

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

PERSONNEL
(Manual Section)

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

Approval of Policy

Dated:

Original Inception Date:

January 11, 1996

Last Revision of Policy Approved:

January 11, 2021

•1 POLICY:

It is the policy of the Agency that:

- A. A resident should not be prevented from obtaining reading/viewing/listening material at his/her own expense for reasons of, or similar to, censorship.
- B. The right of access shall not entitle a minor consumer 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 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 supports coordinator.
- E. Any restrictions or limitation of the consumer'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 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. A determination shall be made to determine the resident's interest in and for the provision of a daily newspaper.

NORTHEAST MICHIGAN COMMUNITY MENTAL HEALTH AUTHORITY

POLICY & PROCEDURE MANUAL

- G. Each residential setting shall specify essential restrictions on a living unit basis and shall note such restriction in the posted house rules or for the therapeutic benefit of the residents as a group.
- H. When not essential to achieve objectives which justified their application, restrictions and limitations shall be removed.
- I. Appeals on access and limitations may be made first to the Chief Operating Office and then to the Executive Director.

•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 developmental disability.

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

Resident: a person with a mental illness or 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)

•6 PROCEDURE:

None