



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

MINUTES
RECIPIENT RIGHTS ADVISORY COMMITTEE
September 11, 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.

DCH RR Advisory Committee
Sept. 11, 2014, Lansing

Members Present: Basil, Denice, Margaret, Mark, Michelle, Sue
Guest: Sean Bennett
Staff: John, Raymie

Mark called the meeting to order at 1:20 p.m.

Minutes of the May Committee meeting were approved as distributed with revisions (M/S: Sue/Denice). Consideration of minutes from the July 10 meeting was tabled.

Mr. Bennett stated his perspectives on forced drugging (believes too much of it in Michigan) and Assisted Outpatient Treatment law (believes it is bad policy). Mark stated the Governor's Diversion Council had been assigned these topics and should at least be given till the end of the year on them. (NOTE: Prior to the call to order, an unofficial discussion between Mr. Bennett and some Committee members took place for 10-15 minutes.)

DCH Director Haveman's response to the Council on the hospital rights policies issue was reviewed and discussed. (NOTE: Mr. Haveman subsequently resigned effective Sept. 12, with Chief Deputy Director Nick Lyon named the replacement.) It was agreed that Mark should attempt to arrange a related meeting on this issue between the DCH Director and 3-4 Committee members.

The recent problems at KRPB were reviewed and discussed. Hospital director Coleman and a nursing supervisor are no longer at the facility as a result of rights violations (including neglect) and other problems in the handling of a fatality. The Committee asked staff to subsequently provide all four report summaries on investigations into the Kalamazoo situation conducted by DCH Recipient Rights.

The Auditor General report on DCH Recipient Rights was discussed. It was felt that the Committee needed to set aside separate future time to deal with the report in depth.

The same conclusion was reached regarding John's suggestions (first given last meeting) for initiatives to be undertaken by the Committee. It was felt that we would find it difficult to make determinations about those suggestions – and the Auditor General report – at a regular meeting. Thus members agreed we should have a special meeting with those two agenda items on Oct. 16th, 10:00 or 10:30 to 3:00 or 3:30.

Two nominations had been received for the Cookie Gant Award. One nominee was ineligible for it; the remaining nominee (Gerard Deschaine) looked positive to the Committee, and Margaret spoke well of him. It was decided to make him the 2014 honoree, and that Basil would represent the Committee in making the presentation at the Recipient Rights Conference.

John informed members that Dianne Baker was retiring at the end of the year. Hiring process set-up for a replacement has begun. Anyone wishing to make video retirement messages for Dianne should get them into Andy.

John updated members on recent talks he has had with budget officials re DCH Recipient Rights. Some of the DCH budget officials can and are willing to meet with us in November. The Committee asked John to make final arrangements for this. When we have the special meeting Oct. 16, there may be things we want to pull out of the audit or John's Committee recommendations for discussion with the budget people.

Staff reported that CMS is apparently concerned that many consumers unhappy with their service prefer to file RR complaints grievances. Raymie and Cindy Kelly will be talking about development of DCH grievance policy.

There was nothing new beyond what had been reported in July regarding DCH Director committee appointments or re-appointments

Mark noted that members had received via e-mail a memo from Liz Knisely to the field, expressing departmental desire (page 2) that CMHSP clients being served through a sub-contract with an insurer (e.g., a Medicaid HMO) not receive the rights protections of Mental Health Code Chapter 7. The department has begun working on draft legislation to change the definition of "recipient"; this will likely be unpopular with and meet opposition from many elements of the mental health community.

The meeting was adjourned at 3:25 p.m.