



**Is Rights
Everybody's
Business**

THE ANNUAL REPORT
OF THE
MICHIGAN DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF RECIPIENT RIGHTS
FY 2014

JOHN T. SANFORD, ESQ. DIRECTOR

*"You can only protect your liberties in this world
by protecting the other man's freedom"*

Clarence Darrow

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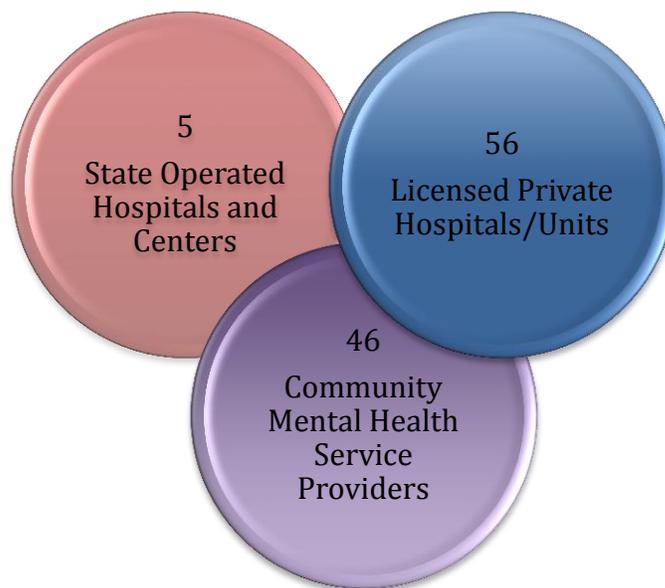
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RIGHTS PROTECTION IN MICHIGAN

PA 258 of 1974, the Michigan Mental Health Code (Code), creates an internal rights protection system for recipients of public mental health services across the State. Chapter 7 of the Code identifies the rights, in addition to basic civil rights, that are provided to these recipients. It also mandates the establishment of an Office of Recipient Rights in the Department of Community Health, each Community Mental Health Services Program (CMHSP) and every psychiatric hospital or unit (LPH/U) licensed by the Department of Licensing and Regulatory Affairs (LARA). As of the end of FY14, there were 46 CMHSP(s) and 56 LPH/U(s) in Michigan.

Through this network of Rights Officers and Advisors, rights protection is provided to the recipients of public mental health services throughout the State of Michigan.



Section 330.1754 of the Code defines the roles and responsibilities for the State Office of Recipient Rights. Section 330.1755 of the Code defines the roles and responsibilities for recipient rights offices within the CMHSP and the LPH/U systems. Each office is responsible for carrying out four basic functions:

Prevention

Rights staff offer consultation on rights-related matters to agency staff and recipients. They notify the Agency Director of inappropriate practices, policies that are out of compliance, or other issues that have the potential to become rights violations. They participate in rights-related policy development and review and assist the Agency in preparing for CMH, DCH, CARF or other accreditation reviews.

Monitoring

The monitoring function required of ORR includes visitation to every service site at least annually to ensure that information about the rights system is readily and clearly available to all recipients and to assure that the service site is in compliance with the Code and other applicable laws and rules. The monitoring responsibility also includes the collection of data to be reported as part of this annual report and to committees and staff within the agency itself. Rights staff also monitor agency contracts to assure they contain appropriate rights-related language, review reports of unusual incidents to ascertain if rights violations have occurred and review the circumstances surrounding the death of a recipient for apparent or suspected violations of rights.

Education

The rights office is responsible for training *all employees* of the agency, and those of any contractual provider, in the rights of recipients and their role in the protection of those rights. Rights staff must also receive training in rights on an annual basis, accumulating 36 hours of continuing education credit in a three year period.

Complaint Resolution

The Mental Health Code mandates that the Office of Recipient Rights will:

“Ensure that all reports of apparent or suspected violations of right...are investigated...”¹

Based upon this mandate all ORR offices receive and investigate, or intervene on, complaints made by recipients, family members, agency staff, and other interested parties. Across the system during FY14, 16,777 allegations of potential rights violations were received by the ORR system.

Chapter 7A of the Mental Health Code defines the parameters under which the Recipient Rights system carries out its investigative responsibilities. It is applicable to the State, CMHSP, and LPH/U systems.

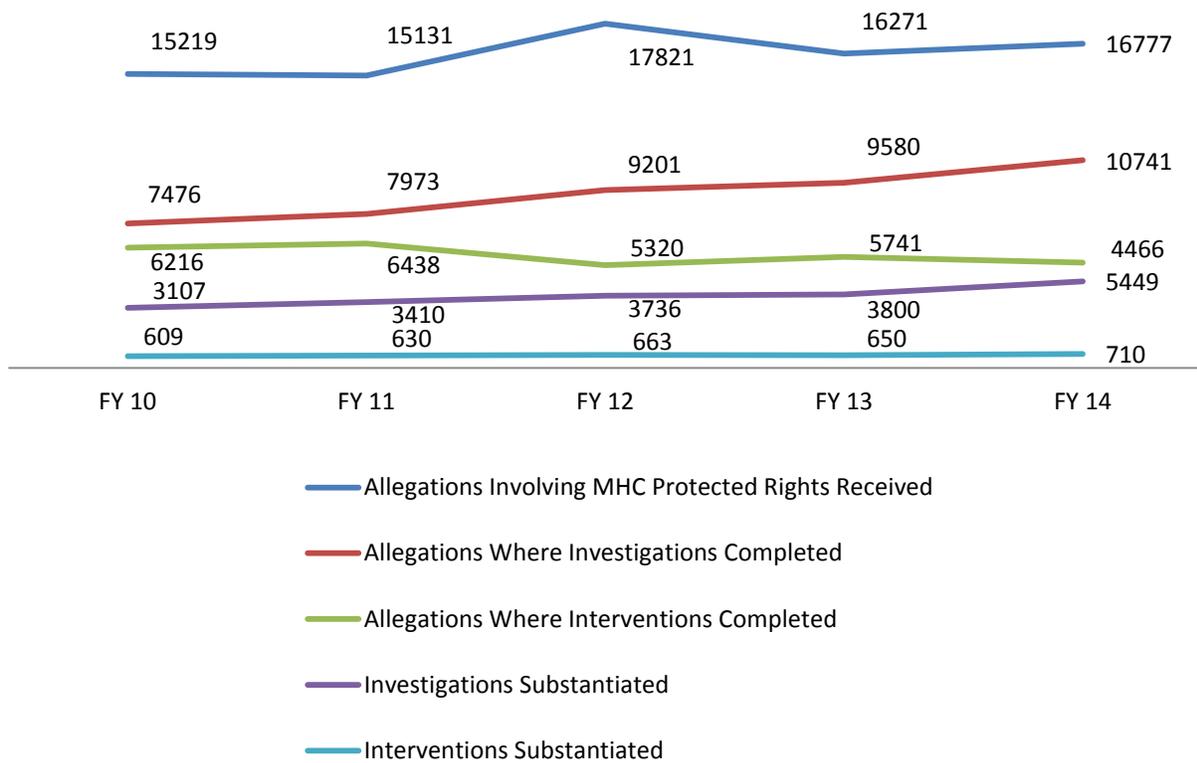
It is believed to be the most prescriptive process for the protection of the rights of mental health.

Investigations are conducted in the manner prescribed in Chapter 7A of the Code. This chapter also provides guidelines for appropriate remedial action when violations of a recipient’s rights have been substantiated, a process for appeal of the decision of the ORR investigation and/or the action taken by the agency involved, and a method for the mediation of disputes.

¹ As pertains to the State Office of Recipient Rights - MCL 330.1754(6)(k) and as pertains to CMHSP and LPH/U Offices of Recipient Rights - MCL 330.1755(5)(i)

The chart below indicates the number of complaints received by the rights system over the past five years as well as the number of investigations and interventions that were undertaken and the number of each of those that resulted in substantiation of a violation of a recipient’s rights.

