

# AGENDA

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

Monday, December 8, 2025 at 5:00 pm

Room 225, Behavioral Health Center, 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: BABH: Jackie Kish, Chris Pinter, and Sara McRae
Patrick McFarland, Ex Off, Ch	_____	_____	_____	Carole O'Brien	_____	_____	_____	Legend: M-Motion; S-Support; MA-Motion Adopted; AB-Abstained
Sally Mrozinski, V Ch	_____	_____	_____	Justin Peters	_____	_____	_____	
Robert Bowers	_____	_____	_____	Laurie Van Wert	_____	_____	_____	
Richard Byrne	_____	_____	_____	Robert Pawlak, Ex Off	_____	_____	_____	
Kathy Niemiec	_____	_____	_____					

	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 November of 2025  4.2) Policy Training: Complaint Investigation & Resolution, 03-05-01  4.3) Recent Recipient Rights Site Reviews Summary  4.4) Upcoming Site Reviews  4.5) 2026 Annual Goals		4.1) No action necessary  4.2) No action necessary  4.3) No action necessary  4.4) No action necessary  4.5) Consideration of a motion to adopt the 2026 annual goals

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RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE MEETING  
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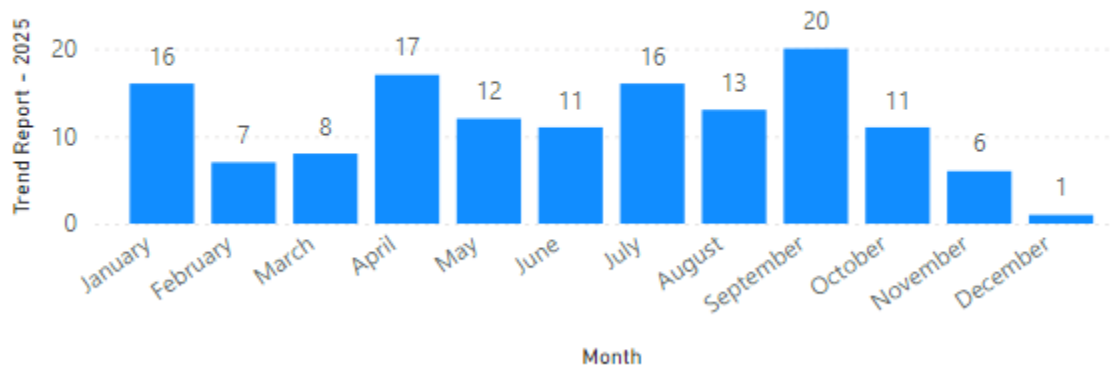
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	4.6) BABHA 2025 Annual Recipient Rights Report  4.7) Review of 2025-2026 BABHA Office of Recipient Rights Budget  4.8) Robert Bowers Re-appointment to the Recipient Rights Advisory & Appeals Committee		4.6) Consideration of motion to forward the BABHA 2025 Annual Recipient Rights Report to the full Board for approval  4.7) No action necessary  4.8) No action necessary
5.	Adjournment	M -	S - pm MA

**Executive Summary**  
**Recipient Rights Advisory Committee- November 2025**

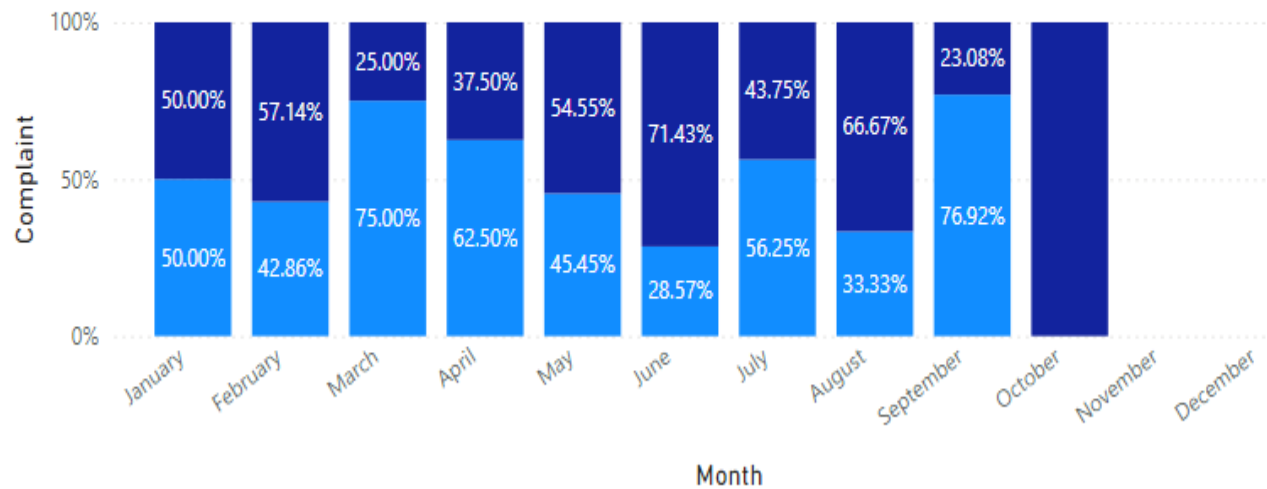
**Overall Summary of the Office of Recipient Rights (ORR) Complaints:**

