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<b>Title</b>	<b>Northern Lakes CMH Policies</b>
<b>Part 105</b>	<b>Recipient Rights Protection System</b>
<b>Subpart A</b>	<b>Recipient Rights Protection System</b>
<b>Policy No.</b>	<b>105.103</b>
<b>Subject</b>	<b>Core Rights Protection System Requirements</b>

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## **Applicability**

Policy applies to all NLCMH activities, operations and sites and to all Workforce Members except members of the governing body. Policy also applies to any Network Provider and its employees, volunteers, or agents that has elected to adopt and adhere to NLCMH policies and procedures pertaining to Recipient Rights under the terms of its Participating Provider Agreement.

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## **Policy**

Northern Lakes CMH and its contracted providers shall protect recipients from rights violations while they are receiving services directly from, or under contract with the authority in compliance with Chapter 7 and 7a of the Michigan Mental Health Code (PA 258 of 1974).

### STANDARDS:

#### **A. CORE RIGHTS PROTECTION SYSTEM PROVIDER REQUIREMENTS**

Northern Lakes CMH and its contracted providers shall:

1. Subject to the approval of the Northern Lakes CMH Recipient Rights Officer, establish and assure adherence to written policies and procedures concerning recipient rights and the operational and jurisdictional authority of the Office of Recipient Rights in compliance with the Michigan Mental Health Code and other applicable laws, rules, regulations, contract, or accreditation bodies.
2. Maintain an adequate supply and provide easy access to summaries of rights guaranteed by the Michigan Mental Health Code ("Your Rights Booklets") and complaint forms available to recipients, parents of minor recipients, guardians, other legal representatives, and others at all service locations.
3. Conspicuously post at all service locations the telephone number, address, and name of the Northern Lakes CMH Recipient Rights Officer.
4. Orally, in writing, and in an understandable manner, notify recipients, guardians, parents of minor recipients, and other legal representatives of their rights and

contact the Office of Recipient Rights at the time services are initiated and periodically, but no less than annually. Accommodations shall be provided in the event the person is blind, illiterate, deaf, non-English speaking, or is in emotional distress, has an intellectual disability, or is a minor.

5. Provide and assure a direct unimpeded mechanism for the prompt reporting of alleged, apparent, or suspected violations of the rights of recipients, and of incidents involving serious injury or death of a recipient to the Office of Recipient Rights.
6. Provide unimpeded and timely access by Workforce Members of the Office of Recipient Rights to all programs and services operated by or under contract with Northern Lakes CMH, all Workforce Members employed by or under contract with Northern Lakes CMH, all recipients of services, and all evidence necessary to conduct a thorough investigation or to fulfill its monitoring function.
7. Cooperate with investigative or monitoring activities conducted by the Office of Recipient Rights by answering questions orally and in writing at the request of Workforce Members of that office and in a timely manner.
8. Assure that appropriate remedial action, including appropriate disciplinary action, as defined by this policy, is taken to resolve violations in a manner that does not violate employee rights or further violate the rights of a recipient. This shall include the submission to the Office of Recipient Rights evidence of remedial actions within prescribed timeframes.
9. Take corrective action in a timely manner in response to recommendations resulting from monitoring activities by the Office of Recipient Rights.
10. Assure that all Workforce Members and volunteers receive training in recipient rights, before or within 30 days after being employed and annually thereafter, either directly from the Office of Recipient Rights or using a curriculum pre-approved by the Office of Recipient Rights and taught by qualified staff.
11. Provide encouragement for Workforce Members to consult with Workforce Members of the Office of Recipient Rights regarding rights-related issues that occur in the delivery of services and with respect to the rights protection system for the prevention of violations.
12. Protect recipients, complainants, staff of the Office of Recipient Rights, and any Workforce Member or other person acting on behalf of a recipient from harassment or retaliation for their participation in recipient rights activities.

## **B. ASSIGNMENT OF PROVIDER RECIPIENT RIGHTS ADVISORS**

Direct service or contractual service providers may appoint Recipient Rights Advisors upon prior approval by, and training from, the Northern Lakes CMH Recipient Rights Officer. With the exception of licensed psychiatric hospitals under contract, the Recipient Rights Advisor's duties shall not include investigative duties. The Recipient Rights Advisor shall have no direct clinical service responsibilities.

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**Procedures**

None.

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**Adoption Date:** May 23, 2006

**Review Dates:** June 8, 2009

**Revision Dates:**