

# AGENDA

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

Monday, May 5, 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, Ex Off, Ch	_____	_____	_____	Carole O'Brien	_____	_____	_____	BABH: Melissa Prusi, Chris Pinter, and Sara McRae
Sally Mrozinski, V Ch	_____	_____	_____	Justin Peters	_____	_____	_____	
Robert Bowers	_____	_____	_____	Laurie Van Wert	_____	_____	_____	
Richard Byrne	_____	_____	_____	Robert Pawlak, Ex Off	_____	_____	_____	
Kathy Niemiec	_____	_____	_____					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.	Nomination & Elections 3.1) Committee Chair  3.2) Committee Vice Chair		3.1) Consideration of nomination to elect _____ as Committee Chair  3.2) Consideration of nomination to elect _____ as Committee Vice Chair
4.	Unfinished Business 4.1) None		
5.	New Business 5.1) Executive Summary of Complaints through April of 2025  5.2) Policy Training: Treatment by Spiritual Means, 03-02-05  5.3) Recent Recipient Rights Site Reviews Summary		5.1) No action necessary  5.2) No action necessary  5.3) No action necessary

AGENDA

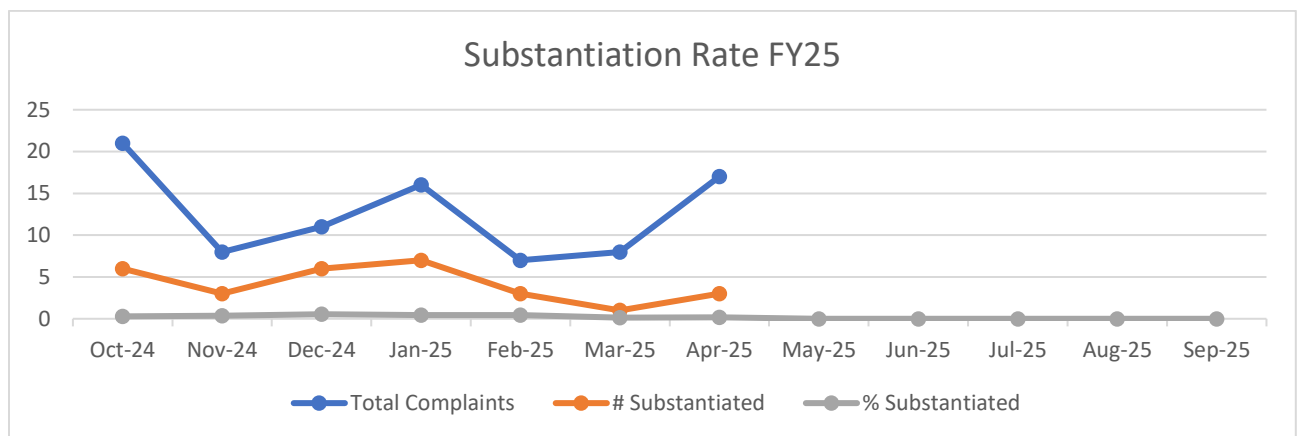
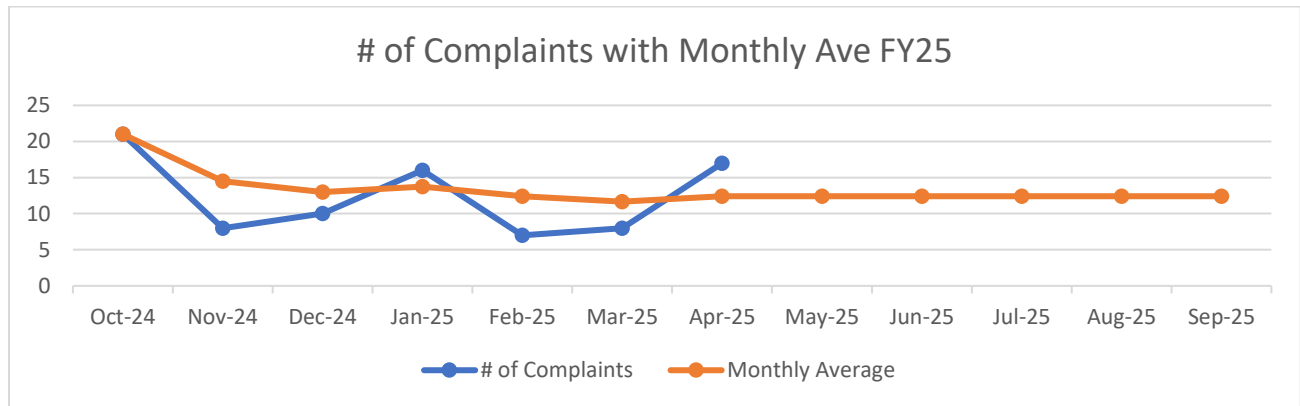
BAY ARENAC BEHAVIORAL HEALTH  
BOARD OF DIRECTORS  
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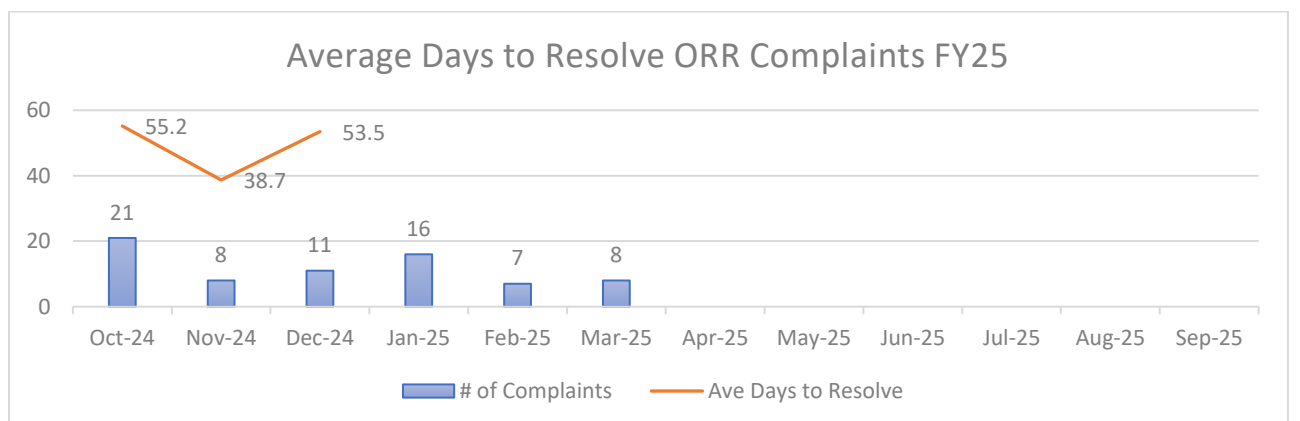
	5.4) Upcoming Site Visits  5.5) Recipient Rights Office Transition		5.4) No action necessary  5.5) No action necessary
6.	Adjournment	M -	S - pm MA

