

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

PERSONNEL
(Manual Section)

RECIPIENT RIGHTS:
PERSONAL PROPERTY AND FUNDS
(Subject)

Approval of Policy

Dated:

Last Revision of Policy Approved:

January 11, 1996
June 10, 2015

•1 POLICY:

- I. Individuals served by the Agency are entitled to receive, possess and use all personal property, including clothing and personal effects, except in certain circumstances and conditions as defined in this policy. Exceptions are listed below:
 - A. Weapons, including firearms, knives and sharp objects and other potentially dangerous articles; explosives;
 - B. Drugs, whether prescribed or not unless possession of the drug is specifically authorized by the attending physician;
 - C. Alcohol;
 - D. Particular kinds of personal property (such as expensive jewelry, stocks or bonds, etc.):
 1. to prevent theft, loss, and destruction of property; and/or
 2. to prevent individuals served from physically harming themselves or others;

•2 APPLICATION:

All employees, individuals served

•3 DEFINITIONS:

•4 CROSS-/REFERENCES:

•5 FORMS AND EXHIBITS:

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

Administrative Approval of Procedure:

Dated:

January 11, 2021

•6 PROCEDURE:

Personal Property and Funds

•6.1 APPLICATION:

All employees, all individuals served.

•6.2 OUTLINE / NARRATIVE:

- I. The Agency may choose to exclude all people from bringing certain types of personal property into the facility. These exclusions must be clearly documented in the home or program rules, and posted. (Examples - exclusion of firearms or pornographic reading material or wall posters.)
- II. The staff are allowed to search when there is a reasonable suspicion the individual served has brought contraband items into the facility or program. The staff shall strictly follow the Agency's search procedure to conduct the search.
 - A. The search procedure is as follows:
 - (1) Staff shall request the individual served to voluntarily relinquish the contraband.
 - (2) If the individual served refuses, staff must inform the individual served prior to a search of his/her personal belongings and reason for the search.
 - (3) The individual served must be present while the search is being conducted.
 - (4) Two staff must be present during the search.
 - (5) The reasons for conducting the search, the staff involved in conducting the search, and the results of the search shall be clearly documented in the clinical record.
 - B. NeMCMH will not conduct intrusive procedures such as strip searches or pat downs.
- III. Any restrictions or limitations of the rights of the individual served must be reviewed and approved by the Behavior Support Committee. Any restriction or limitation must be justified, time-limited and clearly documented in the 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 restrictions in the future.
- IV. Any limitation shall be removed when the circumstances justifying the limitation ceases to exist.
- V. A receipt shall be given to the individual served, his/her legal guardian, or designated individual for any and all personal properties or funds taken into custody. Any personal property and/or funds belonging to an individual served

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

being held by the program or residential facility at the time of discharge shall be returned to the individual served.

- VI. An individual served is entitled to easy access to the money in his/her personal spending account and to spend or otherwise use the money as he/she chooses.
- VII. An individual served is permitted to inspect personal property at reasonable times.
- VIII. Each residential facility or program shall provide a reasonable amount of storage space for each individual served for their clothing and/or personal property.
- IX. Each residential facility shall inventory personal property and funds of the individual served when admitted into the home. Only the items which are essential shall be retained, and non-essential property shall be returned to the parents, guardian or relatives. The facility shall safeguard the personal property and funds of the individual served.
- X. Personal property may be limited in order to prevent the individual served from physically harming himself, herself or others, theft, loss, or destruction of the property, unless a waiver is signed by the individual served.
- XI. AFC licensing rules requires a resident's account to be individual to the resident. The Agency is prohibited from having any ownership interest in a resident's account and shall verify such in a written statement to the resident or the resident's designated representative, and
- XII. No employee or volunteer of the Agency, as well as members of their families shall accept, take, or borrow money or valuables from a resident, even with the consent of the resident.

•6•3 CLARIFICATIONS:

•6•4 CROSS-/REFERENCES:

Mental Health Code, 330.1728, 330.1730, and 330.1732
Administrative Rules, 330.7009 (7), 330.7199
P.A. 218, 1979 AFC Rule 400.14315(9) & (10)

•6•5 FORMS AND EXHIBITS: