AGENDA

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

Monday, November 9, 2026 at 5:00 pm

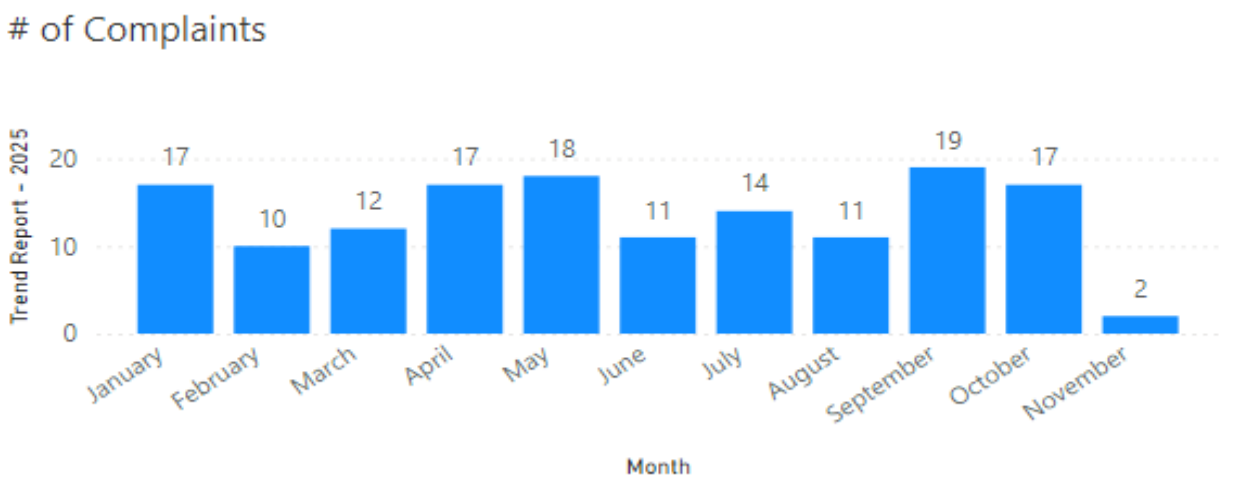
Room 225, Behavioral Health Center, 201 Mulholland Street, Bay City, MI 48708

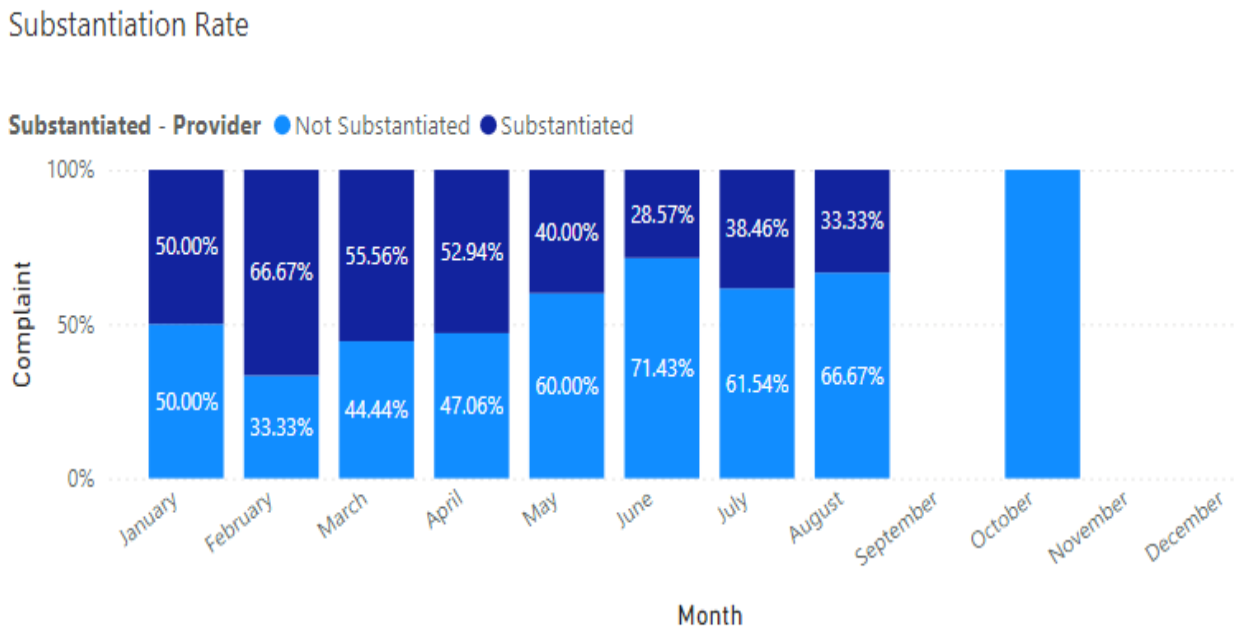
	Committee Members:	**Present**	**Excused**	**Absent**	**Committee Members**	**Present**	**Excused**	**Absent**	Others Present:
	Patrick McFarland, Ex Off, Ch				Carole O'Brien				BABH: Jackie Kish, Chris Pinter, and Sara McRae
	Sally Mrozinski, V Ch				Justin Peters				
	Robert Bowers				Laurie Van Wert				
	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) Executive Summary of Complaints through October 31, 2026 4.2) Policy Training: Photographing, Video Recording, Audio Taping, Fingerprinting Recipients, 03-03-06 4.3) Upcoming Site Reviews 4.4) Recent Recipient Rights Site Reviews Summary		4.1) No action necessary 4.2) No action necessary 4.3) No action necessary 4.4) No action necessary
5.	Adjournment	M - S - pm MA	

