

# AGENDA

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

Monday, January 5, 2026 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:
Patrick McFarland, Ex Off, Ch	_____	_____	_____	Carole O'Brien	_____	_____	_____	BABH: Jackie Kish, 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.	Unfinished Business 3.1) Policy Training: Complaint Investigation & Resolution, 03-05-01		3.1) No action necessary
4.	New Business 4.1) Executive Summary of Complaints through December of 2025  4.2) Policy Training: Appointment, Construction, Function, 03-07-01  4.3) Recent Recipient Rights Site Reviews Summary  4.4) Upcoming Site Reviews		4.1) No action necessary  4.2) No action necessary  4.3) No action necessary  4.4) No action necessary

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	4.5) Virtual Michigan Department of Health and Human Services (MDHHS) Advisory & Appeals Committee Training		4.5) No action necessary
5.	Adjournment	M -	S - pm MA

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

<b>Chapter: 3</b>	<b>Member Rights and Responsibilities</b>		
<b>Section: 5</b>	<b>Complaint Investigation and Resolution</b>		
<b>Topic: 1</b>	<b>Investigation/Resolution</b>		
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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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- 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

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

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<b>Topic: 1</b>	<b>Investigation/Resolution</b>		
<b>Page: 13 of 15</b>	<b>Supersedes Date:</b> Pol: 9-20-01, 7-15-99 Proc: 3-14-23, 6-27-16, 3-30-11, 6-15-09, 7-26-05, 3-10-05, 8-15-02, 6-3-02, 5-21-02, 1-18-02, 7-28-98	<b>Approval Date:</b> Pol: 6-3-02 Proc: 12-19-2024	_____ <i>Board Chairperson Signature</i>  _____ <i>Chief Executive Officer Signature</i>
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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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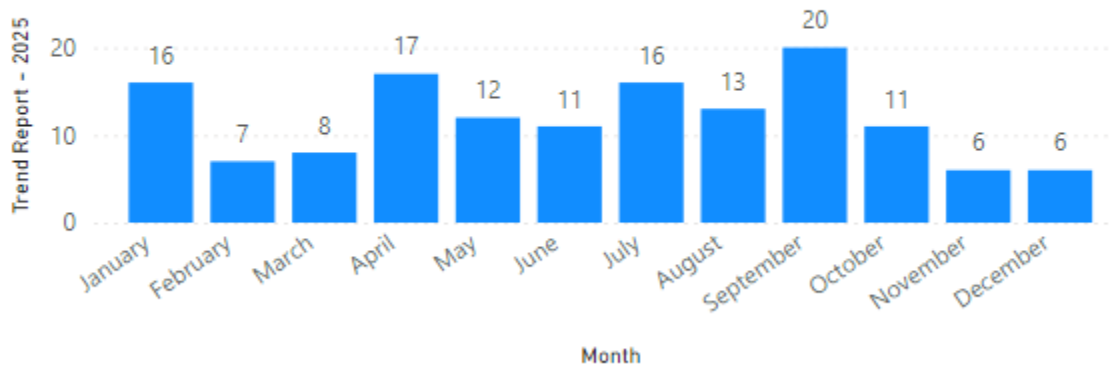
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<b>SUBMISSION FORM</b>				
<b>AUTHOR/ REVIEWER</b>	<b>APPROVING BODY/COMMITTEE/ SUPERVISOR</b>	<b>APPROVAL /REVIEW DATE</b>	<b>ACTION (Deletion, New, No Changes, Replacement or Revision)</b>	<b>REASON FOR ACTION - If replacement list policy to be replaced</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

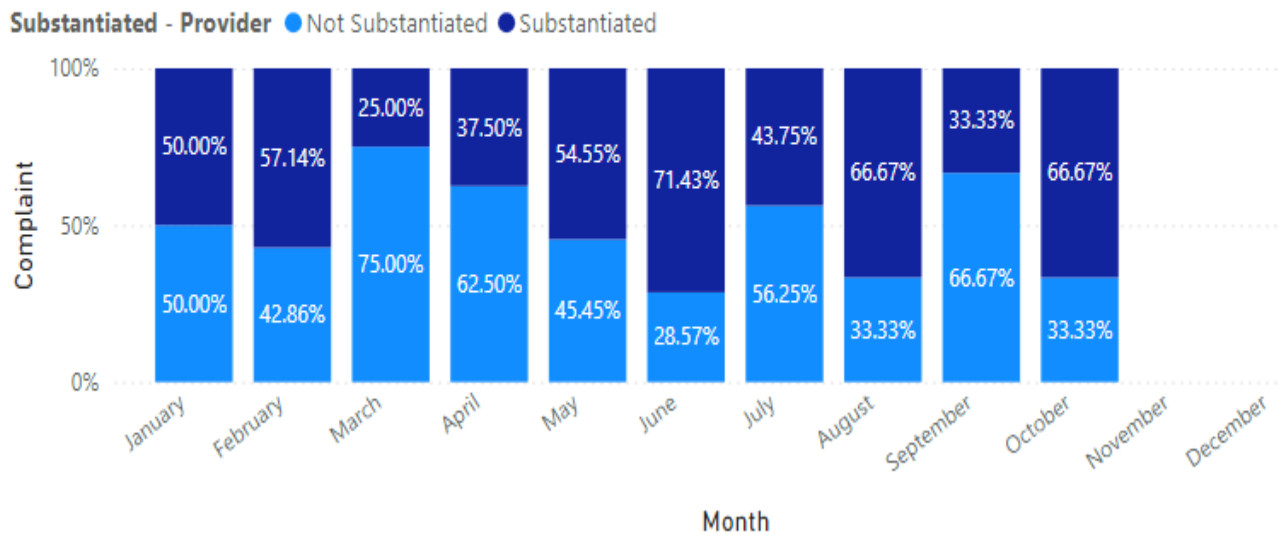
**Recipient Rights Advisory Committee, January 2026  
Executive Summary for December 2025**

