

AGENDA

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

Tuesday, September 8, 2026 at 5:00 pm
Room 225, Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708

Committee Members:	Present	Excused	Absent	Committee Members	Present	Excused	Absent	Others Present:
Patrick McFarland, Ex Off, Ch	_____	_____	_____	Carole O'Brien	_____	_____	_____	BABH: 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) None		
4.	New Business 4.1) Policy Training: a) Denial of Services, 03-02-07 b) Personal Property & Funds, 03-03-10 4.2) Closed Session to Review Mock Appeal #2004 4.3) Return to Open Session at _____		4.1) No action necessary 4.2) Consideration of motion to enter into closed session pursuant to Open Meetings Act (PA 276 of 1976) as permissible under section 8(h) for the purpose of considering material exempt from discussion or disclosure by state or federal statute 4.3) Consideration of motion for decision on Mock Appeal #2004

AGENDA

BAY ARENAC BEHAVIORAL HEALTH
BOARD OF DIRECTORS
RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE
Tuesday, September 8, 2026 at 5:00 pm
Room 225, Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708

Page 2 of 2

5.	Adjournment	M -	S -	pm	MA
----	-------------	-----	-----	----	----

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 7	Denial of Services		
Page: 1 of 3	Supersedes Date:	Approval Date:	
	Pol:	Pol: 6-18-98	<i>Board Chairperson Signature</i>
	Proc:	Proc:	<i>Chief Executive Officer Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that if the applicant has been denied mental health services, the applicant, his or her guardian, if one has been appointed, or the applicant's parent or parents if the applicant is a minor, may request a second opinion of the Chief Executive Officer (CEO). The CEO shall secure the second opinion from a physician, licensed psychologist, registered nurse, Master's level social worker, or master's level psychologist.

If the individual providing the second opinion determines that the applicant has a serious mental illness, serious emotional disturbance, a developmental disability, or is experiencing an emergency situation or urgent situation, services shall be directed to the applicant.

Purpose

This policy is established to ensure that recipients have the right to a second opinion.

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

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 7	Denial of Services		
Page: 2 of 3	Supersedes Date:	Approval Date:	
	Pol:	Pol: 6-18-98	
	Proc:	Proc:	
			<i>Board Chairperson Signature</i>
			<i>Chief Executive Officer Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Procedure

N/A

Attachments

N/A

Related Forms

N/A

Related Materials

N/A

References/Legal Authority

Michigan Mental Health Code 330.1705.



BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights and Responsibilities		
Section: 2	Treatment Rights		
Topic: 7	Denial of Services		
Page: 3 of 3	Supersedes Date:	Approval Date:	
	Pol:	Pol: 6-18-98	<i>Board Chairperson Signature</i>
	Proc:	Proc:	<i>Chief Executive Officer Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

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
Marlene Wolber	Linda Maze	11/10/09	Changes	Triennial Review-format and language updated.
		12/31/12	No changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	6/27/16	No changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	06/19/2019	No changes	Triennial and annual review – no changes.
Melissa Prusi	Christopher Pinter	08/04/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Annual Review
Melissa Prusi	Christopher Pinter	12/19/2024	No changes	Triennial review

BEHAVIORAL HEALTH

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 3	Rights of Consumers		
Topic: 10	Personal Property and Funds		
Page: 1 of 5	Supersedes Date: Pol: 2-21-19, 8-18-16, 9-19-02, 8-15-02, 9-25-01 Proc: 6-3-16, 6-15-09, 7-26-05, 8-15-02, 9-20-01, 7-15-99	Approval Date: Pol: 6-18-26 Proc: 1-26-26	<i>Board Chairperson Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that a recipient utilizing residential services is entitled to receive, possess, and use all personal property.. Recipients shall be afforded maximum control over and choice in the utilization of their personal funds. Any exclusions of personal property shall be written and posted in each residential unit. Searches for excluded items should be conducted in accordance with BABHA's Policy and Procedure, C03-S03-T0 – 7 *Personal Search*. Those searches conducted on an emergency basis shall be documented using a Procedures Incident Report. A search procedure shall be justified as part of the team meeting process and documented in the recipient's search and seizure record.

Furthermore, staff shall not through fraud, deceit, misrepresentation, coercion, or unjust enrichment obtain or use a recipient's property or funds for the benefit of anyone other than the recipient. Theft of a recipient's property or funds shall be reported to law enforcement. Provider Agencies shall reimburse a recipient for any discrepancies in recipient funds due to theft or error.

Purpose

This policy and procedure is established to ensure the rights of BABHA recipients in residential services to receive, possess, and use personal property and funds.

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

N/A

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 3	Rights of Consumers		
Topic: 10	Personal Property and Funds		
Page: 2 of 5	Supersedes Date: Pol: 2-21-19, 8-18-16, 9-19-02, 8-15-02, 9-25-01 Proc: 6-3-16, 6-15-09, 7-26-05, 8-15-02, 9-20-01, 7-15-99	Approval Date: Pol: 6-18-26 Proc: 1-26-26	<i>Board Chairperson Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Procedure

A recipient utilizing residential services or utilizing community living supports and staff are safeguarding the recipient's personal property or funds is entitled to receive, possess, and use all funds and personal property. Any exclusions of personal property shall be written and posted in each residential unit. Searches for excluded items should be conducted in accordance with BABHA's Policy and Procedure, C03-S03-T09 - *Personal Search*. Those searches conducted on an emergency basis shall be documented using an Incident Report. A search procedure shall be justified as part of the team meeting process and documented in the recipient's search and seizure record.

Items of personal property, which are not subject to an exclusion of limitation, shall be permitted to remain with the resident. BABHA operated and contracted residential providers shall provide a reasonable amount of storage space to each resident for his/her clothing and other personal property. The resident will be permitted to inspect personal property at reasonable times. Items such as bank accounts, stocks, bonds, insurance policies, and storage receipts shall receive immediate action so as to properly release the residential provider and BABHA from liability and provide appropriate protection of a residential consumer's assets.

Additional limitations on the right to receive, possess, and use personal property and funds may be imposed by the person in charge of the recipient's plan of service if such limitations are the minimum essential to: (a) prevent theft, loss or destruction of personal property and funds, unless a waiver is signed by the resident; (b) prevent the recipient from physically harming himself or others. Any such limitation must be preceded by documentation and justification of the circumstances, which indicates that the limitation is the minimal essential step to achieve one of the above stated allowable objectives. Such limitations are to be documented in the clinical record along with the date the limitation will expire. Any limitation imposed shall be removed when the circumstances which justified the limitation ceases to exist. A receipt shall be given to the recipient and his/her designee for any of his/her personal property that is taken into the possession of the provider. A recipient shall have the opportunity to inspect his/her property at reasonable times as set forth by the Individual Plan of Service (IPOS). A recipient may challenge any limitation on personal property by filing a complaint with the Recipient Rights Officer who will conduct an investigation into the complaint and report the results to the Chief Executive Officer (CEO), or his/her designee, or may request mediation in accordance with the MMHC, Chapter 7.

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 3	Rights of Consumers		
Topic: 10	Personal Property and Funds		
Page: 3 of 5	Supersedes Date: Pol: 2-21-19, 8-18-16, 9-19-02, 8-15-02, 9-25-01 Proc: 6-3-16, 6-15-09, 7-26-05, 8-15-02, 9-20-01, 7-15-99	Approval Date: Pol: 6-18-26 Proc: 1-26-26	<i>Board Chairperson Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

Any personal property of the residents in the possession of the provider at the time the resident is discharged from the residential setting shall be returned to the recipient.

