

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 2	Treatment Rights		
Topic: 5	Treatment by Spiritual Means		
Page: 1 of 4	Supersedes Date: Pol: 6-3-02, 5-16-02, 1-18-02, 8-16-01, 6-18-98 Proc: 6-15-09, 7-26-05, 5-6-03, 8-15-02, 6-3-02, 5-21-02	Approval Date: Pol: 8-15-02 Proc: 4-20-26	_____ <i>Board Chairperson Signature</i> _____ <i>Chief Executive Officer Signature</i>
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DO NOT WRITE IN SHADED AREA ABOVE

Policy

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

Purpose

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

Education Applies to

- All BABHA Staff
- Selected BABHA Staff, as follows:
- All Contracted Providers: Policy Only Policy and Procedure
- Selected Contracted Providers, as follows:
 - Policy Only Policy and Procedure
- BABHA's (Affiliates): Policy Only Policy and Procedure
- Other

Standards

- A. The opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as recipients are permitted to see private mental health professionals.
- B. The right to treatment by spiritual means includes the right of recipients, parents of a minor, or guardians to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:
 1. A guardian or BABHA employee has been empowered by a court to consent or to provide treatment and has done so:
 2. A recipient is presently dangerous to self, or others and treatment is essential to prevent physical injury.
- C. Recourse to court proceedings is available when there is refusal of medication or other treatment for a minor and assist if necessary.

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- D. The right to treatment by spiritual means does not include the right:
1. To use mechanical devices or chemical or organic compounds which are physically harmful
 2. To engage in activity prohibited by law
 3. To engage in activity which physically harms the recipient or others
 4. To engage in activity that is inconsistent with court ordered custody or voluntary placement by a person other than the recipient.

Definitions

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

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

Procedure

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

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

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

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

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

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

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

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

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

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

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

A. Request for Treatment by Spiritual Means

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

B. Approval or Denial of the Request

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

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

Attachments

NA

Related Forms

N/A

Related Materials

N/A

References/Legal Authority

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

SUBMISSION FORM				
AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/ SUPERVISOR	APPROVAL /REVIEW DATE	ACTION (Deletion, New, No Changes, Replacement or Revision)	REASON FOR ACTION - If replacement list policy to be replaced
V. Atkinson	L. Maze	6/15/2009		
M. Prusi	C. Pinter	6/19/2019	Minor changes	Triennial Review
M. Prusi	C. Pinter	8/30/2020	No changes	Review for audit
M. Prusi	C. Pinter	6/23/2021	No changes	Triennial review
M. Prusi	C. Pinter	12/19/2024	No changes	Triennial review
Jackie Kish	<u>Christopher Pinter</u>	1/16/26	No changes	Review for MDHHS 2025 Audit standards.
Jackie Kish	Christopher Pinter	2/9/2026	Revisions	Review for MDHHS 2025 Audit standards. Grammar update
Jackie Kish	Christopher Pinter	4/20/26	Revision	Consent information removed from purpose statement per MDHHS 2025 Review