

# AGENDA

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

Monday, March 9, 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>	<b>Others Present:</b>
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 5 Minutes)		
3.	Unfinished Business 3.1) BABHA Recipient Rights Office Budget Follow Up		3.1) No action necessary
4.	New Business 4.1) Executive Summary of Complaints through February of 2026  4.2) Policy Training: Communication, Mail, Telephone and Visits, 03-03-14  4.3) Upcoming Site Reviews  4.4) Recent Recipient Rights Site Reviews Summary  4.5) Michigan Department of Health and Human Services (MDHHS) Office of Recipient Rights (ORR) Triennial Assessment		4.1) No action necessary  4.2) No action necessary  4.3) No action necessary  4.4) No action necessary  4.5) No action necessary

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BOARD OF DIRECTORS

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	4.6) Annual Recipient Rights Training Reminder		4.6) Consideration of a motion to forward the annual Recipient Rights training details to the full board for information
	4.7) Virtual MDHHS Advisory & Appeals Committee Training Reminder		4.7) No action necessary
5.	Adjournment	M -	S - pm MA

# Interpreter Services: Cost Overview and Service Summary

BABH utilizes two agencies for interpreter services: **VOICE** and **Bromberg & Associates**.

As of **January 2025**, VOICE's hourly rate increased from **\$75/hour to \$150/hour**. However, they are one of the few providers that offer in person services; many are virtual.

Although **Bromberg & Associates** has not been regularly used (one encounter in 2022), BABH pays a **monthly fee of \$50** to maintain 24-hour availability for Emergency Services (ES).

*Note: The service dates listed below reflect only those scheduled by the Recipient Rights Secretary and **do not** include interpreter services that may have been used by ES.*

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## Service Utilization by Consumer

### Consumer 1 – VOICE

- **10/2021 – 8/2022:** 10 service dates
- **7/2024 – 2/2025:** 14 service dates
- **3/2025 – 12/2025:** 22 service dates
  - *Increase in service utilization due to participation in OPT, CSM, and physician services.*
  - *Consumer remains enrolled and continues to require interpreter services.*

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### Consumer 2 – VOICE

- **3/2022 – 12/2024:** 21 service dates
  - *Consumer discontinued interpreter services when only virtual options were available.*

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### Consumer 3 – VOICE

- **3/2024 – 4/2025:** 10 service dates
  - *Consumer closed to services as of 4/2025.*

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### Consumer 4 – Bromberg

- **1/2022:** 1 service date
  - *Only used interpreter services once.*
  - *Consumer remains open to services.*

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### Consumer 5 – VOICE

- **7/2022 – 10/2022:** 8 service dates
  - *Consumer closed to services as of 3/2023.*

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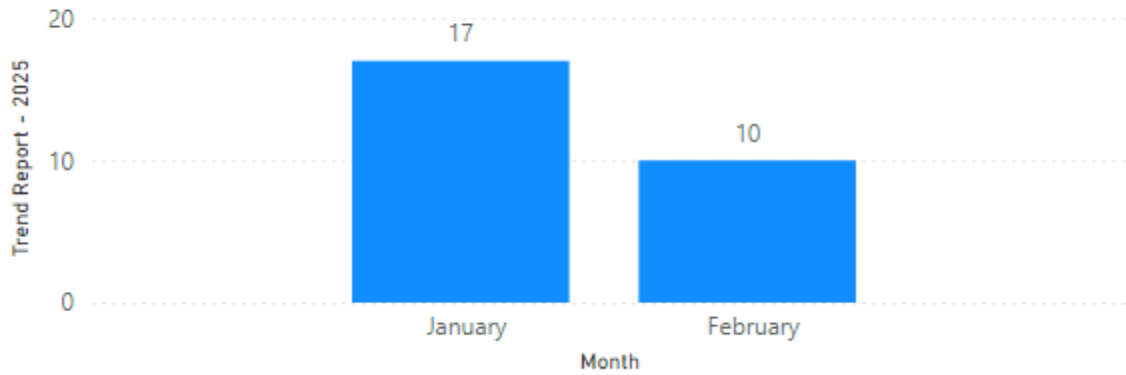
## Consumer 6 – VOICE

- **10/2023 – 2/2025:** 27 service dates
  - *Consumer closed to services as of 10/2024.*

## Recipient Rights Advisory Committee, March 2026 Executive Summary

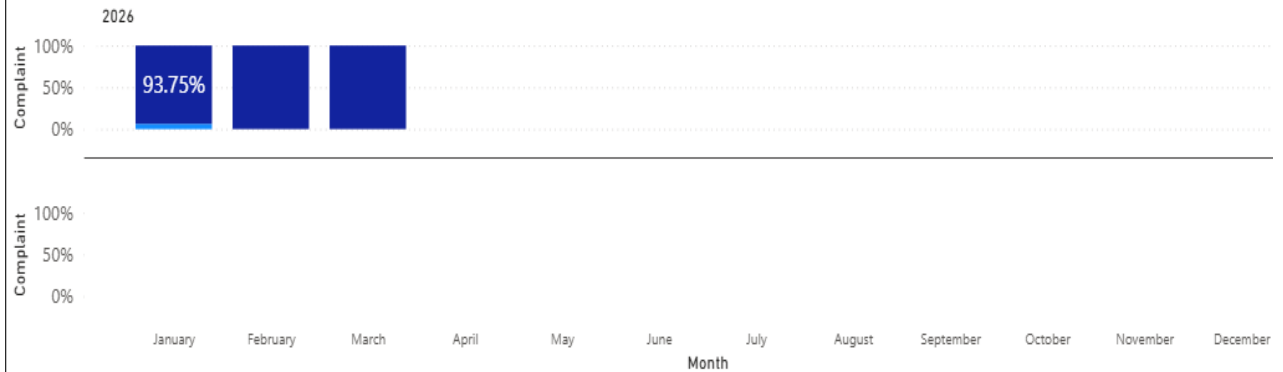
### Overall Summary of the Office of Recipient Rights (ORR) Complaints:

#### # of Complaints

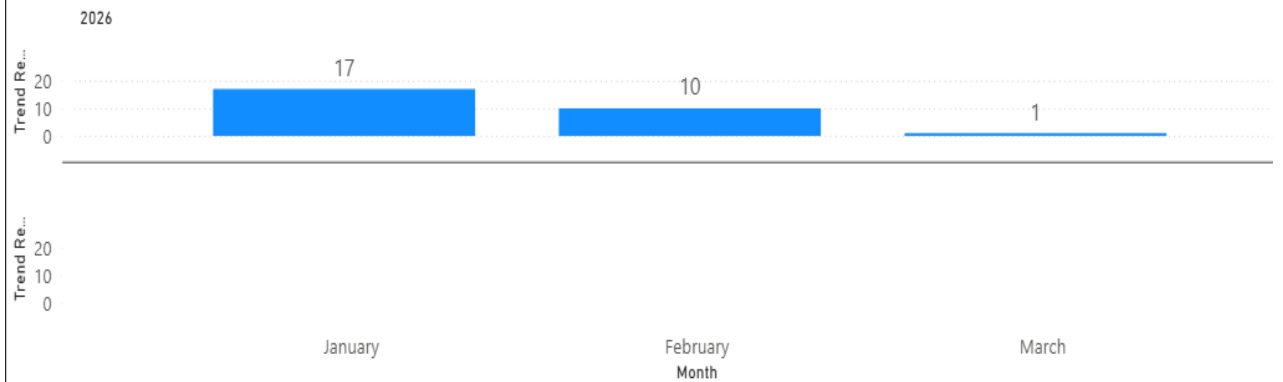


#### Substantiation Rate

Substantiated - Provider ● Not Substantiated ● Pending ●



#### # of Complaints



Trend Report by Allegation - Substantiated

Substantiated - Provider	January	February	Total
<input type="checkbox"/> Pending	16	10	26
Fingerprints Photographs Recordings	1		1
Neglect Class II		1	1
Dignity and Respect	1	1	2
Neglect Class I	3		3
Abuse Class III	3	1	4
Neglect Class III	1	3	4
Abuse Class II Unreasonable Force	6		6
Mental Health Services Suited to Condition	2	4	6
<b>Total</b>	<b>16</b>	<b>10</b>	<b>26</b>

The above graph illustrates the number of pending complaints for January and February 2026. This does not include the 1 case that was determined to be a No Right Involved.

Average Days to Resolve ORR Complaints



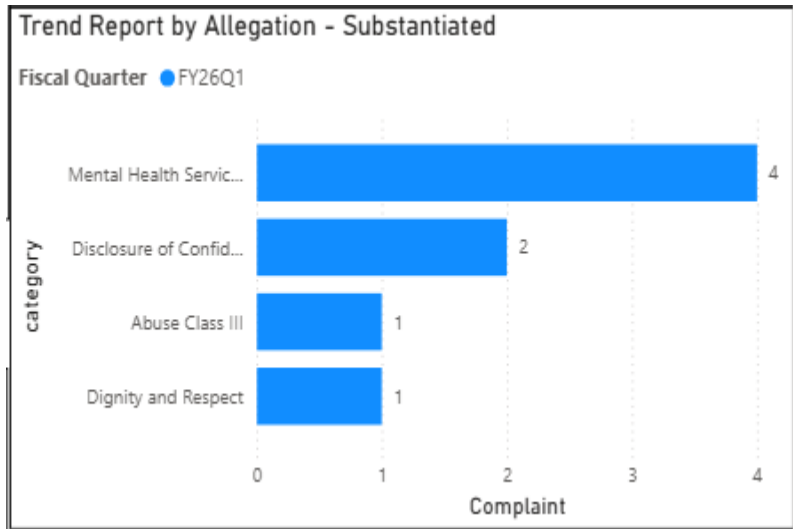
The BABHA ORR’s goal is to complete RR complaint investigations within 60 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days to resolve complaints per quarter as we attempt to achieve our goal.

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

**Source of Complaints for January:**

**FY26 Allegations**

CMSHP Network Staff	6
Recipients	2
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	7	17	10							
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	54.5%	50%	-%	-%	%	%	%	%	%	%	%	%

- 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 51 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
1893	11/18/25	2/9/26	Mental Health Services Suited to Condition	Training	Other-6 months Probation		
1892	11/12/25	2/10/26	Mental Health Services Suited to Condition	Employee left, but substantiated			

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	33	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

**Completed Site Visits:**

2/5/2026 Carebuilders at Home

2/19/26 MPA

2/26/26 Serenity Bay Health

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

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<b>Section: 3</b>	<b>Rights of Consumers</b>		
<b>Topic: 14</b>	<b>Communication/Mail/Telephone/Visits</b>		
<b>Page: 1 of 5</b>	<b>Supersedes Date:</b> Pol: 12-15-05, 9-19-05, 6-3-02, 9-20-01 Proc: 1-3-19, 6-27-16, 12-15-05	<b>Approval Date:</b> Pol: 8-18-16 Proc: 12-19-2024	_____ <i>Board Chairperson Signature</i>  _____ <i>Chief Executive Officer Signature</i>
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**Policy**

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that a recipient of residential services is assured unimpeded, private and uncensored communication with others by mail and telephone and to visit with persons of his/her choice, except in the circumstances and under the conditions set forth by this section.

**Purpose**

This policy and procedure is established to ensure the recipients' rights to have mail, use the telephone and have visitors.

**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

**Definitions**

N/A

**Procedure**

- A. Telephone Calls
  - 1. A recipient shall be provided access to a telephone for incoming and outgoing calls unless the resident is otherwise restricted in an approved treatment plan.

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2. Residential settings shall ensure that telephones are reasonably accessible and funds for telephone usage are available in reasonable amounts.
- B. Visits
1. Residential settings shall make space available for visits. Any limitations on visitors must be authorized in the recipient's/resident's plan of service.
- C. Mail
1. A recipient shall be provided daily distribution of mail unless the recipient is restricted, and limitations have been incorporated into the recipient's plan of service.
  2. A postal box or daily pickup and deposit of mail shall be provided.
  3. Non-letterhead stationery, non-letterhead envelopes, pens/pencils, and reasonable funds for postage shall be furnished upon request for indigent residents, unless the recipient is restricted, and limitations have been incorporated into the recipient's/resident's plan of service.
  4. Incoming and outgoing mail for a recipient shall not be opened or destroyed unless the recipient, a legally empowered guardian, or the parent of a minor has consented that an article of mail may be opened by a designated person, or there is reasonable belief that the mail is in violation of a limitation. All instances of opening or destruction of mail by staff shall be recorded in the recipient's record. Limitations shall be identified in a plan of service.
  5. Mail shall be conveniently and confidentially received and mailed and writing materials and postage will be provided in reasonable amounts.
- D. For all limitations, the following criteria shall be met:
1. A limitation is the minimum essential to achieve the purposes proposed. Documentation must support the reasons and evidence to justify the extent of limitation as being minimum amount essential.
  2. A limitation is approved by the Treatment Team.
  3. A limitation is supported by documentation, entered in the resident's record/plan of service, establishing the following:
    - a. Reasons that justify the limitation, i.e., significant evidence supporting the potential mental or physical harm, the violation of law, of harassment. In the case of telephone harassment, a limitation to prevent harassment shall require a written request from the victim of the harassment, documentation of the