Recipient Rights Advisory Committee  
Executive Summary of Complaints through April 30, 2025

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

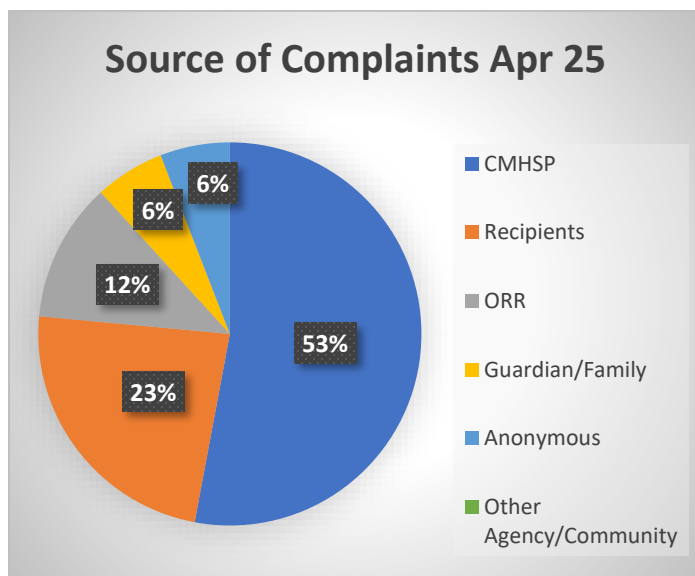


The BABHA ORR completed 190 ORR Complaints for FY23 with an average number of days to resolve the complaints being 57.675 days. The BABHA ORR's goal is to complete RR complaint investigations within 30 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days 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	17					
55.4	38.7	53.5									

