



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

JAMES K. HAVEMAN
DIRECTOR

MINUTES

RECIPIENT RIGHTS ADVISORY COMMITTEE

March 13, 2014

Our Mission

It is the mission of the Michigan Department of Community Health Recipient Rights Advisory Committee to advise the Directors of the Michigan Department of Community Health and the State Office of Recipient Rights in order to ensure that the rights of individuals receiving public mental health services are protected and promoted.

Our Vision

It is the vision of the Michigan Department of Community Health Recipient Rights Advisory Committee that Michigan values a public mental health system in which individuals receiving services are treated with dignity and respect, enjoy full and fair access to the rights accorded them and are free to participate fully in all aspects of their lives.

PRESENT

Basil Scott, Mark Reinstien, Margaret Stooksberry (phone), Denise Virgo, Michelle Mitchell, John Sanford, Vendella Collins (phone), Andy Silver, Wayne Hogan, Dr. John Board (phone)

The meeting was called to order at 1:05pm by Mark Reinstien, Chair

APPROVAL OF AGENDA

Wayne – Motioned; Basil – Second; Motion carried

APPROVAL OF PREVIOUS MINUTES

January 9, 2014 – Mark Reinstien states and recommends minor adjustments
Meeting minutes will be updated and resent to Committee for review and approval.

PUBLIC COMMENT

Concerns recently raised by Mr. Sean Bennett were reviewed. Mr. Bennett had informed the Committee of his displeasure with the issues of Assisted Outpatient Treatment (AOT), forced medications for persons with mental illness, and use of electro-convulsive therapy.

After discussion, the Committee determined it would not undertake initiatives on these matters for the following reasons:

1. The Committee is advisory to the Director of DCH, not the Legislature or Governor.

2. The Governor, through his Mental Health Commission, has assigned the issues of AOT and what should/shouldn't happen with forced medication to the State's Diversion Council.

3. There are circumstances in which electro-convulsive therapy is an appropriately indicated clinical tool; it is only conducted by private providers (DCH and CMHSPs do not provide it); and it requires consent of an adult recipient, the parents of a minor recipient, a guardian (if applicable and the guardian has been granted court authority for such decisions), or a recipient's designated representative under a durable power of attorney or other advance directive.

DIRECTOR'S REPORT

Department 2014 Strategic Priorities were shared. John asked the Committee to review four (4) points as circled on the handouts. (Priority 2: Improve Outcomes for Children, Objectives bullet points 1, 3 and 4; Priority 3 Transform the Healthcare System, Objective bullet point 1). Department has asked ORR to share priorities with staff along with 2013 Employee survey.

POLICY/PROCEDURE DISCUSSION with NICK LYON

Nick Lyon joins Committee meeting and is introduced by Mark; thence a round table introduction of Committee members. Mark opens conversation with reason for Nick's invite to the meeting to discuss concerns with Policies etc.

Nick shares views of Policy with Committee indicating that hospital has authority over hospital policy and has to come to DCH/ORR with disputes. Mark mentions background documentation gave impression that Nick/Director Haveman is ultimately responsible although his understanding is that the Rights Office would have that responsibility. John states that Policies have always been policies of hospitals; but we (Committee) are referencing Policies in compliance with Mental Health Code. Nick disagrees with history as stated and indicates that he and his staff attorneys have a different interpretation of 'history'. John states that their concern is not with Policy; concern it the Procedure. Michelle asks Nick who has right to policy; Nick replies Bureau; ORR only has input; discussion ensues. Question is asked does Policy apply to anything other than hospitals... response from Committee: Yes it applies to Department Staff as well...(i.e. confidentiality and dignity and respect). John states that his concern is, if procedures developed by hospitals comply with policy.

Nick states that Policies are reviewed by Legal team within his office; John suggestions a meeting with his office legal team to further discuss ORR principles.

Michelle questions if all RR policies are listed under hospitals; Nick states Yes, and he will revisit the placement of policies and discussion ensues.

Nick states that Bureau writes policy; ORR reviews/provides suggestion. Mark states ORR should write policy and send to Bureau. Discussion ensues. In closing Mark will follow up with Nick on Policy concerns addressed in Committee meeting. Nick departs meeting.

DIRECTOR'S REPORT continued

2013 Employee Survey appears to have input from only 10 people. John believes facility staff may have been missed.

Auditors have issued 10 memos each addressing a particulate problem. Person overseeing audit had to leave her post; and another person was appointed. Reconsideration was provided; due to misinterpretations of documents. Audit will carry on for several months.

Annual Report in process of being written, information is being collected. A paragraph from Committee is needed stating status of ORR in Michigan 2013 and any recommendations.

STAFF REPORTS

Livingston County has full compliance assessment.

Orr Conference is approval for Grand Rapids Amway Grand on October 7-10, 2014.

Additional staff reports was provided in folders

COMMISSION RECOMMENDATIONS ON RIGHTS & GRIEVANCES

Five groups set up – Mark volunteers for a group / Haveman ask Mark to be on a group
Mark sent out 2 recommendations: officers reporting to whom and funded services should try mediation

Make ORR/John direct oversight

Mark seeks a list of who third party would be

FOLLOW UP TO CHAIR LETTER TO HAVEMAN

Letter submitted by Mark

NEXT MEETING

May 8, 2014

Lewis Cass Building

3rd floor conference room

Lansing, Michigan

ADJOURNMENT

3:15pm – Motion by Basil; Seconded by Margaret

Meeting Adjourned