



# MICHIGAN DEPARTMENT OF COMMUNITY HEALTH TECHNICAL ADVISORY

**Subject: Continuing Education Requirements for Recipient Rights Staff**

## **Background/Regulatory Overview**

The purpose of this Technical Advisory is to establish processes for meeting the educational mandates for Recipient Rights Officers/Advisors set forth in the following sections of the Michigan Mental Health Code and MDCH/CMHSP Managed Mental Health Supports and Services Contract.

### **330.1754 State office of recipient rights; establishment by department; selection of director; powers and authority of state office of recipient rights.**

(2) The department shall ensure all of the following: (f) Technical assistance and training in recipient rights protection are available to all community mental health services programs and other mental health service providers subject to this act.

### **330.1755 Office of recipient rights; establishment by community mental health services program and hospital.**

(2) Each community mental health services program and each licensed hospital shall ensure all of the following: (e) Staff of the office of recipient rights receive training each year in recipient rights protection.

### **MDCH/CMHSP Managed Mental Health Supports and Services Contract: FY 10**

The Community Mental Health Service Program (CMHSP) shall assure that, within the first three months of employment, the Rights Officer/Advisor and any alternate(s) shall attend and successfully complete the Basic Skills Training programs offered by the Department's Office of Recipient Rights.....In addition, every three (3) years during their employment, the Rights Officer/Advisor and any alternate(s) must complete a Recipient Rights Update training as specified by the Department.

## **Definitions**

### **1. Continuing Education Unit:**

One Continuing Education Unit (CEU) is defined as one contact hour of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. The primary purpose of the CEU is to provide a permanent record of the educational accomplishments of an individual who has completed one or more significant educational experiences.

### **2. Category I Credits: Operations**

This category includes programs that support and enhance the fundamental scope of responsibilities and effective work of recipient rights staff. These may be directly related

to prevention, complaint resolution, and monitoring and education that support the fundamental scope of a Rights Office's operations. Examples include:

- Rights Office Operations Techniques
- Enhancing Investigative Skills
- Inpatient Rights
- Out-of-catchment rights protection
- Writing effective rights-related contract language
- Conducting effective site visits
- How to assess your own rights office using Attachments A & B
- How to "fix" a troubled Rights Office

3. Category II Credits: Legal Foundations

This category includes programs that enhance the understanding and application of the Mental Health Code, Administrative Rules, HIPAA, Disability and Human Rights Laws, Federal Laws and regulations and any other laws addressing the legal rights of a mental health recipient.

4. Category III Credits: Leadership

This category includes programs that support and enhance the leadership abilities of rights staff. Examples include:

- Prepaid Inpatient Health Plan (PIHP) and Comprehensive Specialty Services Network (CSSN) issues
- How to establish a rights presence in an organization,
- Understanding rights data and how to use it to trigger systemic organizational changes,
- What goes on in a Failure Mode Event Analysis (FMEA)/Adverse Event Review,
- Working with key individuals in your organization—Customer Services, Contracts Unit, and how it can enhance rights

5. Category IV Credits: Augmented Training

This category includes training sessions that include information that would help rights staff better understand the people they serve, their disabilities, their families, or training indirectly related to rights but affecting rights. These may include trainings in mental health conditions and disabilities, treatment and support modalities, recovery, and self-determination. Examples include:

- Understanding MI/SUD Co-occurring disorders
- How to protect rights in a dual rights protection system
- How to communicate with people with disabilities
- Writing simplification
- Ethics
- Consumers from different cultures (including deaf community)
- Diversity Issues

6. CMHSP: Community Mental Health Service Provider
7. Department: Michigan Department of Community Health
8. LPH/U: Licensed Private Hospital/Unit

## **Standards**

### **A. Basic Requirements**

All staff of the Department, a community mental health services program, or a licensed private hospital, employed for the purpose of providing recipient rights services shall, within the first 90 days of employment attend, and successfully complete, the Basic Skills Training curriculum as determined by the Michigan Department of Community Health Office of Recipient Rights.

### **B. Continuing Education Requirements**

1. All staff employed or contracted to provide recipient rights services shall receive education and training oriented toward maintenance, improvement or enhancement of the skills required to perform the functions as rights staff.
2. A minimum of 36 contact hours of education or training shall be required over a three (3) year period subsequent to the completion of the Basic Skills requirements, and in every three (3) year period thereafter.
3. The 36 contact hours obtained must be in rights-related activities and must fall within one or more of the categories identified in the definitions above.
  - a. A minimum of 12 contact hours must be obtained in programs classified as Category I or II.
4. CEU's may be received by attending programs or conferences developed by the Department, other rights-related organizations, organizations that have applied to the Office of Recipient Rights Training Division for approval of their programs, or by information provided by rights staff prior to their attendance at an educational program.
5. Recipient rights staff should retain documentation of meeting the CEU requirements for a period of four (4) years from the date of attendance. It is suggested that the following information be kept on file:
  - a. The title of the course or program and any identification number assigned to it by the education provider. The number of CEU hours completed.
  - b. The provider's name and identifying number.
  - c. Verification of your attendance by the provider.
  - d. The date and location of the course.
6. Reviews will be conducted by the DCH Office of Recipient Rights staff at each assessment of a recipient rights program to determine if all rights staff have met both the basic and continuing education requirements.

7. CMHSP's who contract with Licensed Private Hospitals/Units shall mandate compliance with the standards in this Technical Advisory by the Recipient Rights Office staff of those entities.

### C. Procedures for Training Approval

1. Training that is automatically approved for CEU credits:
  - MDCH ORR training *excluding Basic Skills*
  - Sessions at the MDCH ORR Annual Conference, including the Pre-Conference session
  - Training provided by, or sponsored by, MDCH Office of Recipient Rights
2. Training that may be approved for CEU credits, if meeting the criteria above, and with the submission of the necessary documents by the applicant:
  - RROAM sponsored training
  - CMH/LPH/U sponsored training
  - Training provided by other agencies, entities, or professionals—law enforcement, mental health or physical health professional, accreditation bodies, risk management, corporation counsel/lawyer, etc.
  - Training provided to the Rights Officer/Advisor for their own profession's licensure.
  - Other training in the community at large, including on-line training, if requirements as detailed above are met.
3. Application Review, Approval and Notification

Applications from organizations outside the Department, or applications from individuals who have attended, or plan to attend training programs shall be reviewed by a committee appointed by the Director of the DCH Office of Recipient Rights upon recommendation from the Director of the Training Division of the Office of Recipient Rights. This committee shall consist of rights staff and management from DCH-ORR, CMHSP's, and LPH/U's and shall have at least one representative who is a Licensed Master's Social Worker (LMSW). This committee shall review applications and assign an appropriate category to each approved application. Committee members shall be appointed for a three-year term and may be re-appointed at the discretion of the Director of ORR.

4. CEU Documentation and Notification

- a) Application

To apply for CEU credits for a training, complete the *MDCH ORR Continuing Education Course Summary (Attachment A)* form and send by email, mail or FAX, at least 30 days prior to the date of the event, to:

MDCH ORR Training Division  
18471 Haggerty Road  
Northville, MI 48168  
FAX: 248-348-9963  
Email: MDCH-ORR-Training@michigan.gov

b) Verification of attendance.

Attendance can be verified through provision of a Certificate of Attendance, copies of a training record, copy of an attendance/sign in sheet, a copy of the training agenda or outline with a self-attestation statement that the applicant did attend the training. Verification of attendance shall be kept on file with the applicant and be readily available for review by MDCH ORR if requested.

c) Applicants will receive notification of approval determination for CEU credits no later than 30 calendar days following receipt of the necessary documents. Approved courses, credit and category information will be posted on the ORR website.

Attachment A: APPLICATION FOR RECIPIENT RIGHTS CEU CREDIT



**OFFICE OF RECIPIENT RIGHTS**  
 APPLICATION FOR  
 RECIPIENT RIGHTS CEU CREDIT

OFFICE USE ONLY
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<b>APPLICANT</b> (ORGANIZATION OR INDIVIDUAL)		
<b>APPLICANT'S CONTACT INFORMATION</b>	EMAIL:  PHONE:  ADDRESS:  CITY/ZIP:	
COURSE DATE  COURSE TITLE  LOCATION		
<b>COURSE PRESENTER</b>		
<b>COURSE DESCRIPTION</b>		
<b>COURSE OBJECTIVES</b>	Description of Learning Objectives	
	1	
	2	
	3	
	4	
	5	

APPLICATION FOR RECIPIENT RIGHTS CEU CREDIT  
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Requested Category	<input type="checkbox"/> <b>Category I</b> Operations	<input type="checkbox"/>	<b>Category II</b> Legal Foundations	<input type="checkbox"/> <b>Category III</b> Leadership	<input type="checkbox"/> <b>Category IV</b> Augmented
Describe how the content relates to Rights?					
List or attach a detailed agenda					