### Source of Complaints:



CMSHP Network Staff	9
Recipients	4
ORR	2
Guardian/Family	1
Anonymous	1
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	17					
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	

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	37	8

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

Number of Training Sessions	Number of People Attending	Number of Hours
0	0	0

**Training received by the Recipient Rights Office:**  
**None**

**Site Visits:**

04/21/2025	Closer to Home Site Review
04/24/2025	AuGres Care Center
	BHS-Grove Home
	BHS- Almont Home
	VRS-Elm Home
	VRS-Orchard Bay Home
	CSCS-Willow Home

Recipient Rights Complaints  
Reporting Period - Oct 2024 - September 2025

[illegible]

# BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

## POLICIES AND PROCEDURES MANUAL

<b>Chapter: 3</b>	<b>Member Rights &amp; Responsibilities</b>		
<b>Section: 2</b>	<b>Treatment Rights</b>		
<b>Topic: 5</b>	<b>Treatment by Spiritual Means</b>		
<b>Page: 1 of 5</b>	<b>Supersedes Date:</b> Pol: 6-3-02, 5-16-02, 1-18-02, 8-16-01, 6-18-98 Proc: 7-26-05, 5-6-03, 8-15-02, 6-3-02, 5-21-02	<b>Approval Date:</b> Pol: 8-15-02 Proc: 6-15-09	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <i>Board Chairperson Signature</i>
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### Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that recipients, guardians, or parent(s) of a minor recipient shall be permitted treatment by spiritual means upon request and with appropriate informed consent.

### Purpose

The purpose of this policy is to ensure that recipients, guardians, and parents of BABHA recipients shall be permitted treatment by spiritual means upon request and with appropriate informed consent.



### 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

- A. The opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as recipients are permitted to see private mental health professionals.
- B. The right to treatment by spiritual means includes the right of recipients, parents of a minor, or guardians to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:
  - 1. A guardian or BABHA employee has been empowered by a court to consent or to provide treatment and has done so:



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2. A recipient is presently dangerous to self or others and treatment is essential to prevent physical injury.
- C. Recourse to court proceedings is available when there is refusal of medication or other treatment for a minor and assist if necessary.
- D. The right to treatment by spiritual means does not include the right:
  1. To use mechanical devices or chemical or organic compounds which are physically harmful
  2. To engage in activity prohibited by law
  3. To engage in activity which physically harms the recipient or others
  4. To engage in activity that is inconsistent with court ordered custody or voluntary placement by a person other than the recipient.

### Definitions

Primary Clinician: The staff member in charge of implementing the recipient's plan of service.

Treatment by Spiritual Means: A spiritual discipline or school of thought upon which a recipient wishes to rely to aid physical or mental recovery.

### Procedure

“Treatment by spiritual means” encompasses a spiritual discipline or school of thought upon which a recipient wishes to rely to aid physical or mental recovery.

Requests for printed, recorded, or visual material essential or related to treatment by spiritual means, and to a symbolic object of similar significance shall be honored and made available at the recipient's expense.

The opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner in which recipients are permitted to see mental health professionals.

The right to treatment by spiritual means includes the right of recipients, guardians, or parents of minors to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:

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- 1) A guardian or the agency has been empowered by a court to consent to or provide treatment and has done so.
- 2) A recipient is presently dangerous to self or others and treatment is essential to prevent physical injury.

The right to treatment by spiritual means does not include the right:

- 1) To use mechanical devices or chemical or organic compounds which are physically harmful.
- 2) To engage in activity prohibited by law.
- 3) To engage in activity which physically harms the recipient or others.
- 4) To engage in activity, which is inconsistent with court ordered custody or voluntary placement by a person other than the recipient.

Agencies providing services under contract to recipients of BABHA shall ensure the right of recipients to treatment by spiritual means by adhering to the following:

- 1) Recourse to court proceedings when there is refusal of medication or other treatment for a minor.
- 2) Notice to the requesting person of a denial of a request and the reasons for denial. This denial shall be issued in writing by the case manager/supports coordinator.

BABHA shall provide for appeal of denial of treatment by spiritual means. The recipient or guardian shall be informed by the case manager/supports coordinator that they may appeal to the Recipients Rights Office.

The individual requesting treatment by spiritual means may appeal a denial by notifying the primary clinician, verbally or in writing, of his or her desire to appeal.

### A. Request for Treatment by Spiritual Means

1. A recipient, parent of a minor, or guardian may communicate a request for treatment by spiritual means to the primary clinician.
2. The primary clinician shall document the specific request and the date it was made, and file it in the recipient's record.

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### B. Approval or Denial of the Request

1. The primary clinician shall review and either approve or deny the request for treatment by spiritual means according to agency standards and file written documentation of this decision in the recipient's record.
2. If the request is approved, the primary clinician shall incorporate this request into the recipient's schedule and obtain informed consent if appropriate.
3. If the request is denied, the primary clinician shall provide the recipient and the person requesting treatment, if different, with written notification of the denial, the reasons for denial, and the appeal process, and file such documentation in the recipient's record.
4. BABHA shall provide for appeal of denial of treatment by spiritual means. The recipient or guardian shall be informed by the case manager/supports coordinator they may appeal to the Recipients Rights Office.

BEHAVIORAL HEALTH

### Attachments

NA

### Related Forms

N/A

### Related Materials

N/A

### References/Legal Authority

Michigan Department of Health and Human Services Administrative Rule 7135  
Michigan Mental Health Code 330.1752.

SUBMISSION FORM				
<b>AUTHOR/ REVIEWER</b>	<b>APPROVING BODY/COMMITTEE/ SUPERVISOR</b>	<b>APPROVAL /REVIEW DATE</b>	<b>ACTION (Deletion, New, No Changes, Replacement or</b>	<b>REASON FOR ACTION - If replacement list policy to be replaced</b>

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			<b>Revision)</b>	
V. Atkinson	L. Maze	6/15/2009		
M. Prusi	C. Pinter	6/19/2019	Minor changes	Triennial Review
M. Prusi	C. Pinter	8/30/2020	No changes	Review for audit
M. Prusi	C. Pinter	6/23/2021	No changes	Triennial review
M. Prusi	C. Pinter	12/19/2024	No changes	Triennial review



Augres Care Center – two story large home. Owner/operator lives in the home and provides direct care to the individual receiving contracted services through BABHA. Older construction which is maintained sufficiently by the provider. No deficiencies noted. Utilizes QuikMAR system for medication administration. Has adequate food supply and all required posters, trainings, and health/safety concerns addressed through services provided. Funds maintained as required.

Bay Human Services – typical ranch style homes with accessibility provided to recipients. No deficiencies noted, but a couple recommendations such as maintenance/upkeep. Has adequate food supply and all required posters, trainings, and health/safety concerns addressed through services provided. Funds maintained as required.

Valley Residential Services – typical ranch style homes with accessibility provided to recipients. Has adequate food supply and all required posters, trainings, and health/safety concerns addressed through services provided. Several recommendations regarding appliances and kitchen cupboards/drawers. Funds maintained as required.

Central State Community Services – typical ranch style home. Has adequate food supply and all required posters, trainings, and health/safety concerns addressed through services provided. Some concerns regarding maintaining adequate staffing but a few new employees have recently started. Funds maintained as required.

Hope Network – One typical ranch style home, one two story home. Two health and safety recommendations regarding trimming of trees which are starting to impede sidewalk around home for safe exit during emergencies and one regarding slippery (as reported by recipients) shower floor. Has adequate food supply and all required posters, trainings, and health/safety concerns addressed through services provided by staff. Funds maintained as required.

Site Reviews:

05/07/2025 – 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

05/22/2025 – 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

July – No Site Reviews Scheduled