

AGENDA

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

Monday, April 7, 2025 at 5:00 pm

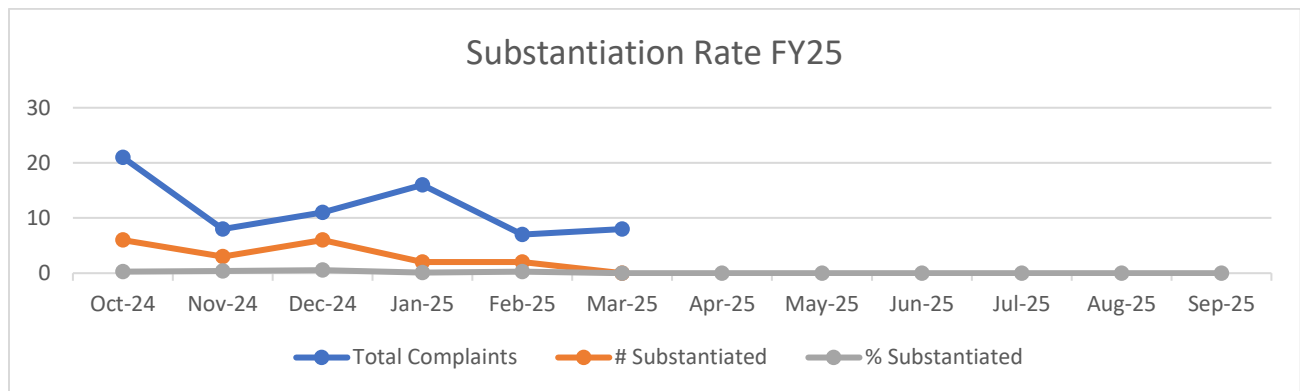
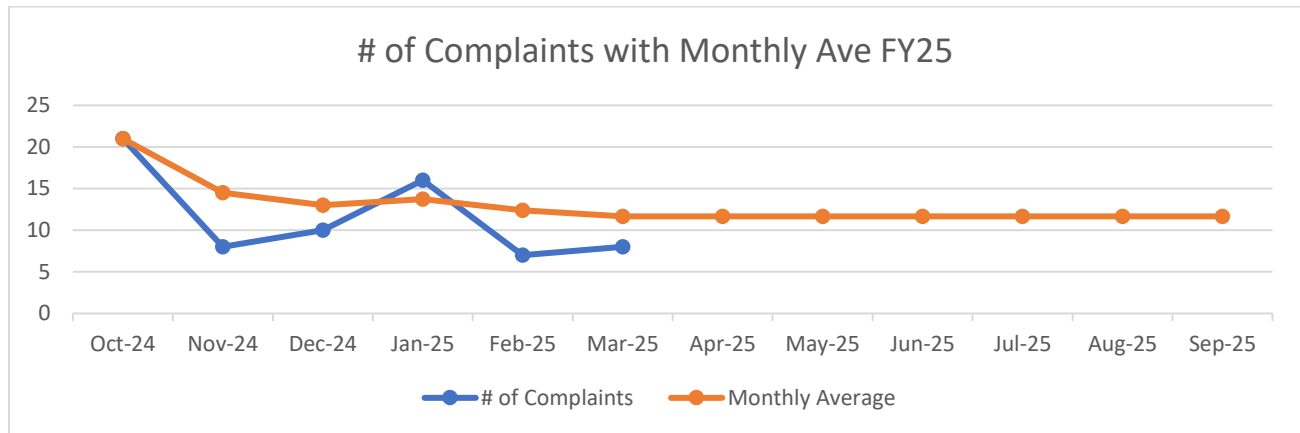
Room 225, Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708

Committee Members:	Present	Excused	Absent	Committee Members	Present	Excused	Absent	Others Present:
Patrick McFarland, Ch	_____	_____	_____	Vacancy	_____	_____	_____	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

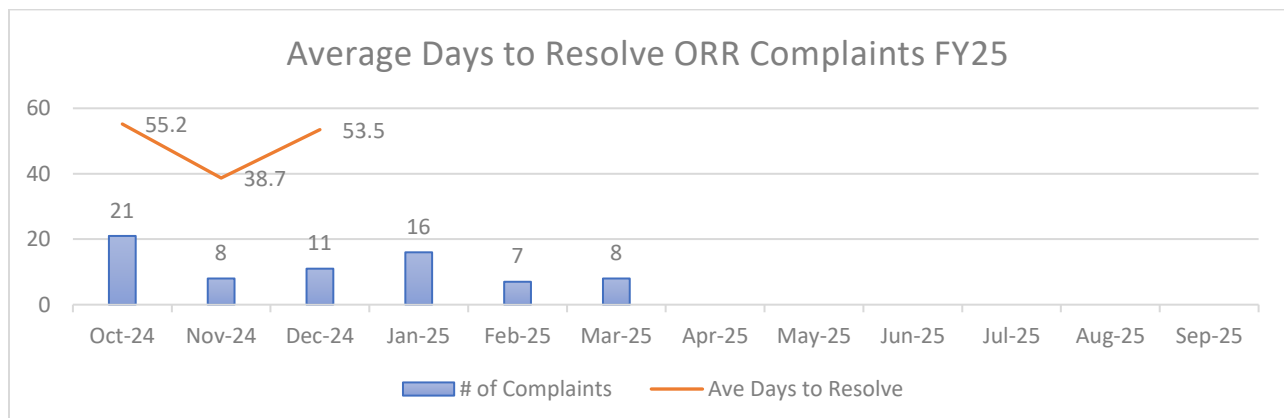
	Agenda Item	Discussion	Motion/Action
1.	Call To Order & Roll Call		
2.	Public Input (Maximum of 3 Minutes)		
3.	Unfinished Business 3.1) None		
4.	New Business 4.1) Executive Summary of Complaints through March of 2025 4.2) Policy Training: Seclusion, 03-02-04 4.3) Recent Recipient Rights Site Reviews Summary 4.4) Upcoming Site Visits 4.5) Recipient Rights Office Transition		4.1) No action necessary 4.2) No action necessary 4.3) No action necessary 4.4) No action necessary 4.5) No action necessary
5.	Adjournment	M -	S - pm MA

Recipient Rights Advisory Committee
Executive Summary of Complaints through March 31, 2025

Overall Summary of the Office of Recipient Rights (ORR) Complaints through March 2025:

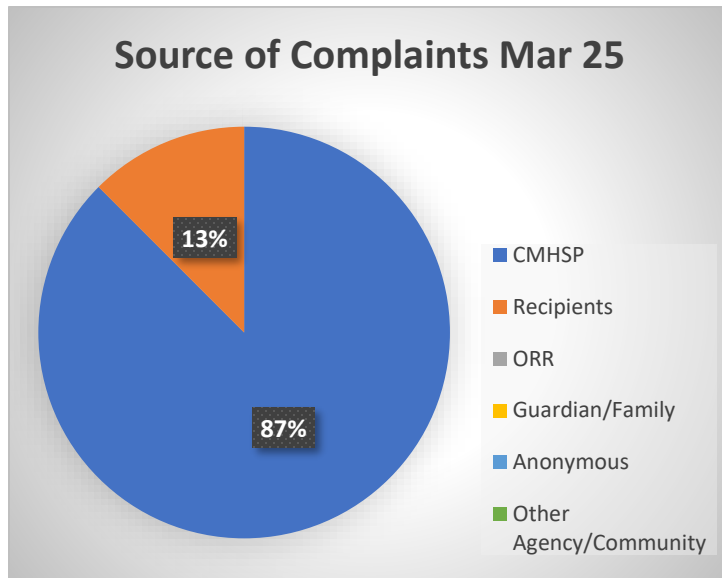


The BABHA ORR completed 190 ORR Complaints for FY23 with an average number of days to resolve the complaints being 57.675 days. The BABHA ORR's goal is to complete RR complaint investigations within 30 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days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



Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25
21	8	11	16	7	8						
55.4	38.7	53.5									

Source of Complaints:



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

Comparison of Complaints for FY19 to FY25:

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY25	21	8	11	16	7	8						
FY24	18	11	11	13	13	12	16	19	16	15	18	13
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
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY25 % Sub	29.0%	38.0%	55.0%									

- FY21 the ORR received 118 complaints.
- FY22 the ORR received 133 complaints.
- FY23 the ORR received 190 complaints.
- FY24 the ORR received 177 complaints.

Report of Remedial Action for Substantiated Complaints for December 2024:

Complaint ID	Rcv Date	RIF	Allegation Type	Remedial Action 1	Remedial Action 2	Remedial Action 3
1742	12/30/2024	2/18/2025	Dignity and Respect	Written Reprimand		
1740	12/13/2024	12/18/2024	Neglect, Class III	Suspension	Written Reprimand	Employment Termination
1738	12/10/2024	12/18/2024	Disclosure of Confidential Information	Training		
1737	12/5/2024	02/24/2025	Individual Written Plan of Service (Person-Centered Process); Mental Health Services Suited to Condition	Other (include explanation)		
1736	12/5/2024	03/05/2025	Neglect, Class II	Written Reprimand		
1733	12/2/2024	12/02/2024	Neglect, Class III	Staff Transfer	Suspension	

3The 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
2	25	7

Training by Recipient Rights Officer for Consumers previous month:

Number of Training Sessions	Number of People Attending	Number of Hours
2	12	1

March CAC meetings for Bay and Arenac Counties regarding the Local Choice Provider Directory and obtain feedback/ways to improve for end user.

Training received by the Recipient Rights Office:

None

Site Visits:

03/05/2025 –	AOI – Standish, MI Arenac Center – Standish, MI North Bay – Kawkawlin, MI
03/06/2025 –	Madison Clinic – Bay City, MI Horizon Home – Essexville, MI Mulholland – Bay City, MI
03/14/2025 –	Serenity Bay – Partial Hospitalization – Bay City, MI
03/20/2025 –	Flatrock – Burton, MI Flatrock – Flint, MI Creekbend – Flint, MI Fenton – Fenton, MI Hickory Hollow – Flint, MI Mid-Michigan Specialized – Burton, MI

Recipient Rights Complaints
Reporting Period - Oct 2024 - September 2025

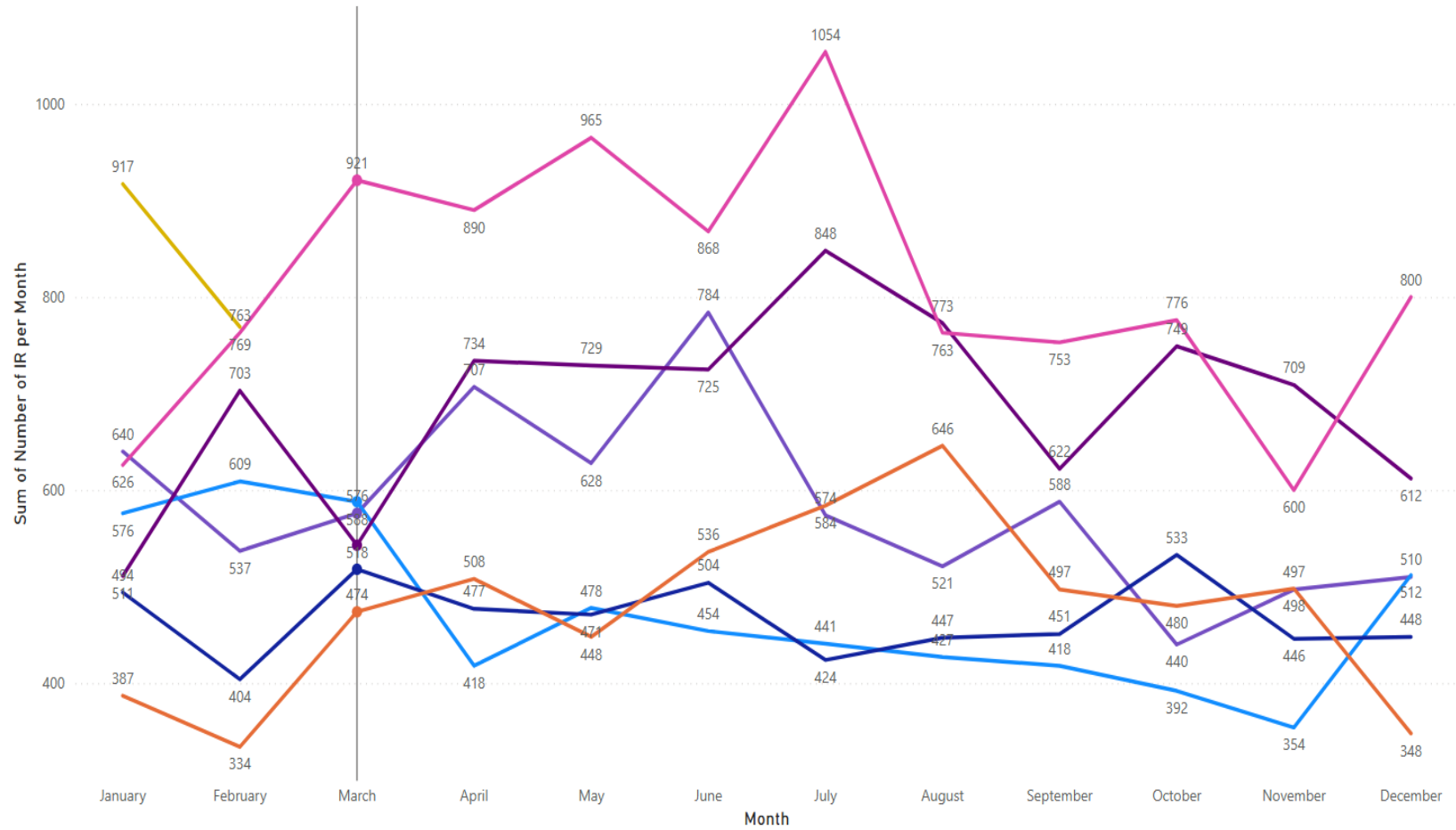
Category	Category Description	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Total Allegations YTD
7084	Dignity and Respect	3	1	3	3	1								11
7081	Mh Services Suite to Condition	6	4	2	1									13
7082	Safe, Sanitary/Humane Treatment/Environment				1									1
7100	Physical and Mental 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		1		2							5
72222	Abuse II - Unreasonable Force	1			1	1	1							4
72225	Abuse II - Exploitation				1		1							2
7223	Abuse III	2		1	1		2							6
7224	Abuse I - Sexual Abuse						1							1
72251	Neglect I					2								2
72252	Neglect I - Failure to Report													0
72261	Neglect II	2		2	1									5
72262	Neglect II - Failure to Report													0
72271	Neglect III	1	2	3	4	3	1							14
7240	Photographs, Fingerprints - Prior Consent	1												1
7249	Video Surveillance													0
7262	Communications-Telephone													0
7263	Communications-Mail													0
7281	Personal Property - Possession													0
7286	Personal Property-Limitations						1							1
7300	Safeguarding money													0
7360	Labor & compensation													0
7400	Restraint													0
7420	Seclusion													0
7440	Freedom of Movement						1							1
7480	Disclosure of Confidential Information	4		1	1	1								7
7550	Rights Protection System													0
7555	Retaliation/Harassment													0
0001	Outside jurisdiction		1		1									2
0000	No Right involved	2	1		2									5
														0
	Subtotal	23	10	13	18	8	10	0	0	0	0	0	0	82
Grand Total - Allegations YTD														82

Incident Reports Calendar Years 2019 through 2025

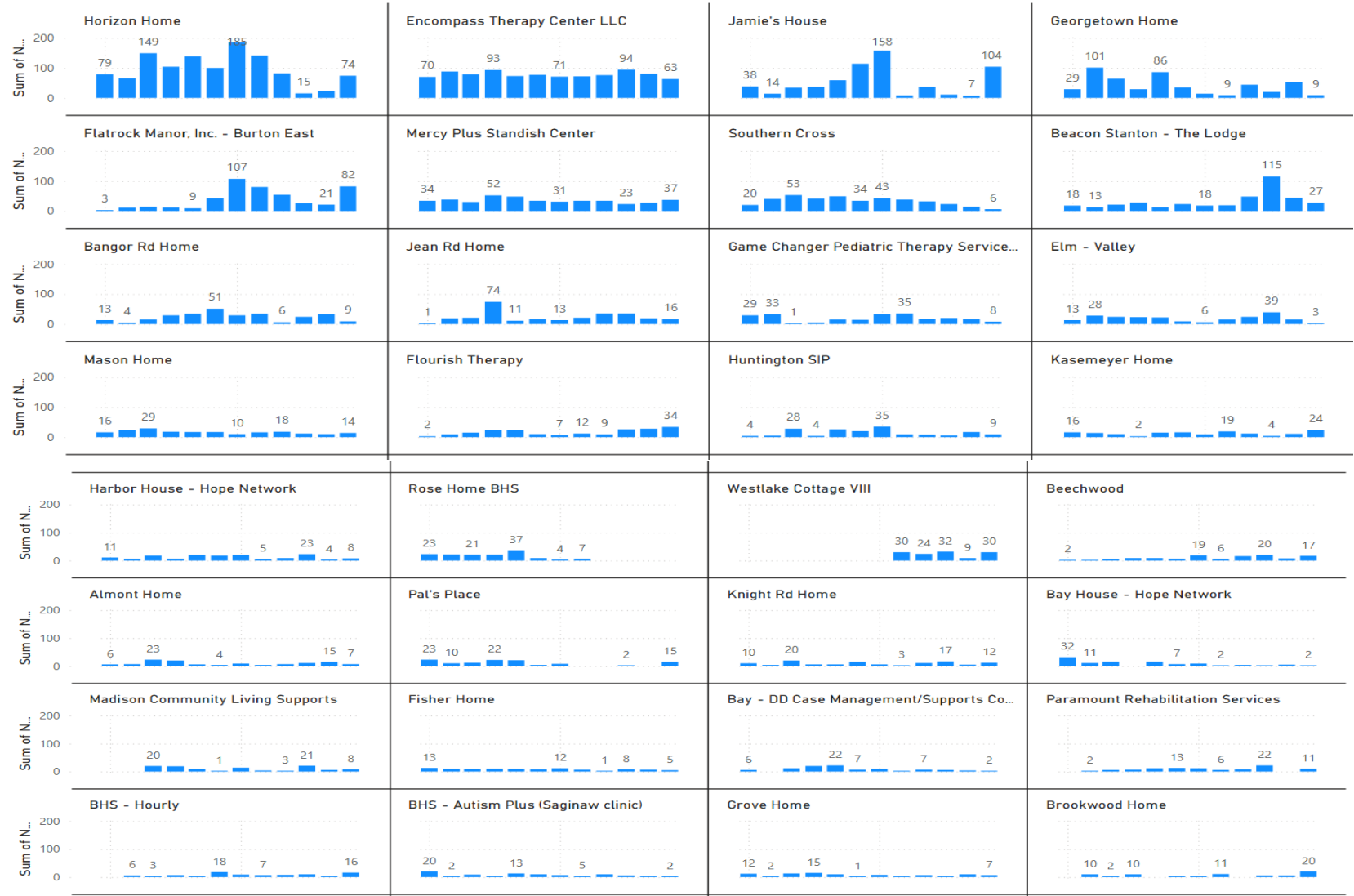
Sum of Number of IR per Month by Month and Year

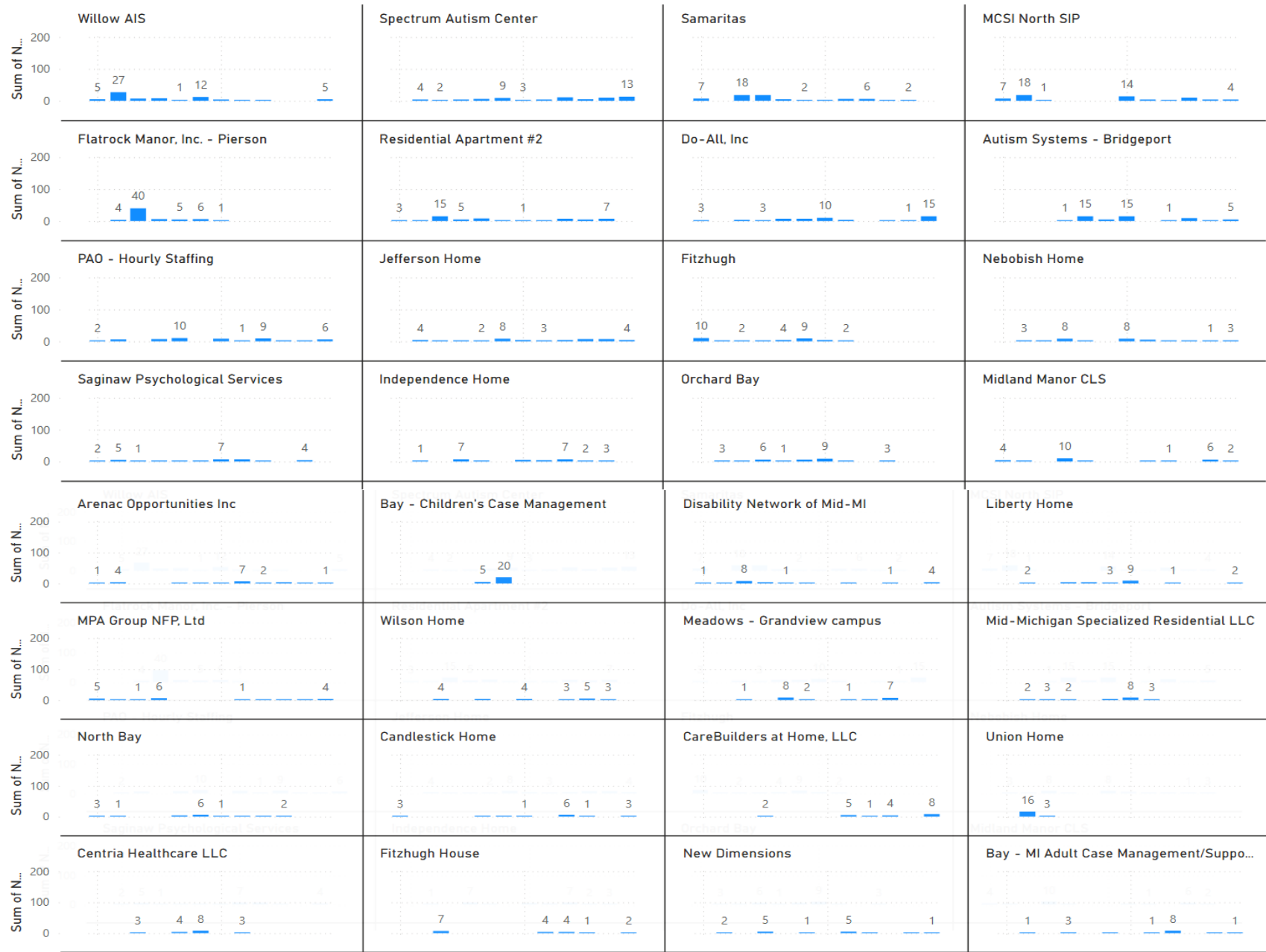


Year ● 2019 ● 2020 ● 2021 ● 2022 ● 2023 ● 2024 ● 2025



Sum of Number of IR per Month by Month and Provider Name





BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 4	Seclusion		
Page: 1 of 3	Supersedes Date: Pol: 10-18-01, 6-18-98 Proc: 3-11-08	Approval Date: Pol: 6-3-02 Proc: 6-15-09	<div style="border-top: 1px solid black; margin-bottom: 5px;"><i>Board Chairperson Signature</i></div> <div style="border-top: 1px solid black;"><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: 4/1/2025. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that seclusion will not be used in community treatment settings.

Purpose

This policy and procedure are established to ensure that seclusion will not be used in community treatment settings.



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
- ☐ Other

Standards

1. The utilization of seclusion requires application and monitoring by specialized personnel which are not available in a community treatment setting. Therefore, the use of seclusion will not be permitted.
2. The use of seclusion is prohibited in all agency programs or sites directly operated or under contract where it is not permitted by statute and agency policy.
3. The Recipient Rights Officer shall review the seclusion policies and procedures of contractual providers of inpatient services and childcare institutions. The contractual inpatient providers and childcare institutions will follow the requirements of the Michigan Mental Health Code

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330.1742 and Administrative Rules 330.7243 in use of seclusion and all applicable Federal Regulations.

Definitions

Seclusion: means temporary placement of a recipient in a room alone, where egress is prevented by any means.

Therapeutic de-escalation: means an intervention, the implementation of which is incorporated in the individualized written plan of service, wherein the recipient is placed in an area or room, accompanied by staff, who shall therapeutically engage the recipient in behavioral de-escalation techniques and debriefing as to the cause and future prevention of the target behavior.

Time out: means a voluntary response to the therapeutic suggestion to a recipient to remove himself or herself from a stressful situation in order to prevent a potentially hazardous outcome.

Procedure

N/A

Attachments

N/A

Related Forms

N/A

Related Materials

N/A

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References/Legal Authority:

Department of Health and Human Services-Administrative Rules *Revised Edition 2009* (AR 7243) Michigan Mental Health Code 330.1700, 742, 752, 755.