# of Complaints

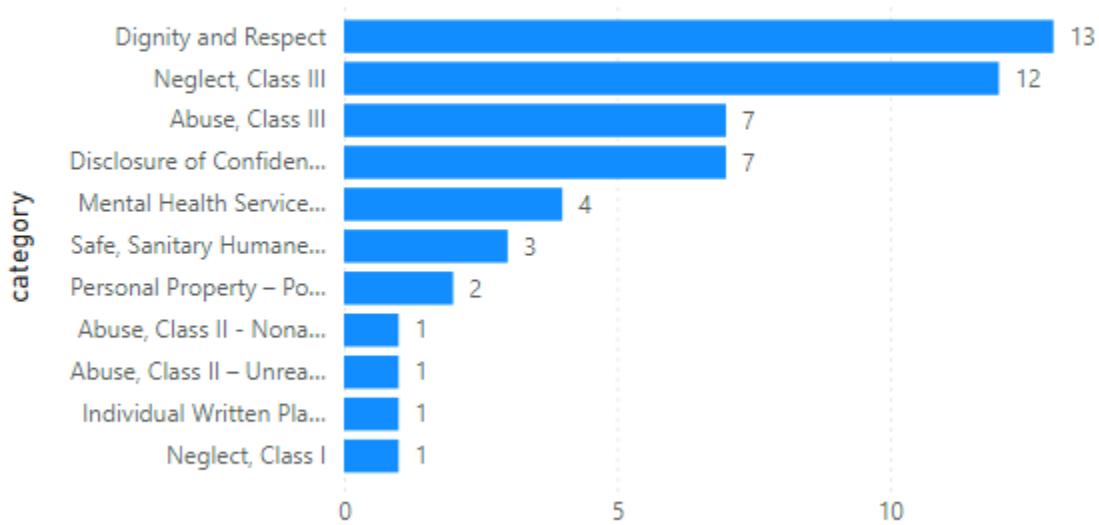


Substantiation Rate

**Substantiated - Provider** ● **Not Substantiated** ● **Substantiated**



## Trend Report by Allegation - 2025

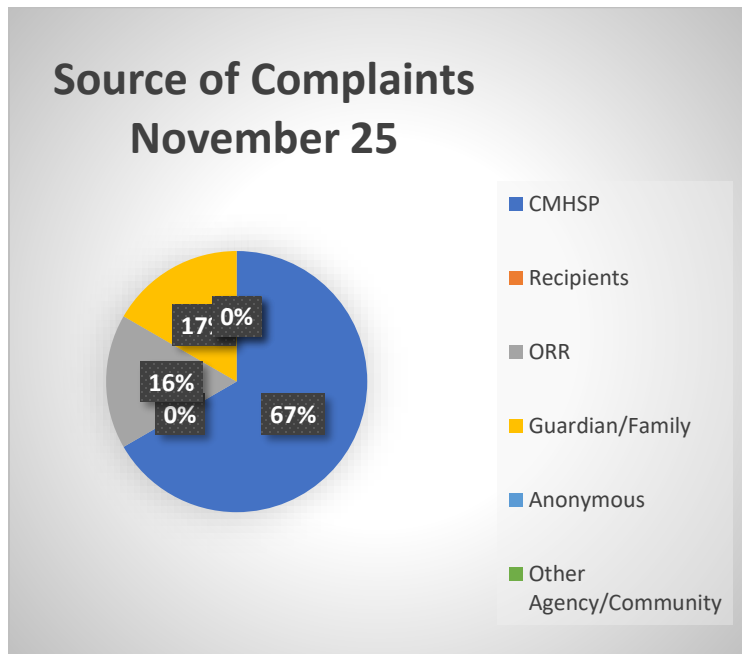


The BABHA ORR's goal is to complete RR complaint investigations within 30 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days to resolve complaints per quarter as we attempt to achieve our goal.

## Average Days to Resolve ORR Complaints



**Source of Complaints:**



CMSHP Network Staff	4
Recipients	0
ORR	1
Guardian/Family	1
Anonymous	0
Other Agency/Community	0

**Fiscal Year Comparison of Complaints from 2022-2026:**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY26	11	6										
FY25	21	8	11	16	7	8	17	12	11	16	13	20
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
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY26 % Sub	100%	100%	%	%	%	%	%	%	%	%	%	%

- FY22 the ORR received 133 complaints.
- FY23 the ORR received 190 complaints.
- FY24 the ORR received 177 complaints.
- FY25 the ORR received 158 complaints.
- FY26 the ORR has received 17 complaints

**Report of Remedial Action for Substantiated Complaints through November 2025:**

Complaint ID	Rcv Date	Inv. Report Sent Date	Allegation Type	Remedial Action 1	Remedial Action 2	Remedial Action 3	Remedial Action 4
1876	10/3/25	11/10/25	Dignity and Respect	Employment Termination			
1873	9/29/25	11/24/25	Dignity and Respect	Employment Termination			
1854	9/3/25	10/16/25	Disclosure of Confidential Information	Verbal Counseling	Training		
1853	9/2/25	11/18/25	Abuse Class III	Employment Termination			

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
2	28	7

**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:**

11/19/25 Jeff Wells Session 24-Kratom & Challenges in Substance Use Disorder Treatment for Substance Use Disorder.

**Completed Site Visits:**

11/3/25 Spectrum Autism Center  
Game Changers Therapy Center  
Centria Autism Center

11/7/25 Autism Plus

11/20/25 Saginaw Psychological

11/21/25 Better Living AFC

11/25/25 Assistance to Independence Home Care Services

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**Policy**

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that:

- A. A mechanism shall be provided for prompt reporting, review, investigation, and resolution of apparent or suspected rights violations, which includes an appeal process. Further, it is the policy of BABHA that an acknowledgement of the receipt of any submitted complaint be issued to the complainant within five (5) business days; and if the investigation is not completed and a report issued within thirty (30) calendar days of receipt of the complaint, a status report is issued to the complainant reporting on:
  - Statement of allegation
  - Statement of issues
  - Citations of relevant portions of the Michigan Mental Health Code (MMHC), rules, policies, and guidelines
  - Investigative process to date
  - Expected completion date
  
- B. An Investigative Report is to be completed by the Recipient Rights Officer within 90 calendar days of the initial complaint receipt following by a Summary Report completed by the Chief Executive Officer (CEO) within 10 business days of the Investigation Report.
  
- C. The complainants, staff or the Office of Recipient Rights, and any staff acting on behalf of a recipient shall be protected from harassment or retaliation resulting from recipient rights activities.
  
- D. Appropriate disciplinary action shall be taken in accordance with agency policy and procedure if there is evidence of harassment or retaliation.

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**Purpose**

This policy and procedure is established to ensure that there is a mechanism in place for the prompt reporting, review, investigation, and resolution of apparent or suspected rights violations which includes an appeals process.

**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:

**Definitions**

**Appellant:** The recipient, complainant, parent of a minor or guardian who appeals a recipient right finding or a respondent's action to an Appeals Committee.

**Intervention:** To act on behalf of a recipient to resolve a complaint alleging a violation of a code protected right when the facts are clear and the remedy, if applicable, is clear, easily obtainable and does not involve statutorily required disciplinary action.

**Investigation:** A detailed inquiry into, and systematic examination of, an allegation raised in a rights complaint. The Recipient Rights Office shall determine whether a right was violated by using the preponderance of evidence standard as its standard of proof.

**Preponderance of Evidence:** A standard of proof which is met when, based upon all available evidence; it is more likely that something is true than untrue; greater weight of evidence, not to

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quantity (number of witnesses), but as to quality (believability and greater weight of important facts); more than 50 percent.

Reasonable Cause: A suspicion founded upon circumstances sufficiently strong to warrant a reasonable person to believe that the suspicion is true.

Respondent: The service provider that had responsibility at the time of an alleged rights violation for the services with respect to which a rights complaint has been filed.

Rights Complaint: A written, or oral statement filed by a recipient, or another individual on behalf of a recipient, with the Office of Recipient Rights, alleging a violation of the MMHC or Administrative Rules, and which contains the following information:

- A. A statement of the allegations that give rise to the dispute.
- B. A statement of the right or rights that may have been violated.
- C. The outcome that the complainant is seeking as a resolution to the complaint.

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, location, and number of hours assigned, or specific shift assigned.

**Procedure**

**I. Standards**

- A. BABHA and respondents shall ensure that:
  - Appropriate administrative action is taken for all CMHSP staff, contractual employees, or staff of contractual employers fail to report apparent or suspected rights violations.
  - Action is taken to protect the recipient during the investigation.

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The Office of Recipient Rights has unimpeded access to all of the following:  
 All programs and services  
 All employees, volunteers, trainees, and recipients.  
 All evidence that the Recipient Rights Office determines is necessary to conduct a thorough investigation or to fulfill its monitoring of remedial action.

Employees, volunteers, or agents of a provider who may have knowledge pertinent to the investigation, cooperate fully with the Office of Recipient Rights and other authorized investigative bodies, respond to questions put forth, verbally or in writing, provide written statements when requested, and provide accurate and honest information. Disciplinary action shall be taken for any failure to cooperate.

All employees, volunteers, agents of a provider, recipients, and others who file a complaint or cooperate in an investigation are protected from discrimination, harassment, or retaliation in accordance with applicable laws and BABHA policies/procedures, and appropriate disciplinary action is taken if this does occur.

The recipient's record and other documentary or physical evidence is immediately secured as necessary and protected from tampering, erasures, deletions, or any other type of falsification.

Copies of documentation requested by the Office of Recipient Rights are provided in a timely manner.

- B. The Office of Recipient Rights shall assure that recipients, parents, guardians, and others have ready access to complaint forms.
- C. Rights complaints filed by recipient or anyone on their behalf are sent or given to the designated rights officer/advisor in a timely manner.

II. Procedure

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**A. Reporting of Rights Violations**

1. All employees, volunteers, and trainees who witness, discover, or have reasonable cause to suspect recipient rights violations shall report, verbally or in writing, to a designated supervisor AND the Office of Recipient Rights within 24 hours.

**B. Filing Rights Complaints**

1. The Office of Recipient Rights shall:
  - a. Date, number, and record each rights complaint when it is received and send an acknowledgment, along with a copy of the complaint, to the complainant within five (5) business days. If the Recipient Rights Office determines that no investigation of the rights complaint is warranted, it shall notify the complainant within five (5) business days;
  - b. Assist the recipient or other individual with the complaint process;
  - c. Advise the recipient or other individual that there are advocacy organizations such as Disability Rights Michigan available to assist in preparation of a written rights complaint and offer to refer the recipient or other individual to those organizations. In the absence of assistance from an advocacy organization, the Office of Recipient Rights shall assist in preparing a written rights complaint.
  - d. Accept complaints that are filed anonymously and protect any information that may lead to identification of the anonymous complainant.
  - e. Route complaints involving alleged abuse, neglect, serious injury, or death to the CEO.
  
2. When the Recipient Rights Office determines that no investigation of the rights complaint is warranted, the office may complete an intervention within 30 days which shall include:
  - a. Recommendations for remedial action for obvious rights violations.

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3. An employee, who is aware that a recipient or other individual wants to file a rights complaint, shall either assist that person or refer him/her to the Recipient Rights Office.

**C. Investigation**

1. All employees, volunteers, and trainees shall cooperate fully with investigators from the Office of Recipient Rights and other authorized investigative bodies, respond to questions put forth, verbally or in writing, and provide accurate and honest information.
2. The Office of Recipient Rights shall:
  - a. Investigate activities for each rights complaint of apparent or suspected rights violations in a timely and efficient manner. Investigation shall be initiated immediately in cases involving alleged abuse, neglect, serious injury, or the death of a recipient that involves an apparent or suspected rights violation.
  - b. Maintain accurate records of all complaints and corresponding documentation.
  - c. Conduct investigations in a manner that does not violate employee rights.
  - d. Complete the investigation no later than 90 days after receiving the rights complaint subject to delays involving pending action by external agencies including law enforcement, protective services, or licensing entities. Include the following when pertinent to the investigation:
    - i. An interview with the complainant when circumstances allow, preferably face-to-face.
    - ii. An interview with the recipient if other than complainant when circumstances allow, preferably face-to-face.
    - iii. Interviews with all witnesses and others who may provide relevant information, preferably face-to-face.
    - iv. Interviews with employees, volunteers, and trainees who are alleged to have violated a right, preferably face-to-face.
    - v. Written statements from employees, volunteers, trainees, recipients, and relevant others when such a statement is

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- vii. Review of investigations into the same allegation conducted by law enforcement licensing entities, or others when available.
    - viii. Visit to the site of the alleged violation.
    - ix. Review of pertinent laws, rules, policies, and procedures.
  - e. Maintain accurate records of investigative activities and findings.
  - f. Store all investigative documents and evidence in a secure manner in a locked cabinet in the Office of Recipient Rights, separate from clinical or personnel records and within the constraints of confidentiality and privileged communications in Sections 748 and 750 of the MMHC.
  - g. Determine whether a right was violated by using a preponderance of evidence as the standard of proof.
  - h. Monitor progress toward remediation of all substantiated violations of rights.
- 3. The Office of Recipient Rights may:
  - a. File additional rights complaints when it becomes apparent that other rights may have been violated.
  - b. Consult with the respondent to determine appropriate remedial action.
- 4. If a rights complaint has been filed regarding the conduct of the CEO, the rights investigation shall be conducted by the office of another Community Mental Health Services Program (CMHSP) or by the State Office of Recipient Rights, as decided by BABHA.

**D. Status Report**

- 1. The Office of Recipient Rights shall:
  - a. Issue a written Status Report every 30 calendar days during the course of the investigation. The report shall be submitted to the complainant, the respondent, and the responsible mental health agency (RMHA).
  - b. Include all the following in the Status Report:

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- i. Statement of the allegations.
- ii. Statement of the issues involved.
- iii. Citations to relevant provisions of the MMHC, Administrative Rules, guidelines, and BABHA policies and procedures.
- iv. Investigative progress to date.
- v. Expected date for completion of the investigation.

**E. Investigative Report**

1. The Office of Recipient Rights shall:
  - a. Submit a written Investigative Report to the respondent and RMHA Director upon completion of the investigation. Issuance of the written Investigative Report may be delayed pending completion of investigations that involve external agencies including law enforcement, protective services, or licensing entities:
  - b. Include all of following in the Investigative Report:
    - i. Statement of the allegations.
    - ii. Statement of the issues involved.
    - iii. Citations to relevant provisions of the MMHC, Administrative Rules, guidelines, and BABHA policies and procedures.
    - iv. Investigative findings.
    - v. Conclusions.
    - vi. Recommendations, if any
2. The Office of Recipient Rights may reopen or reinvestigate a complaint if there is new evidence that was not presented at the time of the original investigation.

**F. Remedial Action**

1. If it has been determined through investigation that a right has been violated, the respondent shall:
  - a. Take appropriate remedial action that meets all of the following requirements.
    - i. Corrects or provides a remedy for the rights violation.
    - ii. Is implemented in a timely manner.
    - iii. Attempts to prevent a recurrence of the rights violation.

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- b. Provide the Office of Recipient Rights with written documentation of the remedial action for its record.
- 2. BABHA and each provider under contract with BABHA shall:
  - a. Ensure that appropriate disciplinary action is taken against those who have engaged in abuse or neglect.
  - b. Apply remedial action for a specific complaint to all recipients in similar situations, when applicable.
- 3. BABHA shall:
  - a. Ensure that remedial action taken on substantiated violations is documented and maintained by the Rights Office.

**G. Summary Report**

The CEO shall:

- a. Submit a written Report to the complainant and recipient, if different from the complainant, guardian or parent of a minor recipient, and the Office of Recipient Rights within 10 business days after receiving a copy of the Office of Recipient Rights investigative report.
- b. Include all the following in the Summary Report:
  - i. Statement of the allegations.
  - ii. Statement of the issues involved.
  - iii. Citations to relevant provisions of the MMHC, Administrative Rules, guidelines, and BABHA policies and procedures.
  - iv. Summary of investigative findings.
  - v. Conclusions.
  - vi. Recommendations made by the office.
  - vii. Action taken, or plan of action proposed, by the respondent.
  - viii. Statement describing the complainant's, guardian, or parent of a minor recipient's right to appeal and the grounds for an appeal.

Provide information in the Summary Report within the constraints of confidentiality and privileged communications in Sections 748 and 750 of the MMHC.

- c. Provide information in the Summary Report in a manner that does not violate the rights of any employee. (ex. Bullard-Plawecki Employee

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Right to Know Act, Act No. 397 of the Public Acts of 1978, MCL 423.501 est.seq)

- d. If the summary report contains a plan of action the Recipient Rights Director must send a letter indicating when the action was completed. If the letter indicating the plan of action describes an action that differs from the plan presented in the Summary Report, the letter must indicate that an appeal on the action may be made within 45 days.

**H. Board Appeals Committee**

1. The Recipient Rights Advisory Committee is designated as the Appeals Committee.
2. The Appeals Committee shall:
  - a. Appoint one member to serve as chair.
  - b. Receive training about recipient rights.
  - c. Ensure that a member who has a personal or professional relationship with an individual involved in an appeal abstains from participating in that appeal as a member of the committee.
  - d. Conducts appeals proceedings within the constraints of confidentiality and privileged communications in Sections 748 and 750 of the MMHC. Such meetings are not subject to the Open Meetings Act.
  - e. Write reports within the constraints of confidentiality and privileged communications in Section 748 and 750 of the MMHC and in a manner that does not violate the rights of any employee.
3. The Appeals Committee may:
  - a. Schedule to meet within 30 days to review the appeal in a non-public session and review the facts as stated in all complaint investigation documents and.
  - b. Request consultation and technical assistance from the Michigan Department of Health and Human Services (MDHHS)- Office of Recipient Rights.

**I. Appeal of a Summary Report**

1. Not later than 45 days after receipt of the Summary Report, the complainant may file a written appeal with the Appeals Committee.

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2. An appeal shall be based on one of the following grounds:
  - The decision of the Office of Recipient Rights is not consistent with the facts or with law, rules, policies, or guidelines.
  - The action taken or plan of action proposed by the respondent does not provide an adequate remedy.
  - An investigation was not initiated or completed on a timely basis.
3. The Office of Recipient Rights shall:
  - a. Inform the appellant of their right to appeal the decision made by the Rights Office.
  - b. Advise the appellant that there are advocacy organizations such as Michigan Protection and Advocacy Services available to assist in preparing the written appeal and offer to refer the appellant to those organizations.
  - c. In the absence of assistance from an advocacy organization, assist the appellant in meeting the procedural requirements of a written appeal.
4. The Appeals Committee shall:
  - a. Ensure that two members of the Appeals Committee will review the appeal within five (5) business days after receipt of the written appeal to determine whether it met criteria (above);
  - b. Notify the appellant, in writing, if the appeal was accepted or denied, within the five (5) business day period.
  - c. Provide written notice to the complainant and provide a copy of the appeal to the respondent and the Agency if the appeal is accepted within the five (5) business day period.
  - d. Provide a copy of the appeal, if it was accepted, to the respondent and the CMHSP within the five (5) business day period.
  - e. Meet to review the facts as stated in all complaint investigation documents within 30 days after receipt of a written appeal was received, and do one of the following:
    - i. Uphold the investigative findings of the Office of Recipient Rights and the action taken or plan of action posed by the respondent. If an investigation is returned to the CMH by an appeals committee for reinvestigation, upon receipt of the RIF, the director will take

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appropriate remedial action and will submit a written summary report to the complainant, recipient, if different than the complainant, parent or guardian, and the appeals committee within 10 business days.

- ii. Return the investigation to the Office of Recipient Rights and request that it be reinvestigated and completed within 45 days;
  - iii. Uphold the investigative findings of the Office of Recipient Rights but recommend that the respondent take additional or different action to remedy the violation. If a request for additional or different action is sent to the Director, a response will be sent within 30 days as to the action taken or justification as to why it was not taken. The response will be sent to the complainant, recipient, if different than the complainant, parent or guardian, and the appeals committee.
  - iv. Recommend that the Agency Board request an external investigation by the MDHHS Office of Recipient Rights. If the committee notifies the CMH Board chair of a recommendation to seek an external investigation from MDHHS-ORR, the board will send a letter of request to the director of MDHHS-ORR within 5-business days of receipt of the request from the appeals committee. The director of the CMH making the request will be responsible for the issuance of the summary report, which will identify the grounds and advocacy information as in A32-A34 of this document and MDHHS-ORR Appeal Committee as the committee for any Appeal.
- f. Document its decision in writing, and
- Within 10 days after reaching its decision, the Appeals Committee provide copies of the decision, to the respondent, appellant, recipient if different than the appellant, the recipient’s guardian if a guardian has been appointed (or parent of a minor recipient), the Agency, and the Office of Recipient Rights. Copies shall include a statement of the appellant’s right to appeal to MDHHS Appeals Committee (Level 2 appeal), the time frame for appeal (45 days

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from receipt of decision) and grounds for appeal (investigative findings or the rights office are inconsistent with facts, rules, policies or guidelines). (MMHC 786)

**J. Appeal of an Agency Appeals Committee Decision**

1. Within 45 days after receiving written notice of the decision of the Agency Appeals Committee, the appellant may file a written appeal with the MDHHS. The appeal shall be based on the record established in the previous appeal, and on the allegation that the investigative findings of the Office of Recipient Rights are not consistent with the facts or with law, rules, policies, or guidelines.
2. MDHHS shall give written notice of receipt of the appeal to the appellant, respondent, local Office of Recipient Rights, and the Agency. The respondent, local Office of Recipient Rights and the Agency shall ensure that the MDHHS has access to all necessary documentation and other evidence cited in the complaint.
3. MDHHS shall review the record based on the evidence or information that was not available during the local appeal process, although the MDHHS may return the matter to the Agency requesting an additional investigation.
4. Within 30 days after receiving the appeal, the MDHHS shall review the appeal and do one of the following:
  - a. Affirm the decision of the local appeals committee.
  - b. Return the matter to the Agency with instructions for additional investigation and consideration.
5. The MDHHS shall provide copies of its action to the respondent, appellant, recipient if different than the appellant, the recipient’s guardian, the Agency and the local Office of Recipient Rights.

**K. Appeal to Circuit Court**

A person aggrieved by a decision of the Director of the MDHHS may appeal to the Circuit Court, requesting an order reversing the decision. The appeal shall be based upon the whole record, and the Circuit Court considers whether the decision is authorized by law and supported by competent evidence.

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**L. Harassment/Retaliation**

An individual who believes he or she is the subject of retaliation resulting from recipient rights activities should use the Agency’s grievance procedure as a means for resolving the matter.

In any instance where the immediate supervisor is involved, the employee should process his or her complaint with the CEO.

**Attachments**

N/A



**Related Forms**

DCH 0030 Complaint Form (Intranet-Forms for Employees)

**Related Materials - Exhibits:**

N/A

**References/Legal Authority**

- A. Act 258 of the Public Acts of 1974, as amended (Mental Health Code), Sections 330.1722, 752, 755, 776-782, 788.
- B. Act 469 of the Public Arts of 1980 (Whistleblowers Protection Act)
- C. Department of Health and Human Services Administrative Rule 7035.
- D. The Agency Board minutes, June 1996.

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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 Heydens	Linda Maze	6/15/09	Revision	Grammatical/Combined Policy
Sara Heydens	Linda Maze	3/30/11	Revision	Language added to update to current practices
		12/31/12	Revision	Triennial Review-Minor grammatical changes
Melissa Prusi	Christopher	6/27/16	Revisions	Triennial Review-Minor changes to reflect current state agency names
Melissa Prusi	Christopher Pinter	06/22/2019	Review	Triennial and annual review. No changes.
Melissa Prusi	Christopher Pinter	09/10/2020	Revision	Annual review and removal of mediation option from policy.
Melissa Prusi	Christopher Pinter	07/29/2021	Revision	Changed Michigan Protection and Advocacy Services to Disability Rights Michigan.
Melissa Prusi	Christopher Pinter	03/14/2023	Revised	To reflect 2023 MDHHS ORR standards
Melissa Prusi	Christopher Pinter	12/19/2024	Revision	Triennial Review – 2024 ORR standards

**Spectrum Autism Center-** ABA Provider, located in Essexville. Building was once a church, so it had an open floor plan with a large area for indoor activities. The space was spacious, bright, clean, with a lot of unobstructed areas. Staff were friendly, knowledgeable and eager to comply with requirements. All records are electronic and data is collected by staff with IPADS. Necessary posters, brochures and paperwork were visible and updated at visit.

**Game Changers Therapy-** ABA Provider, Bay City Westside. Large building with adequate space for indoor play, as well as several specialized rooms for sensory needs. This clinic stood out with its bright colors and eye-catching decor that were similar to an indoor play park. There were climbing areas, nooks, and platforms for children to explore. The entrance lobby had all required paperwork displayed as well as posters. Knowledgeable staff who demonstrated a strong understanding of ABA principles. Updated posters and brochures were provided.

**Centria Autism Center-** ABA Provider, Bay City Westside. Smaller clinic, however in process of moving to a larger facility across the road in the coming weeks. Provided updated paperwork, posters and brochures. Current center would be difficult for handicapped individuals even though it was accessible, due to narrow hallways and smaller therapy rooms. No outdoor or large play area. Welcoming entrance and lobby with professional, office feel, that was neat and organized.

**Autism Plus-** ABA Provider, Bay City Eastside. Newly renovated building that consisted of a new addition as well as large outdoor fenced in play area. Due to multi-level design, there was a “lift” installed for handicap accessibility. All records are paper and no electronic versions. Bright, clean, and new aesthetics. Staff were knowledgeable and friendly.

**Saginaw Psychological-** Contracted Provider, Bay City Westside. Newly renovated professional building. All records are electronic. Necessary posters, brochures and paperwork were visible in main lobby and updated at visit. Open spacious therapy rooms. New fire and sprinkler system throughout. Staff were engaging and eager to comply with requirements for ORR.

**Better Living AFC-** New Residential Provider, located in Kentwood Michigan. Duplex type ranch style home in quiet neighborhood. Only licensed on one side, the other is rented out to another individual. Small living area but only houses 2 individuals (1 BABH). All the posters and necessary paperwork were available and additional updated booklets were provided. Essential furniture and necessities were provided, however not handicapped accessible. Staff were friendly and asked appropriate questions regarding BABH processes.

**Assistance to Independence-** New CLS Provider, located in Midland. Office space was bright, clean and professional looking with front lobby and conference room space. Provided all required and necessary paperwork, brochures, and posters. Staff had a lot of questions about processes, restrictions etc. and appeared to be very knowledgeable with good experience. All records locked in the basement and very organized.

**December 2025 and January 2026**

**Site Reviews:**

**December 12, 2025**

Encompass Therapy ABA-Auburn site

**December 18, 2025**

Encompass Therapy ABA-Bay City site

**December 19, 2025**

Centria ABA- (New Location) Bay City

**January 9, 2026**

Touchstone/Opportunity Center- Eastside, Bay City

Paramount ABA- Eastside, Bay City

**January 14, 2026**

Do-All Vocational Provider- Essexville

**January 15, 2026**

List Psychological- Eastside, Bay City

**January 30, 2026**

Lighthouse, Jamie's House AFC- Caro

Lighthouse, Southern Cross AFC- Caro

## Desired Outcomes and Progress Toward These Outcomes

### Outcomes

Maintain full compliance with MDHHS ORR standards.

Promote visibility of the Recipient Rights/Customer Service Staff

Complete investigations within 30 calendar days unless awaiting outside information for completion

Continue to provide effective Recipient Rights training to those we serve, employees, contract staff/providers.

Provide initial Recipient Rights site review within four months of fully executed contracts with new providers

### Outcomes established for the Office of Recipient Rights for 2026

Continue to maintain full compliance with MDHHS ORR standards.

Promote visibility of the Recipient Rights/Customer Service Staff

Complete investigations within 60 calendar days unless awaiting outside information for completion

Continue to provide effective Recipient Rights training to those we serve, employees, contract staff/pr

Provide initial Recipient Rights site review within three months of fully executed contracts with new pro

## Recommendations to the Governing Board

*The Office of Recipient Rights and Recipient Rights Advisory Committee Recommends:*

Continue training on Recipient Rights policies and topics and additional training modules from Relias as approved by the Committee.

Continue to encourage all members, and at a minimum have the Chair and Vice-chair of the Advisory Committee, attend the Recipient Rights Conference.

Continue the Recipient Rights Online Training Fair for all provider staff and board members.

The Advisory Committee members will have the **option** to attend a total of **five** site reviews annually, pending Board chair authorization for more than one per diem annually.

The Advisory Committee will receive annual training on the appeals process and guidelines. In the absence of actual appeals, the committee will conduct at least one mock appeal annually.

## Office of Recipient Rights Demographic Data

Data Report Covering  
October 1, 2024 through September 30, 2025

Regarding the Current Status of Recipient Rights at

Bay Arenac Behavioral Health Authority

Rights Office Director Name

Jackie Kish

Unduplicated Count of Individuals Served (CMH)

5122

-or-

Number of Beds (LPH)

### Staff Performing Recipient Rights Functions

Staff Name	Hours Per Week	Role
Jackie Kish	40	Investigation
Kevin Motyka	40	Investigation
Bridget Hayes	40	Investigation
Jeff Wells	5	Investigation
Tamera Matuszewski	40	Administration/ Clerical

## Summary of Complaint Data by Category

Code	Category	Total Received	Investigation	Intervention	Substantiated
7221	Abuse Class I	2	2	0	0
7224	Abuse Class I Sexual Abuse	1	1	0	0
72221	Abuse Class II Nonaccidental Act	12	12	0	1
72222	Abuse Class II Unreasonable Force	12	12	0	1
72223	Abuse Class II Emotional Harm	0	0	0	0
72224	Abuse Class II Treating as Incompetent	0	0	0	0
72225	Abuse Class II Exploitation	2	2	0	0
7223	Abuse Class III	19	19	0	7
72251	Neglect Class I	6	6	0	1
72252	Neglect Class I Failure to Report	0	0	0	0
72261	Neglect Class II	4	4	0	1
72262	Neglect Class II Failure to Report	0	0	0	0
72271	Neglect Class III	26	26	0	16
72272	Neglect Class III Failure to Report	0	0	0	0
7040	Civil Rights	0	0	0	0
7044	Religious Practice	0	0	0	0
7045	Voting	0	0	0	0
7081	Mental Health Services Suited to Condition	22	21	1	6
7082	Safe Sanitary and Humane Treatment Environment	3	3	0	3
7083	Least Restrictive Setting	0	0	0	0
7084	Dignity and Respect	33	33	0	15
7100	Physical and Mental Exams	0	0	0	0
7110	Family Rights	1	1	0	0
7120	Individual Written Plan of Service	2	2	0	2
7130	Choice of Physician or Mental Health Professional	0	0	0	0
7140	Notice of Clinical Status and Progress	0	0	0	0
7150	Services of a Mental Health Professional	0	0	0	0

Code	Category	Total Received	Investigation	Intervention	Substantiated
7160	Surgery	0	0	0	0
7170	Electroconvulsive Therapy	0	0	0	0
7180	Psychotropic Drugs	0	0	0	0
7190	Medication Side Effects	0	0	0	0
7240	Fingerprints Photographs Recordings	1	1	0	0
7249	Video Surveillance	0	0	0	0
7261	Visits	0	0	0	0
7262	Telephone	0	0	0	0
7263	Mail	0	0	0	0
7281	Possession and Use of Personal Property	4	4	0	2
7286	Limitations on Personal Property	0	0	0	0
7300	Safeguarding Money (State Hospitals Only)	0	0	0	0
7360	Labor and Compensation	0	0	0	0
7440	Freedom of Movement	0	0	0	0
7400	Restraint	0	0	0	0
7420	Seclusion	1	1	0	0
7460	Complete Record	0	0	0	0
7480	Disclosure of Confidential Information	13	8	5	9
7481	Access Denial to Confidential Information	0	0	0	0
7490	Correction of Record	0	0	0	0
7500	Privileged Communication	0	0	0	0
0000	No Right Involved	22			
0001	Outside ORR Jurisdiction	3			

## Substantiated Rights Violations and Remedial Action Taken

Complaint Category	Service Provider Type	Remedial Action	Remedial Action 2
Neglect Class III	Contracted Provider	Verbal Reprimand	Training
Dignity and Respect	Contracted Provider	Staff Transfer	Training
Dignity and Respect	Contracted Provider	Employee Resigned	
Disclosure of Confidential Information	Contracted Provider	Employee Resigned	
Mental Health Services Suited to Condition	Contracted Provider	Verbal Reprimand	
Disclosure of Confidential Information	Direct Hire	Training	Written Counseling
Mental Health Services Suited to Condition	Contracted Provider	Verbal Counseling	Training
Mental Health Services Suited to Condition	Contracted Provider	Suspension	Training
Dignity and Respect	Contracted Provider	Employee Resigned	
Neglect Class III	Contracted Provider	Staff Transfer	Suspension
Neglect Class II	Contracted Provider	Written Reprimand	
Mental Health Services Suited to Condition	Contracted Provider	Other	
Individual Written Plan of Service	Contracted Provider	Other	
Disclosure of Confidential Information	Contracted Provider	Training	
Neglect Class III	Contracted Provider	Suspension	Written Reprimand
Dignity and Respect	Direct Hire	Written Reprimand	
Neglect Class III	Contracted Provider	Written Reprimand	
Abuse Class III	Contracted Provider	Employment Termination	

<b>Complaint Category</b>	<b>Service Provider Type</b>	<b>Remedial Action</b>	<b>Remedial Action 2</b>
Dignity and Respect	Contracted Provider	Employee Resigned	
Neglect Class III	Contracted Provider	Written Reprimand	Suspension
Safe Sanitary and Humane Treatment Environment	Contracted Provider	Employment Termination	Suspension
Dignity and Respect	Contracted Provider	Employment Termination	Suspension
Possession and Use of Personal Property	Contracted Provider	Employee Resigned	Other
Neglect Class III	Contracted Provider	Written Counseling	Employee Resigned
Neglect Class III	Contracted Provider	Employment Termination	Training
Neglect Class III	Contracted Provider	Employment Termination	Training
Neglect Class III	Contracted Provider	Training	Contract Action
Disclosure of Confidential Information	Contracted Provider	Employee Resigned	
Neglect Class I	Contracted Provider	Written Reprimand	
Possession and Use of Personal Property	Contracted Provider	Training	
Abuse Class III	Contracted Provider	Written Reprimand	Employment Termination
Disclosure of Confidential Information	Contracted Provider	Written Reprimand	Suspension
Disclosure of Confidential Information	Direct Hire	Other	
Neglect Class III	Direct Hire	Written Counseling	Training
Mental Health Services Suited to Condition	Contracted Provider	Training	Other
Dignity and Respect	Contracted Provider	Employment Termination	
Neglect Class III	Direct Hire	Training	Other

<b>Complaint Category</b>	<b>Service Provider Type</b>	<b>Remedial Action</b>	<b>Remedial Action 2</b>
Mental Health Services Suited to Condition	Contracted Provider	Employment Termination	Training
Individual Written Plan of Service	Contracted Provider	Employment Termination	Training
Dignity and Respect	Contracted Provider	Written Reprimand	Training
Dignity and Respect	Direct Hire	Written Reprimand	
Neglect Class III	Contracted Provider	Employee Resigned	Written Counseling
Neglect Class III	Contracted Provider	Written Counseling	Employment Termination
Neglect Class III	Contracted Provider	Written Reprimand	Suspension
Abuse Class III	Contracted Provider	Employment Termination	
Neglect Class III	Contracted Provider	Employment Termination	
Abuse Class II Nonaccidental Act	Contracted Provider	Employment Termination	
Dignity and Respect	Contracted Provider	Written Reprimand	
Abuse Class II Unreasonable Force	Contracted Provider	Written Reprimand	
Dignity and Respect	Contracted Provider	Suspension	Staff Transfer
Dignity and Respect	Contracted Provider	Employment Termination	
Dignity and Respect	Contracted Provider	Written Reprimand	Training
Abuse Class III	Contracted Provider	Suspension	Employment Termination
Disclosure of Confidential Information	Direct Hire	Training	
Dignity and Respect	Contracted Provider	Written Counseling	
Abuse Class III	Contracted Provider	Suspension	Employment Termination





## Training Provided by the Office of Recipient Rights

Topic	Mode	Length	Number of attendees by type			
			Direct Hire	Contracted	Recipient	Other
Provider Test	eLearning	1.0		2		1
Recipient Rights zoom training	Instructor-Led (Virtual)	7.0		36		1
New Employee Orientation	Instructor-Led (Virtual)	1.0	2			1
Provider Training	Instructor-Led (In Person)	1.5		36		1
Recipient Rights in person training	Instructor-Led (In Person)	7.0		23		1
Recipient training at Consumer Council Meetings	Instructor-Led (In Person)	4.0			25	1
Recipient Rights zoom training	Instructor-Led (Virtual)	7.0		22		1
New Employee Orientation	Instructor-Led (Virtual)	4.0	13			1
Provider Training	Instructor-Led (In Person)	1.5		3		1
Recipient Rights in person training	Instructor-Led (In Person)	7.0		19		1
Recipient Rights zoom training	Instructor-Led (Virtual)	7.0		28		1
Recipient Rights in person training	Instructor-Led (In Person)	7.0		29		1
Recipient Rights zoom training	Instructor-Led (Virtual)	7.0		38		1
New Employee Orientation	Instructor-Led (Virtual)	2.0	6			1
Recipient Rights in person training	Instructor-Led (In Person)	10.5		35		1
Recipient Rights zoom training	Instructor-Led (Virtual)	14.0		71		1

<b>Topic</b>	<b>Mode</b>	<b>Length</b>	<b>Direct Hire</b>	<b>Contracted</b>	<b>Recipient</b>	<b>Other</b>
Recipient Rights in person training	Instructor-Led (In Person)	7.0		28		1
New Employee Orientation	Instructor-Led (Virtual)	2.0	12			
Recipient Rights training	Instructor-Led (In Person)	0.5	1			
Annual Recipient Rights training	eLearning	261.0	230	18		13
Online Contract Provider RR Training	eLearning			57		



**Desired Outcomes and Progress Toward These Outcomes**

**Outcomes**


**Outcomes established for the Office of Recipient Rights for 2026**


## Recommendations to the Governing Board

*The Office of Recipient Rights and Recipient Rights Advisory Committee Recommends:*


## Director Attestation

*(To be completed by the CMH/LPH Director)*

I attest that I have reviewed this annual report and I am submitting it as required by law.

Name (sign or type below)

DATE

## Data Summary

### Demographic Information

Reporting CMH/LPH	Bay Arenac Behavioral Health Authority
Recipient Rights Office Director Name	Jackie Kish
Reporting Period	October 1, 2024 through September 30, 2025
Number of Rights Office Staff	5
Full Time Equivalents (FTEs)	4.125
Staff with an Investigative Role	4
FTEs for Investigation	3.13
Complaints per FTE	52.48

### Complaint Data Summary

<i>Type</i>	<i>Received</i>	
All Allegations Received	189	
Allegations Received Subject to Investigation/Intervention	164	
Allegations Received with No Right Involved or Outside Jurisdiction	25	
Investigations Completed	158	
Interventions Completed	6	
Allegations Substantiated	64	
Percent of All Allegations Substantiated	39%	
 <b>Highlighted Complaint Categories</b>		
	<b>Received</b>	<b>Substantiated</b>
Abuse I, II, III	48	9
Neglect I, II, III	36	18
Dignity and Respect	33	15
MH Services Suited to Condition	22	6
Individual Written Plan of Service	2	2
Disclosure of Confidential Information	13	9

### Complaint Remediation

<b>Remediation Type</b>	<b>Total</b>
Verbal Counseling	2
Written Counseling	8
Verbal Reprimand	2
Written Reprimand	15
Suspension	11
Demotion	0
Staff Transfer	3
Training	19
Employment Termination	16
Employee Resigned	9
Contract Action	1
Policy Revision/Development	0
Environmental Repair/Enhancement	0
Plan of Service Revision	0
Recipient Transfer to Another Provider/Site	0
Other	6
None	0

**Training Received by the Office of Recipient Rights**

<b>Training Categories</b>	<b>Hours</b>
I - Operations	32.5
II - Legal Foundations	3
III - Leadership	12
IV - Augmented Training	0
<b>Total</b>	<b>47.5</b>

**Training Provided by the Office of Recipient Rights**

	<b>Agency</b>	<b>Contracted</b>	<b>Recipient</b>	<b>Other</b>
Instructor-Led (In Person)	1	173	25	8
Instructor-Led (Virtual)	33	195	0	8
eLearning	230	77	0	14
Video	0	0	0	0
Paper	0	0	0	0
<b>Total</b>	<b>264</b>	<b>445</b>	<b>25</b>	<b>30</b>

**Appeals**

<b>Grounds</b>	<b>Total</b>
Findings	0
Action Taken	0
Timeliness	0
<b>Decision</b>	<b>Total</b>
Denied Appeal	0
Upheld Investigative Findings	0
Returned for Reinvestigation	0
Requested External Investigation	0
Take Additional Action	0
Address Timeliness Issues	0

**Bay-Arenac Behavioral Health  
Recipient Rights  
FY 2026 Budget**

**REVENUE**

Other CMH for CMH	62,700
<b>TOTAL REVENUE</b>	<b>62,700</b>

**EXPENSE**

Salaries and Wages	373,367
Employer FICA	28,060
Health insurance	99,283
Dental insurance	3,527
Vision insurance	610
Life insurance	308
Disability insurance, short	2,185
Disability insurance, long	1,421
Retirement	14,944
Employee Health Services	180
Benefit Administration Fees	460
Workers compensation	581
Facility cost allocation	8,150
Staff conference and travel	4,310
Telephone and communications	1,869
Contractual program cost	10,392
Consumer compensation	3,360
Consumer conference and travel	526
Consumer activities	603
Mobile communications	3,690
Office supplies and expenses	1,965
Postage and freight	251
Consumer info and printing	2,160
Purchased services, other	4,927
Software license maintenance	237
Professional liab insurance	929
General insurance and bonds	198
PCE allocation	5,810
IS Dept. Allocation	31,885
Depr exp allocation	5,247

General & Board Admin Allocation	<u>29,315</u>
<b>TOTAL EXPENSE</b>	<b><u>640,749</u></b>
<b>TOTAL BUDGET</b>	<b>578,049</b>



**BEHAVIORAL HEALTH**

December 3, 2025

**Chief Executive Officer**  
Christopher Pinter

Mr. Robert Bowers  
1121 North Birney Street  
Bay City, MI 48708

Via email: rbbowers69@gmail.com

**Board of Directors**  
Robert Pawlak, Chair  
Patrick McFarland, Vice Chair  
Christopher Girard, Treasurer  
Sally Mrozinski, Secretary  
Tim Banaszak  
Richard Byrne  
Patrick Conley  
Jerome Crete  
Shelley King  
Kathy Niemiec  
Carole O'Brien  
Pamela Schumacher

Dear Mr. Bowers:

We are pleased to inform you at the November 20, 2025 regular Board Meeting of the Bay Arenac Behavioral Health Authority (BABHA) Board of Directors, Chairperson Robert Pawlak re-appointed you to serve another term as a member the Recipient Rights Advisory & Appeals (RR) Committee. This appointment is for a three-year term commencing January 1, 2026 and expiring on December 31, 2028. Congratulations on your appointment!

**Board Administration**  
Behavioral Health Center  
201 Mulholland  
Bay City, MI 48708  
800-448-5498 Access Center  
989-895-2300 Business

As a reminder, the RR Advisory & Appeals Committee meetings are being held in room 225 at the Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708 at 5:00 pm on the Monday after the first Thursday of every month. The next regular scheduled meeting is Monday, December 8, 2025. The agenda packet will continue to be emailed to you on the day of the meetings no later than 3 pm.

Arenac Center  
PO Box 1188  
1000 W. Cedar  
Standish, MI 48658

Thank you for your willingness to continue serving!

North Bay  
1961 E. Parish Road  
Kawkawlin, MI 48631

Sincerely,

A handwritten signature in black ink that reads "Sara K. McRae". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Sara K. McRae  
Executive Assistant to the CEO

William B. Cammin Clinic  
1010 N. Madison  
Bay City, MI 48708

cc: Robert Pawlak, Board Chair  
Pat McFarland, RR Advisory & Appeals Committee Chair  
Christopher Pinter, Chief Executive Officer  
Jackie Kish, Recipient Rights/Customer Services Manager

[www.babha.org](http://www.babha.org)