
Title	Northern Lakes CMH Policies
Part 105	Recipient Rights Protection System
Subpart A	Recipient Rights Protection System
Policy No.	105.109
Subject	Chief Executive Officer Obligations to Rights Protection

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.

Policy

The Northern Lakes CMH Chief Executive Officer shall select a Recipient Rights Officer who shall be solely subordinate to him or her. The Chief Executive Officer shall not select, replace, or dismiss the Recipient Rights Officer without first consulting with the Recipient Rights Advisory Committee [Michigan Mental Health Code (P.A. 258 of 1974, MCL 330.1755)].

STANDARDS:

The Chief Executive Officer shall do all of the following:

1. Assure that the Office of Recipient Rights has unimpeded access to all programs operated by, or under contract with, and all Workforce Member employed by, or under contract with Northern Lakes CMH, as well as all evidence and information necessary to conduct a thorough investigation or to fulfill its monitoring function.
2. Assure that the Office of Recipient Rights is protected from pressures that could interfere with the impartial, even-handed, and thorough performance of its duties.
3. Receive and review the reports of investigative findings of the Office of Recipient Rights, and shall determine and assure that appropriate remedial action will be taken in order to correct the rights violation and to prevent a recurrence, in consideration of the recommendations of the Office of Recipient Rights. The Chief Executive Officer shall issue a Summary Report in accordance with Section 782 of the Michigan Mental Health Code and notify complainants of substantiated violations in a manner that does not violate Workforce Member rights.

4. Annually review the funding for the Office of Recipient Rights and assure that information sufficient to assess the allocation of resources to the office is presented to the Recipient Rights Advisory Committee for review.
5. In consultation with Office of Recipient Rights staff and the Recipient Rights Advisory Committee, recommend the adoption of appropriate policies necessary for the safeguarding of the rights of recipients as provided for in the Michigan Mental Health Code, the Michigan Administrative Rules, or other legal or regulatory requirements or accreditation standards.
6. Meet regularly with Office of Recipient Rights staff to discuss the status of rights protection within the Community Mental Health system, reviewing alleged violations, substantiated allegations, recommended remedial actions, and the prevention of potential rights violations. The Chief Executive Officer shall assure that the Recipient Rights Officer is advised of management practices, operational decisions, or other issues that may affect the rights of recipients and that the input of the Recipient Rights Officer is sought before implementing any substantive changes in policy or practice affecting the rights of recipients.
7. Submit to the Board of Directors and the Michigan Department of Community Health an annual report prepared by the Office of Recipient Rights on the current status of recipient rights and a review of the operations of the Office of Recipient Rights. The report shall be submitted not later than December 30 of each year for the preceding fiscal year or period specified in contract. The annual report shall include, at a minimum, all of the following:
 - a. Summary data by category regarding the rights of recipients receiving services from the community mental health services program or licensed hospital including complaints received, the number of reports filed, and the number of reports investigated by provider.
 - b. The number of substantiated rights violations by category and provider.
 - c. The remedial actions taken on substantiated rights violations by category and provider.
 - d. Training received by staff of the office of recipient rights.
 - e. Training provided by the office of recipient rights to contract providers.
 - f. Desired outcomes established for the office of recipient rights and progress toward these outcomes.
 - g. Recommendations to the community mental health services program board.

Procedures

None.

Adoption Date: May 23, 2006

Review Dates: June 5, 2009

Revision Dates: