related to recipient rights protection before, or within 30 days after being employed.

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

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20. Review the Recipient Rights policies and the rights system of each provider under contract with BABHA to ensure that the rights protection system is in compliance with the MMHC and is of uniformly high standards.
21. Review and comment as needed on all CMHSP and contract provider policies impacting on rights of recipients.
22. Attend Behavior Treatment Committee meetings, Performance Improvement Committee meetings, executive staff meetings, Board meetings, and individual case meetings when rights related matters are discussed.
23. Semi-annually provide summary complaint data consistent with the required annual report together with a summary of remedial action taken on substantiated complaints by category to MDHHS and to the Recipient Rights Advisory Committee on the effectiveness of the rights system.
24. Report to the CEO and the Recipient Rights Advisory Committee on the effectiveness of the rights system.

Should a complainant wish to appeal a decision made by the ORR, they shall follow appeals procedures of BABHA.

It will be the policy of this agency, stated in an appropriate policy manual section, that all services are available to handicapped and nonhandicapped individuals on the same basis. This agency will provide services in handicapped accessible locations. Any individual who alleges a violation of Section 540 and grievances related to the Americans with Disabilities Act may file a complaint with BABHA's Rights Officer.

The CEO shall submit to the Board of the CMHSP and the MDHHS an annual report prepared by the Recipient Rights office on the current status of recipient rights in the CMHSP and a review of the operations of the rights office.

- a. The report is to be submitted no later than 12/30, unless an extension has been granted by MDHHS, of each year for the preceding fiscal year. The report shall include, at a minimum, all of the following: summary data by category including complaints received, number of reports filed, number of reports investigated by provider, number of substantiated violations by category and provider, training received by staff of the rights office, training provided by rights office to contract providers, desired outcomes

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

<b>Chapter: 3</b>	<b>Member Rights and Responsibilities</b>		
<b>Section: 1</b>	<b>Recipient Rights Systems</b>		
<b>Topic: 1</b>	<b>Statutory Establishment</b>		
<b>Page: 7 of 8</b>	<b>Supersedes Date:</b> Pol: 9-20-01,6-18-98 Proc: 6-27-16, 6-15-09, 3-11-08, 8-1-06, 6-3-02, 5-21-02, 7-28-98	<b>Approval Date:</b> Pol: 6-3-02 Proc: 2-18-2021	_____ <i>Board Chairperson Signature</i>  _____ <i>Chief Executive Officer Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 7/30/2024. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

**DO NOT WRITE IN SHADED AREA ABOVE**

established for the rights officer and progress toward these outcomes, and recommendations to the CMHSP Board.

Retaliation and Harassment:

Complainants, rights office staff, and any staff acting on behalf of a recipient shall be protected from harassment of retaliation resulting from recipient rights activities. Appropriate remedial action will be taken to resolve violations of rights.

Attachments



Letter of Agreement for Reciprocal Aid among Offices of Recipient Rights

Related Forms

N/A

Related Materials

N/A

References/Legal Authority

- A. Act 258, of the Public Acts of 1974, as amended (Mental Health Code) Section 755
- B. Act 469 of the Public Acts of 1980 (Whistleblowers Protection Act)



**BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY  
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<b>SUBMISSION FORM</b>				
<b>AUTHOR/ REVIEWER</b>	<b>APPROVING BODY/COMMITTEE/ SUPERVISOR</b>	<b>APPROVAL /REVIEW DATE</b>	<b>ACTION (Deletion, New, No Changes, Replacement or Revision)</b>	<b>REASON FOR ACTION - If replacement list policy to be replaced</b>
Sara Heyden Linda Maze	Robert Blackford	3/11/08	Revision	Revisions/Additions are due to changes Administrative Rules/corrected Grammatical errors
Vicki Atkinson	Linda Maze	6/15/09		
Linda	Robert Blackford	12/31/12	Revision	Triennial Review/minor grammatical changes
Melissa Prusi	Christopher Pinter	6/27/16	Revision	Triennial Review-minor changes to reflect agency name changes
Melissa Prusi	Christopher Pinter	07/01/2019	Revision	Annual and triennial review. Minor formatting changes
Melissa Prusi	Christopher Pinter	08/01/2020	Revision	Remove mediation from RR process
Melissa Prusi	C. Pinter	10/1/2021	No changes	Triennial review-no changes



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

Site Reviews:

- 08/29/2024 - Aidaly Care of MI



STATE OF MICHIGAN  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

GRETCHEN WHITMER  
GOVERNOR

ELIZABETH HERTEL  
DIRECTOR

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## Recipient Rights System Assessment Memorandum

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To: CMH Directors  
CMH Recipient Rights Officers

From: Raymie Postema, Director  
MDHHS Office of Recipient Rights

Date: July 26, 2024

The MDHHS Office of Recipient Rights has been working diligently on preparations for the 2025 recipient rights system assessment process and I am pleased to inform you of our efforts. We have made several changes to the process to make it clearer and more efficient. Attached to this memo are several documents you should review carefully.

We have revised and updated the assessment tool used to review and score each recipient rights system. Special focus was given to standards solely required in state statute, specifically chapters 7 and 7A of the Mental Health Code and the associated rules or by contract. Scoring for standards has been simplified for clarity and to ensure objectivity. Policy review standards likewise have been thoroughly reviewed and revised where necessary to more closely conform to the language in statutory requirements.

Below is a summary of the documents attached to this memorandum. Please review these documents carefully since several changes have been made that may necessitate changes in your policies and processes.

- **Assignments and Schedule** provides information on which sites will be reviewed in 2025 and information for all CMHs on the lead rights specialist assigned to each site.
- **Site Assessment Tool** is the primary tool we will use for scoring. It contains not only system standards and policy standards required of each rights system, but also several tools that will be used during the assessment process to obtain evidence for scoring.
- **Items Requested** is a list of all information that will be needed prior to and during the assessment. Please review this list carefully. To maximize our time onsite, we are requesting several items be provided at least 30 days prior to the assessment date. We ask that the remaining items be made available to our assessment team at the time the assessment begins.

I will briefly describe the recipient rights system assessment process and what to expect during the review.

- At least 60 days prior to the assessment, you will receive a Notice of Assessment, the *Site Assessment Tool* and *Items Requested*. Follow the instructions carefully since all information requested will be due to your lead rights specialist 30 days after receipt of the notice.
- Your lead specialist can answer questions during this time.
- On-site assessments are typically 3 days. Your lead specialist will provide you with an outline of events and what will be needed during the process. After the assessment has been completed, the rights specialists will review all findings and give you a preliminary score.
- Your lead rights specialist will send you the final scoring and results 30 days after your assessment, indicating whether you are in full compliance, substantial compliance, or less than substantial compliance with required standards.
- If any deficiencies were found during the assessment, a plan of correction will be required, to be submitted to the lead rights specialist within 30 days of receipt of the results.
- Your rights specialist will work with you to ensure that your plan of correction is completed.

We look forward to working collaboratively with you during this assessment process. If you have any questions please contact me at [postemar@michigan.gov](mailto:postemar@michigan.gov), or contact your lead rights specialist.

## FY 25 CMHSP ASSIGNMENTS AND ASSESSMENT SCHEDULE

Cindy Shadeck		Janice Terry	
Shadeckc@michigan.gov Phone: 517-230-4091		Terryj5@michigan.gov Phone: 517-599-5953	
AuSable Valley		Barry County	
Bay-Arenac		CMH for Central Michigan	
Centra Wellness Network (Manistee Benzie)		Copper Country	
CMH of Ottawa County		Gogebic County	
CMHA of Clinton Eaton Ingham		Hiawatha Behavioral Health	
Detroit Wayne Integrated Health Network		Integrated Services of Kalamazoo	
Genesee Health System		Lapeer County	
Gratiot Integrated Health Network		Lenawee County	
HealthWest (Muskegon)		Livingston County	
Huron Behavioral Health Services		Macomb County	
Lifeways		Monroe County	
Montcalm Care Network		Northpointe Behavioral Healthcare	
Network 180		Oakland Community Health Network	
Newaygo County		OnPoint (Allegan)	
North Country		Pathways	
Northeast Michigan		Pivotal (St. Joseph County)	
Northern Lakes		Pines Behavioral Health (Branch)	
Saginaw County		Riverwood (Berrien)	
Shiawassee Health and Wellness		Sanilac County	
Summit Pointe		St. Clair County	
The Right Door (Ionia)		Van Buren County	
Tuscola County		Washtenaw County	
West Michigan		Woodlands Behavioral Healthcare	

## FY 25 CMHSP RIGHTS SYSTEM ASSESSMENT SCHEDULE

DATE	CMHSP	LEAD SPECIALIST
October 7-11, 2024	Oakland	Janice Terry
October 22-24, 2024	Huron	Cynthia Shadeck
November 6-8, 2024	Gratiot	Cynthia Shadeck
November 19-21, 2024	Washtenaw	Janice Terry
December 3-5, 2024	Integrated Services of Kalamazoo	Janice Terry
January 14-16, 2025	Pines	Janice Terry
February 4-6, 2025	Saginaw	Cynthia Shadeck
March 11-13, 2025	Lapeer	Janice Terry
April 1-3, 2025	AuSable Valley	Cynthia Shadeck
April 22-24, 2025	Pivotal (St. Joseph)	Janice Terry
May 13-15, 2025	Clinton, Eaton, Ingham	Cynthia Shadeck
June 3-5, 2025	Hiawatha	Janice Terry
June 24-26, 2025	HealthWest	Cynthia Shadeck
July 8-10, 2025	Network 180	Cynthia Shadeck
July 29 -31, 2025	North Country	Cynthia Shadeck
August 26-28, 2025	Northern Lakes	Cynthia Shadeck
September 9-11, 2025	Genessee	Cynthia Shadeck

Michigan Department of Health and Human Services  
Office of Recipient Rights

**Please send the following items to MDHHS ORR at least 30 days prior to your scheduled assessment date.**

## 1. Site Assessment Tool Excel Spreadsheet

***Please read the instructions on the Home tab***

Complete all sections below and submit to MDHHS ORR

- A. Training Log
- B. Policy Standards
- C. Complaint Log (Investigations)
- D. Complaint Log (Interventions) –if applicable
- E. Complaint Log (No Right and Outside Jurisdiction)
- F. Site Visitation Log

## 2. Training Curriculum

Provide training curriculum materials used in recipient rights new hire training.

## 3. Contracts

Include one current signed contract, with the required recipient rights language highlighted, for each of the following:

- Residential provider
- Non-residential service provider
- Inpatient psychiatric unit
- Professional staff (psychiatrists, OTs, PTs, etc.)
- Out-of-state residential provider (if applicable)

## 4. Agency Policies

Electronically submit copies of all policies required in MCL 330.1752 and reviewed on the Excel spreadsheet referenced above. If you have separate policies on harassment/retaliation, person-centered planning, or other rights-related policies please also submit them.

Michigan Department of Health and Human Services  
Office of Recipient Rights

**Please have the following items available for review at the time of the assessment**

- Agency organization chart.
- Job descriptions for the rights office director and rights advisors.
- A list of recipient rights advisory committee members and the categories they represent.
- Minutes of the RRAC committee for the assessment period.
- All files for appeals received during the assessment period.
- All retaliation/harassment complaint files.
- All files regarding complaints made against the executive director.
- Informational packets/brochures given to the public or consumers. (Include any poster which identifies the rights officer/advisors and the means of contacting them).
- Documentation from all site monitoring activities for the period covered in the excel spreadsheet.
- Records that document attendance at rights training for all agency staff and all contract employees.
- Documentation which reflects approved training received by all staff employed by the rights office since the last assessment.
- Evidence that ORR staff attends Behavior Treatment Review Committee as an ex-officio member.



**31st Annual  
Recipient Rights Conference  
September 24-27, 2024  
The Westin  
Southfield Detroit  
1500 Town Center  
Southfield, MI 48075**

*"We must scrupulously guard the civil rights and civil liberties of all citizens, whatever their background. We must remember that any oppression, any injustice, any hatred, is a wedge designed to attack our civilization."*  
*Franklin D. Roosevelt*



# Pre-Conference Session



## Statement Analysis Interview Techniques Training

**The Statement Analysis® techniques will show you how to detect deception in a verbal and written statement.**

After attending this training, you will begin to hear things in a verbal statement and see things in a written statement that you never noticed before.

Mark McClish is a retired Supervisory Deputy United States Marshal with 26 years of federal law enforcement experience. From 1991 to 1999, he taught interviewing techniques at the U.S. Marshals Service Training Academy which is located at the Federal Law Enforcement Training Center in Glynco, Georgia.

## General Session Speakers

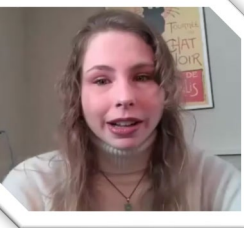
### Wednesday Morning



Meghan Groen is the Senior Deputy Director for the Behavioral and Physical Health and Aging Services Administration (BPHASA) for the Michigan Department of Health and Human Services. Meghan will be joined by Kristen Jordan, from the MDHHS Behavioral Health Services, and Patricia Neitman, from the MDHHS Bureau of Children's Coordinated Health Policy and Supports to provide an overview of the direction of MDHHS activities.

### Thursday Morning

#### Sierra Grandy “In My Own Voice”



Sierra has a lot of experience with the mental health system. She is going to tell us her story regarding her early experience with mental health and the mental health system, electroconvulsive therapy, and a variety of treatments and services. Then she will talk about her recovery journey - bringing in definitions of recovery and community tools necessary for people to get into mental health recovery as well as her mental health experience in law school.

### Friday Morning

#### Suzanne Sulkaski “Believe in Yourself”



Suzanne Sukalski has been inspiring friends and family with her sunny disposition for thirty years. Throughout her life, Suzy has faced adversity related to having Down Syndrome, but she has never let that define her. Although she has had to work harder than most, she has always been encouraged and supported by those closest to her to embrace life and try to do whatever anyone else could do.

# Breakout Sessions

## Wednesday 9/25 AM

- Effective Communication: A Right is Not a Privilege
- History of the Michigan Mental Health Code
- So, You're New to Rights

Dawn Flanigan  
Laura Hirschbein, MD  
MDHHS-ORR Staff

## Wednesday 9/25 PM

- Voting Rights for People with Disabilities
- Service Animals – Your Agencies Responsibilities
- Addressing Severe Behaviors for Minors with IDD/ and Autism
- CMH Roundtable
- LPH Roundtable
- What to Say, What to Do: Interviewing with a Trauma Sensitive Approach

Rachel Pravett  
Sunshine McIntyre

Mary Luchies  
D'Angela O'Dowd, Katie Snay  
Lisa Haywood, Matt Zugel  
Tayna Bridge

## Thursday 9/26 AM

- Comparing CMS and ORR Complaint Systems
- Assisting Individuals in Healthcare and Financial Decisions
- Overview of the ICTS and PRTF Programs

Raymie Postema, Sue Witting

Roxanne Chang  
Alexandria Kruger, Alyssa Newmayer

## Thursday 9/26 PM

- Confidentiality Basics and Coordination of Care
- Interviewing Individuals with Personality Disorders
- Professional Boundaries and Ethics in Recipient Rights Investigations
- Interviewing and Communicating with Recipients Who Have a Trauma History
- Recipient Rights Advisory Committee Training
- Boundaries Abound: Navigating Ethics in a Connected World

Neil Marchand  
Heather Schultz, MD

Stephanie Huhn

Syna Khan and Autum Peterson  
Andrew Silver

Stephanie Huhn

## Friday 9/27 AM


- Mental Health 101
- Training Techniques for Rights Staff
- Detect and Decode: Accurate Body Language

Dr. Robert Lagrou  
Beverly Sobolewski  
Jeanette Ghedotte



Friday, 9/27  
Presentation of the  
2024 Cookie Gant  
Award

# CONFERENCE REGISTRATION

	Before September 9, 2024	On or After September 9, 2024
<b>Pre-Conference Only</b> Tuesday, 9/24/24 9:00 AM – 4:00 PM Includes Lunch	\$165	\$180
<b>Main Conference</b> 09/25/24 thru 09/27/24 Includes Wednesday Lunch, Thursday Lunch, Friday breakfast.	\$355	\$390
<b>Pre-Con and Full Conference</b>  09/24/24 thru 09/27/24 Includes Tuesday lunch, Wednesday lunch, Thursday lunch, and Friday breakfast.	\$475	\$520
<b>Wednesday (9/25) or Thursday (9/26) only</b> Includes General Session I and Sessions 1-9 (Wednesday) or General Session II and Sessions 10-18 (Thursday). Lunch is included each day.	\$199	\$249

*Click the button to register for the conference.*



*Detailed brochure to follow.*

**Registration closes September 17, 2024**

**PAYMENT METHODS AND CANCELLATION INFORMATION**

**Refund Policy:** Refund requests must be received, **in writing**, by September 16, 2024, and are subject to a \$50. processing fee. No refunds for cancellations received after September 16, 2024. No-shows will be billed the full registration fee. Substitutions are allowed. Refunds will not be processed until after the event.

- Payment will be required prior to attendance.
- Payment methods available in advance and onsite: credit card, check, or exact cash.
- If payment has not been received, fee will be collected at registration the day of the event unless alternate arrangements are pre-approved by CMHA.
- Purchase Orders are not considered payment.
- To Pay By Check: Make payable to Community Mental Health Association, and mail to 507 S. Grand Ave, Lansing, MI 48933

**Hotel Reservations**



**The Westin Southfield Detroit**

1500 Town Center, Southfield, Michigan, USA, 48075

Tel: 248-827-4000

**\$159 for a single room occupancy**

**[Click here to make a hotel reservation for 2024 Recipient Rights Conference](#)**