Recipient Rights Advisory Committee, November 2026
Executive Summary

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

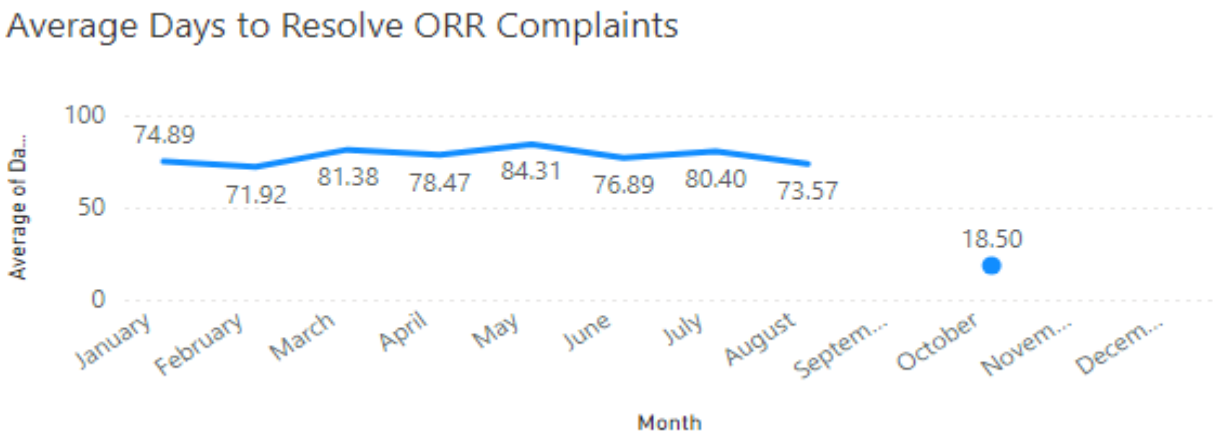




Trend Report by Allegation - Substantiated

Substantiated - Provider	January	February	March	April	May	June	July	August	September	October	November	Total
Substantiated	8	8	5	9	6	4	5	2				47
Pending					2		1	5	16	13	2	39
Possession and Use of Personal Property									1			1
Outside ORR Jurisdiction					1							1
No Right Involved					1		1	1		1		4
Neglect Class III								1	6	2	1	10
Neglect Class I										1		1
Mental Health Services Suited to Condition									3	5		8
Family Rights										1		1
Disclosure of Confidential Information								1				1
Dignity and Respect								1	5	1	1	8
Access Denial to Confidential Information										1		1
Abuse Class III									2	1		3
Abuse Class II Unreasonable Force									2	1		3
Abuse Class II Nonaccidental Act										1		1
Abuse Class II Exploitation								1	3	1		5
Not Substantiated	8	4	4	8	9	10	8	4		2		57
N/A	1		3	2	1				3	1		11
Outside ORR Jurisdiction									1			1
No Right Involved	1		3	2	1				2	1		10
			1		1			1		1		4
Total	17	10	12	17	18	11	14	11	19	17	2	148

The above graph illustrates the number of pending complaints at the time of this report.

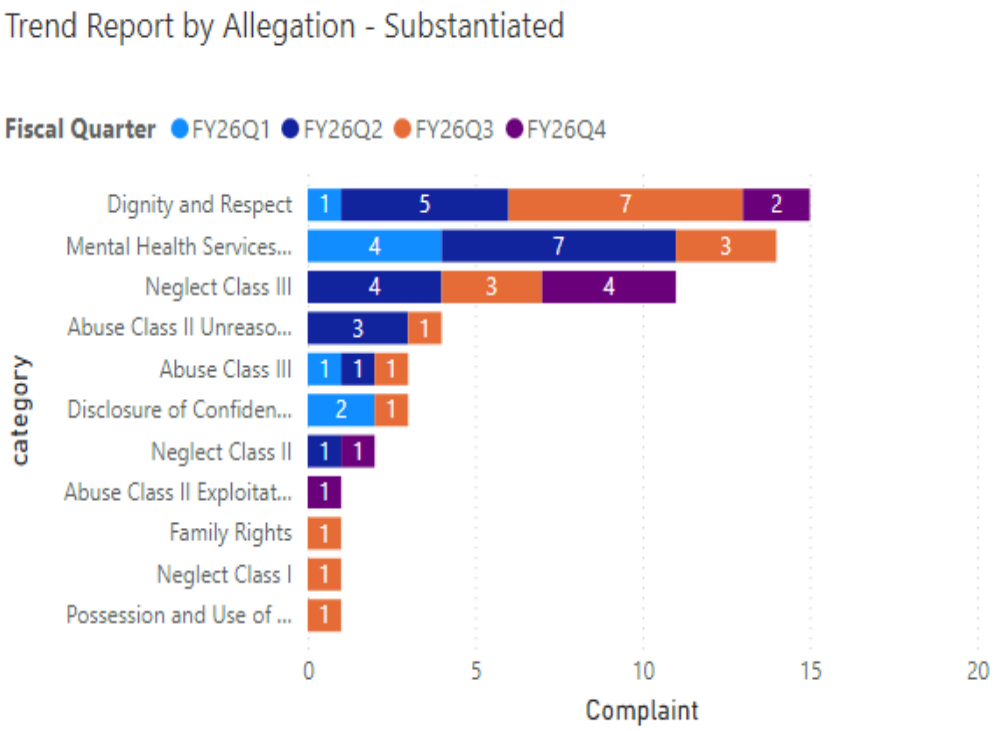


The BABHA ORR's goal is to complete RR complaint investigations within 60 days from receipt of the complaint. Moving forward the RRAC will be kept abreast of the average days to resolve complaints per quarter as we attempt to achieve our goal.
Note that the graph does not include pending cases currently still under investigation.

Source of Complaints for October

CMSHP Network Staff	12
Recipients	3
ORR	1
Guardian/Family	1
Anonymous	0
Other Agency/Community	0

FY27 Allegations:



Fiscal Year Comparison of Complaints from 2023-2027:

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY27	17											
FY26	11	6	7	17	10	12	17	18	11	14	11	19
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
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY26 % Sub	54.5%	50%	0%	50%	67%	56%	53%	35%	29%	36%	18 %	-%

- FY23 the ORR received 190 complaints.
- FY24 the ORR received 177 complaints.
- FY25 the ORR received 158 complaints.
- FY26 the ORR received 153 complaints
- FY27 the ORR has received 19 complaints.

Report of Remedial Action for Substantiated Complaints:

Complaint ID	Rcv Date	Inv. Report Sent Date	Allegation Type	Remedial Action 1	Remedial Action 2	Remedial Action 3	Remedial Action 4
2009	7/2/26	9/29/26	Dignity and Respect	Staff transfer			
2011	7/6/26	10/1/26	Neglect Class III	Employee Termination			
2013	7/9/26	10/1/26	Neglect Class III	Suspension			
2015	7/21/26	10/13/26	Neglect Class III	Employee left but substantiated			
2019	7/22/26	10/19/26	Dignity and Respect	Employee Termination			
2033	8/28/26	10/7/26	Neglect Class III	Written Counseling	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 Office for Staff:

Number of Training Sessions	Number of People Attending	Number of Hours
2	27	4.5

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:

10/13/26 Building Blocks of Report Writing-Lansing Aubree Haranda

Completed Site Visits:

Site Visits.

10/1/26

Liberty Living-Jefferson House

Liberty Living-Jefferson North

10/2/26

Liberty Living-Independence

Liberty Living-Liberty Home

Liberty Living-Wilson Home

10/5/26

McLaren Bay Region MHU

10/7/26

Flourish Therapy

Hope Network-Bay Valley Home

Bay City Crisis Residential Unit

10/19/26

Mercy Plus-Standish

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY
POLICIES AND PROCEDURES MANUAL

Chapter: 3	**Member Rights and Responsibilities**		
Section: 3	**Rights of Consumers**		
Topic: 6	**Photographing, Video Recording, Audio Taping, Fingerprinting Recipients**		
Page: 1 of 6	**Supersedes Date:** **Pol: 12-12-24, 6-21-12, 6-3-02, 7-15-99** **Proc: 5-8-12, 6-3-02, 7-28-98**	**Approval Date:** **Pol: 6-19-25** **Proc: 2-9-26**	_____ ***Board Chairperson Signature*** _____ ***Chief Executive Officer Signature***
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Policy

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

1. Fingerprints, photographs, video recordings or audiotapes may be taken and used, and one-way glass may be used: in order to provide services, including research, to a recipient; for educational or training purposes; or to determine the name of a recipient, when written consent has been obtained from the recipient or applicable parent or guardian. Video surveillance is prohibited.

2. Photographs of a recipient may be taken for purely personal or social purposes and shall be maintained as the recipient's personal property, including digital images. A photograph of a recipient shall not be taken or used under this subsection if the recipient has indicated his or her objection. However, these photographs, videos, audio-recordings taken for personal or social purposes may not be put on social media of any kind without specific written consent of the legally responsible party.

Purpose

This policy and procedure are established to ensure that recipients are protected in the areas of photographing, video recording, audio taping and fingerprinting.

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

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Topic: 6	**Photographing, Video Recording, Audio Taping, Fingerprinting Recipients**		
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Audio Taping: Any reproduction of a recipient's voice by mechanical means.

Educational or Training Purposes:

A. To assist staff in performing their job responsibilities.
B. To provide general information to the community.

Consent: A written agreement executed by a recipient, a minor recipient's parent, or a recipient's legal representative with authority to execute a consent, that is in compliance with the Agency's procedure for consent.

Photography: Includes still pictures, motion pictures, and videotapes.

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

Social media: Included, but is not limited to: Facebook, Parler, Twitter, Instagram, Snap Chat, and/or Linked-In.

Video Recording: A recording of both visual and audible components.

Procedure

A. Fingerprints, Photographs, or audio recordings taken to determine the name or identify of the recipient will be kept as part of the record of the Recipient. When necessary, fingerprints, photographs, or audio recordings may be delivered to others for assistance in determining the name of the recipient but will be returned together with copies that were made.

B. Using Fingerprints, Photographs, Video Recordings or Audiotapes, and One-Way Glass to Provide Services, Including Research
   1. The primary clinician shall:
      a. Obtain prior and annual informed consent from one of the following and file it in the recipient's record (this consent must be specific to

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photographs, video recordings, audiotaping and not part of a general consent to treatment):

i. The recipient if 18 years of age or over and competent to consent.
ii. The guardian of the recipient if the guardian is legally empowered to execute such a consent.
iii. The parent with legal and physical custody of the recipient, if the recipient is less than 18 years of age.

b. Inform the individual signing the consent that he or she is free to withdraw consent at any time without prejudice, and document on the form if consent is withdrawn.
c. Ensure that the fingerprints, photographs, video recordings or audiotapes, and any copies of them, shall be kept as part of the recipient's record and be subject to standards governing confidentiality.
d. Annually review whether the fingerprints, photographs, video recordings or audiotapes in the record, and any copies of them, are still essential for the original purpose. Either give them to the recipient or destroy them when they are no longer essential or when the recipient is discharged, whichever occurs first.

2. The staff taking the fingerprints, photographs, video recordings or audiotapes shall afford the recipient/legally responsible party an opportunity to object, verbally or in writing, immediately prior to the time the fingerprinting, photographing, video recording or taping occurs. If video recording is in common areas, then a plan is developed to ensure the recipient who has refused to consent, or revoked consent is not recorded.

B. <u>Using Photographs, Video Recording, Audiotapes, or One-Way Glass for Educational or Training Purposes</u>

1. The primary clinician shall:
   a. Obtain prior informed consent from one of the following and file it in the recipient's record:
      i. The recipient if 18 years of age or over and competent to consent

ii. The guardian of the recipient, if the guardian is legally empowered to execute such a consent
iii. The parent with legal and physical custody of the recipient, if the recipient is less than 18 years of age.

b. Inform the individual signing the consent that he or she is free to withdraw consent at any time without prejudice, and document on the form if consent is withdrawn. If video recording is in common areas, then a plan is developed to ensure the recipient who has refused to consent, or revoked consent is not recorded.
c. Inform the individual signing the consent whether or not the photographs, fingerprints, video recordings or audiotapes, and any copies of them, shall be kept as part of the recipient's record and be subject to standards governing confidentiality.
d. If the photographs, fingerprints, video recordings or audiotapes will be kept confidential, annually review whether they are still essential for the original purpose. Either give them to the recipient or destroy them when they are no longer essential or when the recipient is discharged, whichever occurs first.

2. The staff taking the photographs, fingerprints, video recordings or audiotapes, or using the one-way glass shall afford the recipient an opportunity to object, verbally or in writing, immediately prior to the time the fingerprinting, photographing, video recording, or audiotaping, or use of one-way glass occurs.

C. <u>Taking Photographs or Producing Video Recordings for Personal Or Social Purposes, including social media.</u>

1. The primary clinician shall:
   a. Obtain prior informed consent from one of the following and file it in the recipient's record:
      i. The recipient if 18 years or over and competent to consent
      ii. The guardian of the recipient if the guardian is legally empowered to execute such a consent
      iii. The parent with legal and physical custody of the recipient if the recipient is less than 18 years of age.

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   b. Inform the individual signing the consent that he or she is free to withdraw consent at any time without prejudice, and document on the form if consent is withdrawn.

2. The staff taking the photographs or producing the video recordings shall afford the recipient an opportunity to object, verbally or in writing, immediately prior to the time the photograph or video recording is taken. The photographs will be maintained as the recipient's personal property.

Attachments

N/A

Related Forms

Consent Form for Use of Photographs and/or Video Recordings (Master Clinical Files)

Related Materials

N/A

References/Legal Authority

Act 258 of the Public Acts of 1974, as amended (Mental Health Code) section 100a, 724 and 752; Department of Community Health Administrative Rules 7003.

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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	Revision	Triennial Review-format and language updated
Pepa Carlson Tina Dilley	Linda Maze	5/8/12	Revision	Revised to include video recordings and added related form: consent for Use of Photographs and/or Video Recordings
Melissa Prusi	Christopher Pinter	6/27/16	No changes	Triennial Review-no changes
Melissa Prusi	Christopher Pinter	06/20/2019	Revision	Triennial and annual review – minor changes
Melissa Prusi	Christopher Pinter	01/06/2021	Revision	Annual review
Melissa Prusi	Christopher Pinter	01/25/2021	Revision	Revised to reflect updated MDHHS ORR standards re: video surveillance.
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	12/12/2024	Revision	Updates to videotaping language
Melissa Prusi	C. Pinter	2/5/2025	Revision	More updates to Policy statement
Jackie Kish	Christopher Pinter	2/9/26	Revision	Update to comply with MDHHS 2025 standards

November 2026
Site Reviews:

November 5, 2026
Spectrum Autism Center
GameChanger Therapy Center
Centria - Bay City

November 17, 2026
Autism +
Assistance to Independence Home Care
Saginaw Psychological

December 2026
Site Reviews:

December 17, 2026
Encompass-Bay City and Auburn locations

Wilson Home (Liberty Living)- Residential AFC Provider, East side of Bay City. One of the three homes that were built identically by this provider. Ranch style home with two handicap ramps, one off the front of the home and the other off the back. Staff were engaging and welcoming. The home was decorated nicely, neat and tidy, with a large open living/kitchen area. Bedrooms were off the main living area and were personalized to individual's likes and hobbies; provided a family-like setting and staff were easily accessible. No health and safety issues noted. All required posters and brochures were provided again but also available, and easy to locate.

Independence Home (Liberty Living)- Residential AFC Provider, East side of Bay City. One of the three homes that were built identically by this provider. Ranch style home with two handicap ramps, one off the front of the home and the other off the back. Staff were engaging and welcoming. The home was decorated nicely, neat and tidy, with a large open living/kitchen area. Bedrooms were off the main living area and were personalized to individual's likes and hobbies; provided a family-like setting and staff were easily accessible. No health and safety issues noted. All required posters and brochures were provided again but available, and easy to locate.

Liberty Home (Liberty Living)- Residential AFC Provider, East side of Bay City. One of the three homes that were built identically by this provider. Ranch style home with two handicap ramps, one off the front of the home and the other off the back. Staff were engaging and welcoming. The home was decorated nicely, neat and tidy, with a large open living/kitchen area. Bedrooms were off the main living area and were personalized to individual's likes and hobbies; provided a family-like setting and staff were easily accessible. No health and safety issues noted. All required posters and brochures were provided again but also available, and easy to locate.

Jefferson Home (Liberty Living)- Residential AFC Provider, East side of Bay City. One of the two homes that were built identically by this provider. Ranch style home with front handicap ramp. Large garage for company storage. Staff were engaging and participated. The home was decorated nicely, neat and tidy, with a large open living room/kitchen/dining area. Bedrooms were separated by a hallway and personalized to individual's likes and style with family photos throughout. No health and safety issues noted. All required posters and brochures were provided again but available, and easy to locate.

Jefferson North Home (Liberty Living)- Residential AFC Provider, East side of Bay City. One of the two homes that were built identically by this provider. Ranch style home with front handicap ramp. Large, attached garage. Staff were engaging and welcoming. The home was decorated nicely, neat and tidy, with a large open living room/kitchen/dining area. Bedrooms separated by a hallway and were personalized to individual's likes. No health and safety issues noted. All required posters and brochures were provided again but available, and easy to locate.

Mercy Plus- ABA Provider, in Standish. Located in a building that used to house the Health Department in Arenac County. Large entrance and lobby that displayed all required posters and necessary paperwork. Adequate space for indoor play, as well as several specialized rooms for sensory needs. Décor was bright and visually engaging. Knowledgeable staff who demonstrated an understanding of ABA principles. Posters and brochures were provided again, but available.

Bay City Crisis Residential (Dr. Ibrihim)- Residential AFC Provider, West side of Bay City. Used as a short-term residential setting for individuals who are in crisis, but do not qualify for inpatient psychiatric hospitalization. Large ranch style home with open concept, large common area and individual bedrooms. There was not a "personalized" feel to the home, due to short term nature of the stays. Updated kitchen area, staff office, and locked medication room. No health and safety issues noted. All required posters and brochures were provided again but available, and easy to locate.

Bay Valley Home (Hope Network)- Residential AFC Provider, West side of Bay City. Ranch style home in nice subdivision. Staff and individuals were interactive and welcoming. The home was decorated with seasonal decorations and bedrooms were all unique to individual tastes/likes. Large backyard with deck, swing set and garden area for planting. No health and safety issues noted. All required posters and brochures were provided again but available, and easy to locate.

Flourish -ABA Provider, located in Essexville. Building was once a large church, so it had an open floor plan with large area for indoor activities. It was styled similar to a school setting with a drop off area, "cubbies", and "classroom" spaces. There were two kitchens and a "diner", as an eating area for the children. The space was bright, clean, and organized. Staff were friendly, knowledgeable and eager to comply with requirements. All the necessary posters and brochures were provided again but available, and easy to locate.

McLaren Inpatient Psychiatric- Inpatient psychiatric provider located a McLaren main campus in Bay City. Documentation, postings, complaint processes, and Recipient Rights practices reviewed during the visit were found to be compliant with applicable standards. No deficiencies were identified. McLaren Recipient Rights Officer was present and participated in site review process as well.