

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

PERSONNEL
(Manual Section)

RECIPIENT RIGHTS:
COMMUNICATION: TELEPHONE, VISITING, MAIL
(Subject)

Approval of Policy
Original Inception Date:
Last Revision of Policy Approved:

Dated:
January 11, 1996

January 11, 2021

•1 POLICY:

It is the policy of the Agency that residents are entitled to unimpeded, private, and uncensored communication with others by mail and telephone and to visit with persons of his or her choice; except in the circumstances and under the conditions set forth by the Mental Health Code.

Any restrictions or limitations of consumer rights or intrusive behavior treatment techniques shall be reviewed and approved by the Behavior Support Committee, and must be justified, time-limited, and clearly documented in the plan of service.

Suggested criteria for any limitation might include one of the following:

1. A limitation is essential to prevent serious physical or mental harm.
2. A limitation is essential to prevent a consumer from violating a law.
3. A limitation is essential to prevent reasonably expected future telephone harassment by a consumer of an individual previously harassed and who has complained. A limitation to prevent harassment should require a written request from the victim of the harassment.

•2 APPLICATION:

Residential settings, and inpatient hospitalization.

•3 DEFINITIONS:

FACILITY: Any inpatient or residential services operated by or under contract with the Agency.

LEGAL INQUIRY: Any matter including civil, criminal, or administrative law.

•4 CROSS-/REFERENCES:

Mental Health Code 330.1715, 1726

•5 FORMS AND EXHIBITS:

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Administrative Approval of Procedurer:

Dated:

January 11, 2021

•6 PROCEDURE:

Communication: Telephone, Visiting, Mail

•6•1 APPLICATION:

•6•2 OUTLINE / NARRATIVE:

A. Telephone Calls

1. Telephones should be reasonably accessible.
2. Telephone usage funds shall be provided in reasonable amounts to residents who are unable to procure such funds.
3. Reasonable times and places may be established, and if established, shall be in writing and posted in each living unit of a residential program.
4. Any further limitations must be justified in the resident's individual plan of service. Documentation shall be included that describes attempts that have been made to avoid such restrictions as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for the restrictions in the future.
5. A limitation shall not apply between a resident and an attorney or a court, or with other individuals if the communication involves matters that are or may be the subject of legal inquiry.
6. Any restriction or limitation of this right must be reviewed and approved by the Behavior Support Committee.

B. Visits

1. Each facility shall make space for visits available.
2. Reasonable times and places may be established, and if established, they shall be in writing and posted in each living unit of a residential program.
3. A resident shall be allowed to see their mental health professional at any reasonable time.
4. Any further limitations must be justified in the resident's individual plan of service. Documentation shall be included that describes attempts that have been made to avoid such restrictions as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for the restrictions in the future.
5. A limitation shall not apply between a resident and an attorney or a court, or with other individuals if the communication involves matters that are or may be the subject of legal inquiry.

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6. Any restriction or limitation of this right must be reviewed and approved by the Behavior Support Committee.

C. Mail

1. Correspondence can be conveniently and confidentially received and mailed. A daily pickup and deposit of mail shall be provided.
2. Writing materials and postage shall be provided in reasonable amounts to residents who are unable to procure such items.
3. Instances of opening or destruction of mail by staff shall be documented in the resident's record.
4. Any further limitations must be justified in the resident's individual plan of service. Documentation shall be included that describes attempts that have been made to avoid such restrictions as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for the restrictions in the future.
5. A limitation shall not apply between a resident and an attorney or a court, or with other individuals if the communication involves matters that are or may be the subject of legal inquiry.
6. Any restriction or limitation of this right must be reviewed and approved by the Behavior Support Committee.

•6•3 CLARIFICATIONS:

•6•4 CROSS-/REFERENCES:

Mental Health Code, 330.1726 (2-5), 1715
Administrative Rule 330.7199

•6•5 FORMS AND EXHIBITS: