

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

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PERSONNEL
(Manual Section)

**RECIPIENT RIGHTS:
RESIDENT'S RIGHT TO ACCESS**
(Subject)

Approval of Policy

Dated:

Original Inception Date:
Last Revision of Policy Approved:

January 11, 1996

[signed by Nena Sork]

June 17, 2024

•1 POLICY:

It is the policy of the Agency that:

- A. A resident should not be prevented from obtaining reading/viewing/listening material at their own expense for reasons of, or similar to, censorship.
- B. The right of access shall not entitle a minor individual served to obtain and keep written material, or to view television programs or movies, over the objections of a minor's parents or guardians or if prohibited by state law.
- C. The staff person in charge of the Individual Plan of Service is permitted to attempt to persuade a parent or guardian of a minor to withdraw objections to materials desired by the minor.
- D. Restrictions to access of material for reading, listening, or viewing must be specified by the primary case holder.
- E. Any restrictions or limitation of the individual served's rights and any intrusive behavior treatment techniques must be reviewed and approved by the Behavior Support Committee. Any restriction or limitation must be justified, time-limited, and clearly documented in the 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.
- F. When not essential to achieve objectives which justified their application, restrictions and limitations shall be removed.

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- G. Appeals on access and limitations may be first made to the Chief Operations Officer and then to the Executive Director.
- H. A determination shall be made to determine the resident's interest in and for the provision of a daily newspaper.

•2 APPLICATION:

All mental health residential programs operated by or under contract with the Agency

•3 DEFINITIONS:

Residential Program: A residential setting for the treatment of those who have a mental illness or an intellectual/developmental disability.

Limitations: Individual rules governing the specific limitations of a resident's freedom of movement.

Resident: A person with a mental illness or an intellectual/developmental disability who is living in a residential setting.

Restrictions: Laws, rules, and policies governing specific restrictions of freedom of movement for a resident or group of residents.

•4 CROSS-/REFERENCES:

•5 FORMS AND EXHIBITS:

Administrative Rule 330.7199(2)(g)

[Residential Handbook](#)

•6 PROCEDURE:

None