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

# of Complaints

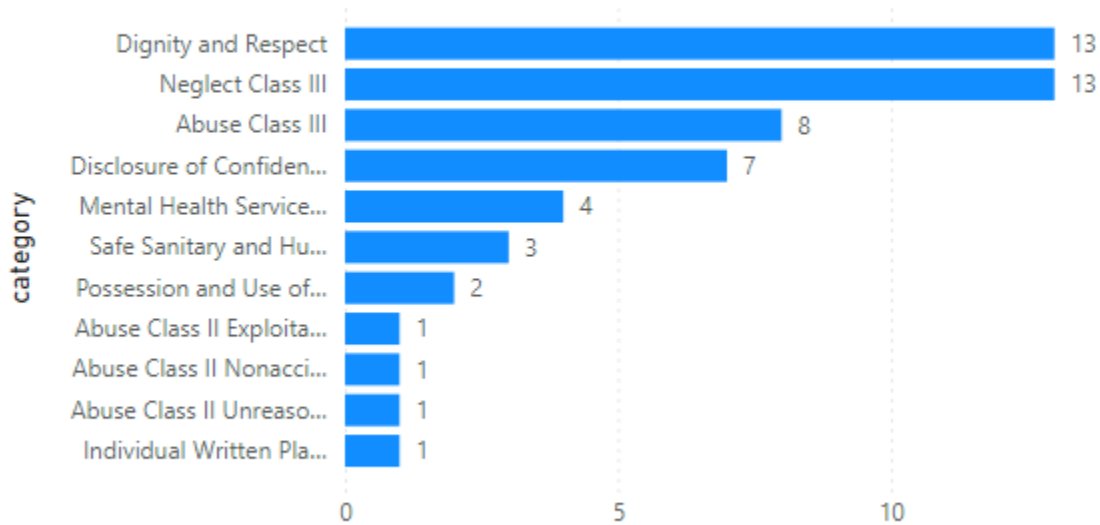


Substantiation Rate



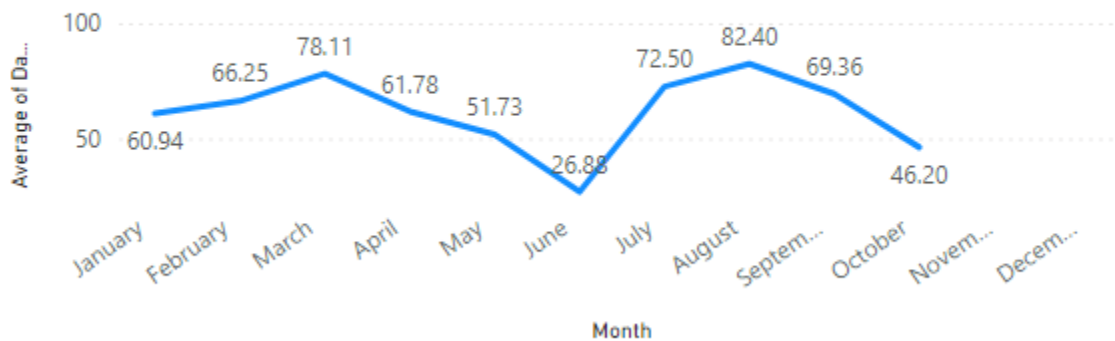
\*Please note that the graph above does not include pending cases currently still under investigation for November and December.

## Trend Report by Allegation - Substantiated



The above graph illustrates the number of complaints related to the identified allegations through December 2025.

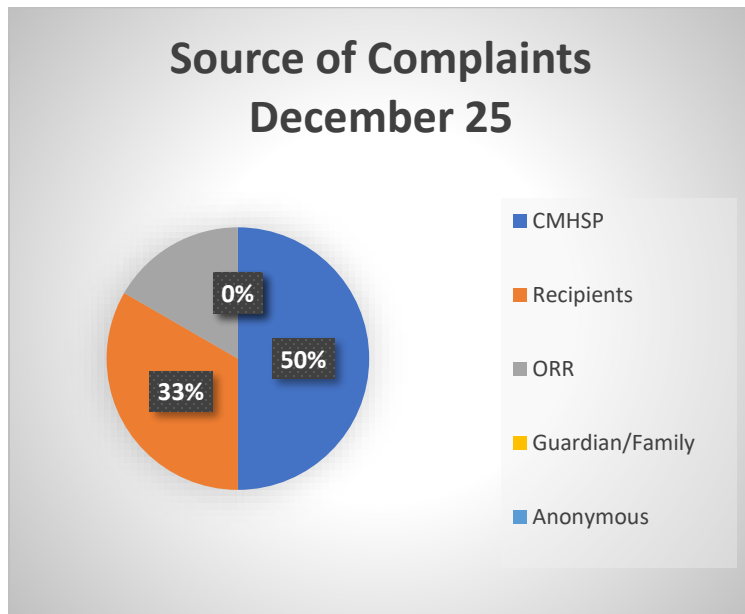
## Average Days to Resolve ORR Complaints



The BABHA ORR's goal is to complete RR complaint investigations within 60 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.

***\*Note that the graph does not include pending cases currently still under investigation for November and December.***

**Source of Complaints:**



CMSHP Network Staff	3
Recipients	2
ORR	1
Guardian/Family	0
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	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	66%	66%	66%	%	%	%	%	%	%	%	%	%

- 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 23 complaints

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

Complaint ID	Rcv Date	Inv. Report Sent Date	Allegation Type	Remedial Action 1	Remedial Action 2	Remedial Action 3	Remedial Action 4
1877	10/10/25	10/20/25	Mental Health Services Suited to Condition	Employee left agency but substantiated			
1887	10/27/25	12/12/25	Abuse Class III	Employment Termination			
1888	10/28/25	Intervention	Disclosure of Confidential Information	Verbal Counseling			

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	28	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:**

12/17/25 Jeff Wells-Session 26 Behavioral Addictions for Substance Use Disorder.

**Completed Site Visits:**

12/12/25 Encompass-Auburn Site

12/18/25 Encompass-Bay City Site

12/19/25 Centria- New location

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<b>Topic: 1</b>	<b>Appointment, Construction and Functions</b>		
<b>Page: 1 of 4</b>	<b>Supersedes Date:</b> Pol: 6-3-02,9-20-01, 7-15-99 Proc: 6-3-02, 7-28-98	<b>Approval Date:</b> Pol: 3-30-11 Proc: 12-19-2024	<hr/> <i>Board Chairperson Signature</i> <hr/> <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.
13. Minutes from the Recipient Rights Advisory Committee are maintained and made available to individuals upon request.

**BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY  
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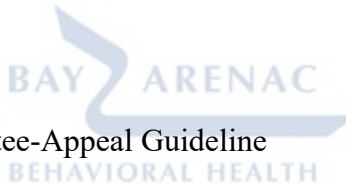
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14. Serve as the Appeals Committee under Section 784 of the MMHC, which may request consultation and technical assistance from the MDHHS-ORR.
15. Be a component of Performance Improvement.
16. Submit quarterly reports to the Performance Improvement 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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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
Melissa Prusi	Christopher Pinter	12/19/2024	Revision	Triennial Review –updated # 14 in procedure to reflect 2024 MDHHS Standards

**Encompass (Auburn Site)-** ABA Provider. Large newly constructed facility. Large lobby that opens to main staffing area. Clean and bright interior. Many rooms for individual therapy as well as larger areas for group work. Both indoor and outdoor play 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.

**Encompass (Bay City Site)-** ABA Provider, located on Westside of Bay City. Description is identical as above. Both Auburn and Bay City clinics are set up exactly, including layout, exterior of the building, interior design etc. Staff at both facilities were accommodating and engaging. Necessary posters, brochures, and paperwork were visible and updated at visit.

**Centria Autism Center (New Location)-** ABA Provider, Bay City Westside. Much larger clinic than the previous center and entirely renovated and updated. Lay out is very similar to a school setting, with lockers and large handicap accessible restrooms. Large open rooms for group activities with many windows and natural light. Several “therapy style” rooms for individual sessions, as well as “chill out” rooms that can be used for de-escalation strategies. Two large, fenced, outdoor play areas with a gazebo. Welcoming entrance and lobby with professional, office feel, that was neat and organized. Provided additional updated paperwork, posters and brochures.



## **January and February 2026**

### **Site Reviews:**

**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

**February 5, 2026**

Care Builders- Midland

**Sara McRae**

---

**Subject:** FW: Upcoming Advisory & Appeals Committee Trainings – January 14. Presented on Teams.

**From:** Sobolewski, Beverly K. (DHHS) <[sobolewskib@michigan.gov](mailto:sobolewskib@michigan.gov)>

**Sent:** Monday, December 22, 2025 4:50:22 PM

**To:** Wilson, Edward (DHHS) <[WilsonE21@michigan.gov](mailto:WilsonE21@michigan.gov)>; Leto, Tammi (DHHS) <[LetoT2@michigan.gov](mailto:LetoT2@michigan.gov)>

**Cc:** Ryan, Veronica (DHHS) <[RyanV1@michigan.gov](mailto:RyanV1@michigan.gov)>

**Subject:** Upcoming Advisory & Appeals Committee Trainings – January 14. Presented on Teams.

**WARNING:** This message has originated from an **External Source**, please use caution when opening attachments or clicking links.

MDHHS-ORR is pleased to announce the upcoming virtual **Advisory Committee** and **Appeals Committee** trainings scheduled for **January 14, 2026**. If your committee has new members or needs a refresher regarding the responsibilities and workings of either of these committees, this training meets those needs.

Future trainings are scheduled for April 8, July 8 and October 7, 2026. These are the only dates that advisory and appeals committee training is scheduled for FY26.

Please find the details below:

**Training Schedule:**

- **Advisory Committee Training**
  - 🕒 **Start Time:** 9:00 AM
  - 🕒 **Duration:** 1.5 hours
- **Appeals Committee Training**
  - 🕒 **Start Time:** 10:30 AM
  - 🕒 **Duration:** 1.5 hours

In order to prepare for the sessions, we request that you send your name and agency name to [MDHHS-ORR-Training@michigan.gov](mailto:MDHHS-ORR-Training@michigan.gov) In your e-mail, please specify if you are attending the advisory committee session or the appeals committee session or both.

In the new year, you will receive an invitation to the session(s) and a handout for each.

MDHHS-ORR will not be issuing a certificate of completion.

If you have questions, please contact Beverly Sobolewski - [sobolewskib@michigan.gov](mailto:sobolewskib@michigan.gov) or Tammy Leto - [LetoT2@michigan.gov](mailto:LetoT2@michigan.gov)



Rights Specialist, Education  
Michigan Department of Health and Human Services  
Office of Recipient Rights  
MDHHS Recipient Rights,  
5<sup>th</sup> floor