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
Sara Heydens	Linda Maze	6/15/09	Revision	Grammar changes made
		12/31/12	No changes	Triennial review
Melissa Prusi	Christopher	6/27/16	No changes	Triennial review
Melissa Prusi	Christopher Pinter	06/19/2019	Revision	Triennial and annual review
Melissa Prusi	Christopher Pinter	08/02/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	09/27/2024	No changes	Triennial Review

OFFICE OF RECIPIENT RIGHTS
SITE VISIT MONITORING FORM (CMH SERVICE SITES)

SERVICE SITE: _____

PROVIDER: [Click or tap here to enter text.](#)

DATE OF VISIT:

ASSESSOR: Melissa Prusi

TYPE: Group Home: ☐ MI ☐ DD ____ Number of Residents | Day Program: ☐ MI ☐ DD | Workshop: ☐ MI ☐ DD
☐ ACT Program | ☐ Outpatient | ☐ Clubhouse/Drop-in Center | ☐ Other: [Click or tap here to enter text.](#)

YES	NO	STANDARD	COMMENTS
<input type="checkbox"/>	<input type="checkbox"/>	Were rights books provided to consumers and readily available for review?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Did the rights books provide the correct information for contacting the appropriate Rights Office?	List the CMHs and name(s) of Rights Staff observed on the books. BABHA
<input type="checkbox"/>	<input type="checkbox"/>	Are posters providing contact information for the Rights Office conspicuously posted and visible to consumers and staff? (not applicable to SIP sites)	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Did the posters provide the correct information for contacting the appropriate Rights Office?	List the CMHs and name(s) of Rights Staff observed on the posters. BABHA
<input type="checkbox"/>	<input type="checkbox"/>	The most current version of the Abuse and Neglect Reporting Posters are posted where staff can see them.	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were complaint forms readily available?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were recipients aware of how to file a complaint?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were staff aware of how to file a complaint?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were copies of Chapter 7 and 7A available?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were any exclusions to items able to be brought into the site (contraband) posted and visible to consumers and visitors?	Weapons
<input type="checkbox"/>	<input type="checkbox"/>	Were records and other confidential information secured and not open for public inspection?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were any health or safety concerns identified during the visit?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Were appropriate accommodations made for persons with physical disabilities?	Click or tap here to enter text.
<input type="checkbox"/>	<input type="checkbox"/>	Documentation that staff received RR training within 30 days of hire was reviewed?	Click or tap here to enter text.

Observations:

RR Policies as required by page 33 (Exhibit B) of contract:

Abuse & Neglect

Confidentiality

Reporting and Investigation of Adverse Events

Change in Type of Treatment

Communication, Mail, Telephone, Visits

Comprehensive Examination

Consent for Treatment

Dignity & Respect

Emergency Physical Intervention

Fingerprinting, Photographing, Videotaping, Audiotaping, Use of 1-Way Glass

Freedom of Movement

Human Sexuality

Medication Administration

Personal Property & Funds

Personal Search

Psychotropic Medications

Reporting & Investigation of Adverse Events

Restraint

Seclusion

Right to Access Entertainment Material, News

Services Suited to Condition

Sterilization/Abortion/Contraception

Training Qualification

Treatment By Spiritual Means

Deficiencies Notes and Required Action:

Click or tap here to enter text.

Site Reviews:

04/24/2025 –	Augres Care Center – Augres, MI Grove – Standish, MI Almont – Standish, MI Elm – Standish, MI Orchard Bay – Standish, MI Willow – Pinconning, MI
04/29/2025 –	Bangor, Bay City, MI Brookwood, Bay City, MI Jean Rd, Bay City, MI Mason, Bay City, MI Autism Plus, Bay City, MI Georgetown, Auburn, MI
05/01/2025 –	New Dimensions, Bay City, MI Fitzhugh, Bay City, MI Harbor House, Bay City, MI Bay House, Bay City, MI
05/22/2025 –	Beacon – The Lodge – virtual Beacon – Ypsilanti – virtual
06/04/2025 –	Knight Rd – Essexville, MI Nebobish – Essexville, MI Parker – Bay City, MI Candlestick – Bay City, MI Beechwood – Bay City, MI Fisher – Bay City, MI
06/05/2025 –	Madison & North SIP – Bay City, MI Midland Manor/Westview – Bay City, MI Huntington SIP – Essexville, MI