

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

PERSONNEL
(Manual Section)

**RECIPIENT RIGHTS:
TREATMENT BY SPIRITUAL MEANS**
(Subject)

Approval of Policy

Dated:

Original Policy Inception:
Last Revision of Policy Approved:

January 11, 1996

August 06, 2018

•1 POLICY:

It is the policy of the Agency that individuals receiving services are allowed to exercise their right to religious belief and worship.

•2 APPLICATION:

All employees, all individuals receiving services.

•3 DEFINITIONS:

TREATMENT BY SPIRITUAL MEANS: Encompasses a spiritual discipline or a school of thought upon which a consumer wishes to rely to aid in physical or mental recovery.

NEAREST RELATIVE: Includes spouse, parents, adult children and siblings, whether natural or adopted, or in their physical absence, another blood relative deemed to be in close association with an individual receiving services.

•4 CROSS-/REFERENCES:

•5 FORMS AND EXHIBITS:

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Administrative Approval of Procedure:

Dated:

August 06, 2018

•6 PROCEDURE:

•6•1 APPLICATION:

All employees, all individuals receiving services.

•6•2 OUTLINE / NARRATIVE:

1. **RIGHT TO TREATMENT BY SPIRITUAL MEANS:** Includes the right of individuals receiving services, guardians, or nearest relative to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:
 - a. A guardian has been empowered by a court to consent to or provide treatment and has done so.
 - b. An individual is dangerous to self or others and treatment is essential to prevent physical injury.
2. **RIGHT TO TREATMENT BY SPIRITUAL MEANS DOES NOT INCLUDE THE RIGHT:**
 - a. To use mechanical devices or chemical or organic compounds which are physically harmful.
 - b. To engage in activity prohibited by law.
 - c. To engage in activity which physically harms the individual or others.
 - d. To engage in activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the individual served.
 - e. To engage in an activity that is substantially disruptive to other persons or activities in a program by reason of such things as appropriateness, social acceptability, physical or verbal activities, loud music or other observances especially in areas and time frames normally reserved for other activities of daily living such as sleeping.
3. An individual shall be permitted to have access to treatment by spiritual means upon request, or upon the request of the guardian, if any, or parent of a minor receiving services.
4. The facility has a recourse to court proceedings when there is a refusal of medication or other treatment for a minor.
5. Notice must be given to the requesting person of a denial of a request and the reasons for the denial.

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6. The Chief Operating Officer shall, upon request of the person requesting treatment, conduct an administrative review when there is a denial of treatment by spiritual means. If the requesting person is dissatisfied with the response, he/she may appeal to the Executive Director and/or Recipient Rights Officer.
7. Individuals receiving services shall not be required or coerced to participate in any religious observance.
8. Minors shall be afforded the opportunity to participate in religious services and other religious activities in accordance with their individual and family preferences.
9. When requested and to the extent feasible, the programs shall assist individuals in locating and gaining access to religious services and ministrations suited to individual beliefs.
10. Community religious representatives shall be allowed to visit their parishioners during times arranged with providers which do not disrupt program activities for other participants.
11. The Chief Operating Officer, within the confines of MHC 330.0744 (Freedom of Movement), has the right to remove an individual receiving services from programming for inappropriate behavior resulting from refusal of medication or other treatment on grounds of spiritual means.
12. The opportunity for contacting agencies providing treatment by spiritual means shall be provided in the same manner as consumers are permitted to see private mental health professional.
13. Requests for printed, recorded or visual material essential or related to treatment by spiritual means, and to a symbolic object of similar significance shall be honored and made available at the individual's expense.

•6•3 CLARIFICATIONS:

•6•4 CROSS-/REFERENCES:

Administrative Rules 330.7100(r), 330.7135

•6•5 FORMS AND EXHIBITS: