

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

Chapter: 3	Member Rights and Responsibilities		
Section: 7	Recipient Rights Advisory Committee		
Topic: 1	Appointment, Construction and Functions		
Page: 1 of 4	Supersedes Date: Pol: 6-3-02,9-20-01, 7-15-99 Proc: 6-3-02, 7-28-98	Approval Date: Pol: 3-30-11 Proc: 12-19-2024	<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 the Recipient Rights Advisory Committee shall be established by BABHA as a Standing Committee. It shall consist of at least six (6) members. Membership shall represent the various perspectives of BABHA’s geographic area. At least one third (1/3) of the membership are primary consumers or family members. At least one half (1/2) of the above one third (1/3) are primary consumers.

The Recipient Rights Advisory Committee is hereby appointed as the Appeals Committee when an appeal is received. The Appeals Committee must consist of at least seven (7) members, none of whom shall be employed by the department or a Community Mental Health Services Program (CMHSP). The Appeals Committee must include at least two (2) board members and two (2) primary consumers. A member of the Appeals Committee may represent more than one of these categories.

Purpose

This policy and procedure is established to ensure that BABHA has a recipient rights advisory committee that meets the Michigan Mental Health Code (MMHC) requirements.

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

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Definitions

N/A

Procedure

BABHA shall establish a Recipient Rights Advisory Committee. The Recipient Rights Advisory Committee shall:

1. Receive, review, and recommend to the Board for approval, rights related policies and procedures for each service.
2. Review and provide comments on the report submitted by the Chief Executive Officer (CEO) to the Board under Section 755.
3. Meet at least four (4) times annually to insure all BABHA programs meet with recipient rights guidelines.
4. A current list of committee members' names and the interests they represent shall be maintained and available upon request.
5. Protect the Office of Recipient Rights from pressure that could interfere with the impartial, even-handed and thorough performance of its functions.
6. Serve in an advisory capacity to the CEO and the Office of Recipient Rights.
7. Communications from the Recipient Rights Committee will be from the Committee chairperson to the CEO to the Board.
8. Receive education and training in Recipient Rights policies and procedures.
9. Recommend candidates to head the Office of Recipient Rights to the CEO when a vacancy occurs. An Officer of Recipient Rights shall not be dismissed without the CEO consulting the Recipient Rights Committee.
10. A grievance procedure is available to the rights officer in the event of disciplinary action or discharge.
11. The Director of the Rights Office shall have no direct clinical service responsibilities.
12. Reviews and provides comments on the annual rights report submitted by the CEO to the Board of the CMHSP.

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13. Minutes from the Recipient Rights Advisory Committee are maintained and made available to individuals upon request.
14. Serve as the Appeals Committee under Section 784 of the MMHC, which may request consultation and technical assistance from the MDHHS-ORR.
15. Be a component of Performance Improvement.
16. Submit quarterly reports to the Performance Improvement Committee and the Board.
17. Review funding for the Rights Office annually.
18. Hold meetings subject to the Open Meetings Act Minutes shall be maintained and made available to individuals upon request.

Attachments

Recipient Rights Appeals Committee-Appeal Guideline

Related Forms

N/A

Related Materials

N/A

References/Legal Authority

Michigan Mental Health Code 330.1757.

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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	Revision	Triennial Review-format and language updated
Sara Heydens	Linda Maze	3/30/11	Revision	Added additional information to policy statement to clarify membership of Appeals Committee
		12/31/12	No Changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	6/27/16	Revision	Triennial Review-Changed Performance "Council" to "Committee" to reflect current name
Melissa Prusi	Christopher Pinter	06/15/2019	Review	Triennial and annual review. No changes.
Melissa Prusi	Christopher Pinter	10/1/2021	No changes	Triennial review-no changes
Melissa Prusi	Christopher Pinter	8-18-22	Revision	Added a new attachment to P&P
<u>Melissa Prusi</u>	<u>Christopher Pinter</u>	<u>12/19/2024</u>	<u>Revision</u>	<u>Triennial Review – to reflect 2024 MDHHS Standards-added information to # 14 in procedure</u>