

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

Chapter: 3	Member Rights and Responsibilities		
Section: 3	Rights of Consumers		
Topic: 7	Right to Access		
Page: 1 of 3	Supersedes Date: Pol: 7-15-99 Proc: 6-3-02, 7-28-98	Approval Date: Pol: 6-3-02 Proc: 7-2-08	<hr/> <i>Board Chairperson Signature</i> <hr/> <i>Chief Executive Officer Signature</i>
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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that recipients of service shall have the right to entertainment material, information, and news. Recipients shall not be prevented from obtaining/reading/viewing/listening to material at their own expense.

Purpose

This policy and procedure are established to ensure that recipients have the right to obtain entertainment materials, information, and news.

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

Procedure

- I. Recipients of service shall have the right to entertainment material, information, and news. The recipient shall not be prevented from obtaining, using, reading, viewing, or listening to material at his/her own expense for reasons of, or similar to, censorship. A provider may limit access to entertainment materials, information, or news only if such a limitation is specifically approved in the resident's individualized plan of service. A provider shall document each instance when a limitation is imposed in the resident's record. The limitation must be reviewed on a routine basis to determine if the reason for the limitation still exists. Any limitation/restriction is to be removed when it is no longer clinically justified.

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Minors may not have access over the objection of parent/guardian or if access is against state law.

- A. Access to material may only be restricted if said material may represent a risk to the recipients or others or if said material is in violation of state law.
- B. Should the consumer object to restriction/limitation, he/she may appeal this restriction/limitation through complaint investigation and resolution policy and procedure.
- C. In the case where a minor's parent or guardian has objected to material, the client services manager, as part of the annual Person-Centered Planning team process, may discuss/persuade the withdrawal of the objection, should the minor request this. Should the objection continue, minor may not have access to the material pursuant to objection of parent/guardian.
- D. At least annually a consumer in a residential setting shall be polled by the assigned worker regarding his/her interest in a daily newspaper.
- E. Restrictions to access in a living unit must be posted in the living unit's rules. These rules should be promulgated in accordance with this Right to Access Policy.

Attachments

N/A

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Related Forms

N/A

Related Materials

N/A

References/Legal Authority

Michigan Mental Health Code 330.1752. (AR 7139)

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
Linda Maze	Robert Blackford	7/2/08	Revision	Incorporated a portion of the information from now deleted BABHA Policy and Procedure - C03-S03-T08 - Pornographic Literature
		12/31/12	No Changes	Triennial Review
Melissa Prusi	Christopher Pinter	6/27/16	Revision	Triennial Review-word change from consumer to recipient
Melissa Prusi	Christopher Pinter	06/20/2019	Revision	Triennial and annual review – minor changes
Melissa Prusi	Christopher Pinter	08/04/2020	No changes	Annual review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial review
Melissa Prusi	Christopher Pinter	12/19/2024	Revision	Triennial review – 2024 MDHHS Standards-added the word persuade to section C in procedure