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- frequency or content of past harassment, and whether future telephone harassment can reasonably be expected.
- b. A specific expiration date established by the Treatment Team stating at which time the limitation will be re-assessed. (Reassessment shall occur no more than thirty days from the enactment of the restriction.)
  - c. A recipient shall be informed of a limitation on mail, telephone calls, or visits. Upon request, the resident shall be informed of the purpose a limitation is intended to achieve, the persons, or entities involved, and additional information deemed necessary.
4. The right to communicate by mail or telephone or to receive visitors shall not be further limited except as authorized in the recipient’s plan of service.
- E. A recipient, (parent or guardian if appropriate), shall be able to appeal the extent or duration of a limitation regarding telephone, mail or visiting rights. Appeals may be made to the Office of Recipient Rights.
  - F. Current limitations shall be reviewed in conjunction with other reviews of the content of a written plan of service.
  - G. Sealed mail calls from or to, and visits from a recipient’s private physician, a mental health professional, a court, a recipient’s attorney, or other person if communication involves matters which are or may be the subject of legal inquiry, shall not be limited, except that non-emergency visits of a private physician or a mental health professional the recipient/resident shall be allowed to see that person at any reasonable time. “Legal inquiry” includes any matter concerning civil, criminal, or administrative law. The written policies of residential settings shall establish procedures ensuring access to private physicians or legal counsel.
  - I. Appeal:  
A recipient or another individual on behalf of a recipient has the right to appeal denials or limitations of his/her right to communication, telephone, visiting, or the time frames placed upon a limitation. Appeals may be made through the Recipient Rights/Customer Service Department.

**Attachments**

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N/A

**Related Forms**

N/A

**Related Materials**

N/A

**References/Legal Authority**

Michigan Mental Health Code 330.1715, 330.1726, 330.1752.

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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>
Marlene Wolber	Linda Maze	11/10/09	Revision	Triennial Review-format and language updated
		12/31/12	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	6/27/16	Revision	Triennial Review-changed "resident" to "recipient" and changed Appeal and Grievance policy reference to reflect current policy number and title.
Melissa Prusi	C. Pinter	1/3/19	Changes	Language addition about visiting and title changes
Melissa Prusi	Christopher Pinter	06/12/2019	Revision	Triennial and annual review. Minor changes.
Melissa Prusi	Christopher Pinter	09/11/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	12/19/2024	Revision	Triennial review -2024 MDHHS Standards
Jackie Kish	Christopher Pinter	1/21/26	No changes	MDHHS 2025 standards review



## Recipient Rights Advisory & Appeals Committee

### **March and April 2026**

#### **Site Reviews:**

##### **March 19, 2026**

Flatrock- Burton  
Flatrock Creekbend- Davidson  
Flatrock Manor- Flint

##### **March 20, 2026**

Flatrock-Fenton South  
Flatrock Woodlawn- Flint  
Mid-MI Specialized Residential- Burton

##### **April 21, 2026**

Closer to Home- Virtual

##### **April 23, 2026**

AuGres Care Center- AuGres  
Grove Home- Standish  
Almont Home- Standish

##### **April 24, 2026**

Orchard Bay- Standish  
Elm Home- Standish  
Willow Home- Pinconning

**Care Builders – Community Living Supports (Midland)**

The office environment was clean, bright, and professional, with a welcoming lobby and conference space. Staff were engaged, knowledgeable, and experienced. All records were securely maintained, and required posters, brochures, and documents were current and prominently displayed.

**MPA – Outpatient Services (Bay City – West Side)**

Provides individual, group, and family/child therapy in a clean, organized, and professional setting. Two adjacent buildings support a wide range of services. Required paperwork was accessible in the main lobby, and updated posters were supplied during the visit.

**Serenity Bay – Outpatient Services (Bay City)**

The fully renovated facility offered a bright, welcoming environment with innovative engagement practices, including an on-site therapy dog. Staff demonstrated strong knowledge and commitment to high-quality care. All required documents were accessible, and updated posters were provided.

**Arenac Opportunities Inc. (AOI) – Community Living Supports (Standish)**

AOI operates in an industrial setting shared with Vantage Plastics. The large, open space supports community-based services and includes designated areas for decompression and personal care. AOI is preparing to merge with Do-All. Updated posters and brochures were available in the main lobby.

**BABH Arenac Center – Outpatient Services (Standish)**

This updated, welcoming facility provides case management, psychiatric, and therapy services for adults, adolescents, and children. All required paperwork was current and readily available.

**BABH North Bay Center – Multiple Services (Kawkawlin)**

The site coordinates Community Living Supports and Adult Case Management for individuals with IDD, with services delivered primarily in the community. The BABH IT Department also operates from this location. All required paperwork and brochures were available and already updated.

**Subject:** 2026 Recipient Rights Training

It's that time of year again for the **annual Recipient Rights (RR) training**. This **training is only offered online**. You can access the training in Relias, which is located on the Board of Directors webpage located here <http://babha.org/about/board-of-directors/>. If you scroll toward the bottom of the page, you will see a link to "Relias Training Sign On". Your user name and password are listed below. There are **three training modules named Part 1, 2, and 3**. All three modules need to be completed **no later than March 31, 2026**. Once in Relias these modules can be found by clicking on "Assignments" on the left hand side of your screen.

**Sara McRae**

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**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