A provider, in conjunction with the Interdisciplinary Treatment Team, may require that all money which is on a person of a recipient, which comes to a resident, or which the residential provider receives in place of the resident under a benefit arrangement or otherwise be turned over to the residential provider for safekeeping. Such monetary funds shall be accurately accounted for in the name of the recipient and recorded on an ongoing basis in the records of the resident. Funds accounted for in the name of a residential recipient may be deposited with a financial institution. Any earnings attributable to money in an account of a resident shall be credited to that account. Upon request, funds accounted for in the name of a recipient shall be turned over to a legal guardian of the recipient if the guardian has such legal authority.

A recipient may challenge any limitation on use of funds by filing a complaint with the Recipient Rights Officer, who will conduct an investigation into the complaint and report the results to the CEO, or his/her designee, in accordance with BABHA Policy, C03-S05-T02 - Investigative Report and Summary. Any funds, in the possession of the residential provider at the time the resident to whom it belongs is discharged from the residential setting, shall be returned to the resident.

In the event of the death of a recipient, every effort shall be made by the provider to divest itself of the resident's personal effects and monies if the effects and monies consist of only clothing and up to \$100 cash. Divestiture shall be made to the spouse, child, or parent of the decedent providing the spouse, child, or parent furnishes identification and an affidavit of such relationship and that an estate of the decedent is not pending. The provider shall send a list of personal effects or monies being held by the provider to the nearest living relative by registered mail and to probate court and shall call attention to statutes that provide for disposition. If the nearest relative cannot be contacted, the residential provider shall send, by registered mail, to the person or entity that paid the funeral expenses, a list of articles being held by the provider and a statement which calls attention to statutes providing for disposition. If there are questions as to rival claims to personal effects or monies, property may be held by the provider or BABHA until the claims are determined in probate court.

If there are no claims to personal effects or monies of a recipient who has died, the properties or monies shall be considered to be unclaimed. If such properties or monies remain held for two

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 3	Rights of Consumers		
Topic: 10	Personal Property and Funds		
Page: 4 of 5	Supersedes Date: Pol: 2-21-19, 8-18-16, 9-19-02, 8-15-02, 9-25-01 Proc: 6-3-16, 6-15-09, 7-26-05, 8-15-02, 9-20-01, 7-15-99	Approval Date: Pol: 6-18-26 Proc: 1-26-26	_____ <i>Board Chairperson Signature</i> _____ <i>Chief Executive Officer Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

years, the property or money shall be disposed of pursuant to Act No. 63 of the Public Acts of 1949, as amended. Delivery of property and a report to the State Board of Escheats shall be on or before the thirtieth day of June each year. The report shall list the property possessed as of the last preceding first day of June. Appropriate property may be disposed of before the end of the two-year period pursuant to Act No. 238 of the Public Acts of 1957.

If a recipient leaves a residential setting without notice and cannot be located in the local community or neighboring communities by the recipient's case manager, and if the resident's property and money are not claimed by the resident, or the resident's relatives, heirs, or personal or legal representative, the residential provider or BABHA shall retain custody of the property and funds and shall handle them in the same manner as other unclaimed property.



Attachments

N/A

Related Forms

N/A

Related Materials

N/A

References/Legal Authority

Department of Health and Human Services -Administrative Rules (AR 7009) Michigan Mental Health Code 330.1728, 730, 732, 752.

SUBMISSION FORM				
AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/	APPROVAL/REVIEW DATE	ACTION	REASON FOR ACTION - If replacement list policy to be

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: 3	Member Rights & Responsibilities		
Section: 3	Rights of Consumers		
Topic: 10	Personal Property and Funds		
Page: 5 of 5	Supersedes Date: Pol: 2-21-19, 8-18-16, 9-19-02, 8-15-02, 9-25-01 Proc: 6-3-16, 6-15-09, 7-26-05, 8-15-02, 9-20-01, 7-15-99	Approval Date: Pol: 6-18-26 Proc: 1-26-26	<i>Board Chairperson Signature</i>
Note: Unless this document has an original signature, this copy is uncontrolled and valid on this date only: 9/7/2026. For controlled copy, view Agency Manuals - Medworxx on the BABHA Intranet site.			

DO NOT WRITE IN SHADED AREA ABOVE

	SUPERVISOR		(Deletion, New, No Changes, Replacement or Revision)	replaced
Sara Heydens	Linda Maze	6/15/09	Revision	Title change from Community Living Director to CCPO
		12/31/12	No changes	Triennial Review
Melissa Prusi	Melissa Prusi	6/3/16	Revision	Triennial Review-updated titles, added detail to include accounting for protection/replacement of loss of funds and maximizing recipient control of funds
M. Prusi	C. Pinter	12/10/18	Revision	Updated Policy statement
Melissa Prusi	Christopher Pinter	07/01/2019	Revision	Triennial and annual review – minor changes to include CLS staff who safeguard the recipient's property/funds.
Melissa Prusi	Christopher Pinter	12/20/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	12/19/2024	No changes	Triennial Review
Jackie Kish	Christopher Pinter	1/21/26	Revision	Update to MDHHS 2025 practice
Jackie Kish	Christopher Pinter	6/18/26	Revision	Updated Policy statement/procedure

CLOSED SESSION AGENDA

BAY ARENAC BEHAVIORAL HEALTH

BOARD OF DIRECTORS

RECIPIENT RIGHTS ADVISORY & APPEALS COMMITTEE MEETING

Tuesday, September 8, 2026 at 5:00 pm

Room 225, Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708

Committee Members:	Present	Excused	Absent	Committee Members	Present	Excused	Absent	Others Present:
Patrick McFarland, Ch, Ex Off	_____	_____	_____	Carol O'Brien	_____	_____	_____	BABH: Jackie Kish and Sara McRae
Sally Mrozinski, V Ch	_____	_____	_____	Justin Peters	_____	_____	_____	Legend: M-Motion; S-Support; MA-
Robert Bowers	_____	_____	_____	Laurie Van Wert	_____	_____	_____	Motion Adopted; AB-Abstained
Richard Byrne	_____	_____	_____	Robert Pawlak, Ex Off	_____	_____	_____	
Kathy Niemiec	_____	_____	_____					

	Agenda Item	Discussion	Motion/Action
1.	Appeals Process Overview & Reminders 1a) Disclose Member Conflicts		
2.	Review of Appeal Request #2004		
3.	Appeals Checklist Review		
4.	Adjournment	M -	S - pm MA

Appeal Meeting Checklist

Follow each phase in order and check items as they are completed.

CASE / APPEAL: _____

MEETING DATE: _____

1 HAVE READY

- ☐ Written appeal request
- ☐ Original complaint and acknowledgment letter
- ☐ RIF and Summary Report
- ☐ Relevant policies or guidelines
- ☐ Proof of completed remedial or follow-up action

3 DOCUMENT

- ☐ Attendance and anyone excused
- ☐ Key discussion points—not a verbatim transcript
- ☐ The decision and clear rationale
- ☐ Next steps, responsible person and due date
- ☐ Written decision completed within 10 business days

2 DURING THE MEETING

- ☐ Confirm chair, secretary and eligible members (2+ primary consumers; no CMH/MDHHS staff)
- ☐ Confirm confidentiality, public input and closed-session procedure
- ☐ Hear the appellant's clarification
- ☐ Test the facts/law, remedial action and timeliness
- ☐ Decide: uphold, or return for more investigation or consideration

4 AFTERWARDS

- ☐ Send the decision to the respondent, appellant, recipient/legal representative, RMHA and Rights Office
- ☐ Offer Office of Recipient Rights assistance
- ☐ Include Level 2 rights and the 45-day deadline, if applicable
- ☐ File the minutes, decision and supporting documents
- ☐ Confirm follow-up action and close the case

Reminder: keep case information confidential and use the written record to support the decision.