Five Year System Wide Totals



“Safeguarding the rights of others is the most noble and beautiful end of a human being”
Kahlil Gibran

The information in this report reflects countless hours of dedicated, compassionate work from Rights Officers, Advisors, and Specialists across the state, all striving to protect the rights of persons served by Michigan's publicly funded mental health system.

The Advisory Committee to the Recipient Rights Office of DCH extends its thanks and commendation to all parties involved in mental health rights protection in Michigan. There is always room for improvement as the issues are challenging, the work can be daunting, and administrative support and available resources may, at times, waver. But protecting the rights persons enjoy under law is as important as anything else that happens in the public mental health system. Without rights protection monitoring and enforcement, we don't have any rights.

**A STATEMENT FROM THE
MDCH RECIPIENT RIGHTS
ADVISORY COMMITTEE**

THE ANNUAL REPORT

This Annual Report reflects the requirements outlined in Section 330.1754.

The state office of recipient rights shall submit to the director of the department and to the committees and sub-committees of the legislature with legislative oversight of mental health matters, for availability to the public, an annual report on the current status of recipient rights for the state. The report shall be submitted not later than March 31 of each year for the preceding fiscal year. The annual report shall include, at a minimum, all of the following:

Summary data by type or category regarding the rights of recipients receiving services from the department including the number of complaints received by state facility and other state-operated placement agency, the number of reports filed, and the number of reports investigated

The number of substantiated rights violations in each state facility by category

The remedial actions taken on substantiated rights violations in each state facility by category

Training received by staff of the state office of recipient rights

Training provided by the state office of recipient rights to staff of contract providers

Outcomes of assessments of the recipient rights system of each community mental health services program

Identification of patterns and trends in rights protection in the public mental health system in this state

*Review of budgetary issues including staffing and financial resources
Summary of the results of any consumer satisfaction surveys conducted²*

Recommendations to the department

² No consumer surveys were conducted in FY 2014

THE STATE OFFICE OF RECIPIENT RIGHTS

MISSION

The mission of the MDCH Office of Recipient Rights is to protect and promote the constitutional and statutory rights of recipients of public mental health services and empower recipients to fully exercise these rights.

VISION

It is the vision of the MDCH Office of Recipient Rights that all recipients of public mental health services are empowered to exercise their rights and are able to fully participate in all facets of their lives.

The Mental Health Code established the State Office of Recipient Rights (MDCH-ORR) within the Directors Office of the Michigan Department of Community Health. The functions and operations of the Office are defined in Section 330.1754. The primary mandates of the office are:

- 1) To provide direct rights protection and advocacy services to individuals admitted to state psychiatric hospitals and centers for developmental disabilities,*
- 2) To monitor the quality and effectiveness of the rights protection systems in Community Mental Health Service Programs (CMHSP) and Licensed Private (Psychiatric) Hospitals/Units (LPH/U).*

MDCH-ORR consists of 19 staff persons. In order to fulfill the mandates listed above, MDCH-ORR is organized into three distinct units, **the Field Unit, the Community Rights Unit, and the Education and Training Unit**. The full organizational chart can be found in Appendix A. The following sections contain descriptions and data related to each.

DEFINITIONS

Allegation: An assertion of fact made by an individual that has not yet been proved or supported with evidence.

Appropriate Remedial Action: If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation. It is the responsibility of the ORR to maintain a record of the documented action.

AN INVESTIGATION MUST BE CONDUCTED INTO AN ALLEGATION OF ABUSE, NEGLECT, SERIOUS INJURY, OR DEATH WITH AN APPARENT OR SUSPECTED VIOLATION

Investigation: A detailed inquiry into and a systematic examination of an allegation raised in a rights complaint and reported in accordance with Chapter 7A.

Intervention: To act on behalf of a recipient to resolve a complaint alleging a violation of a code-protected right when the facts are clear and the remedy, if applicable, is clear, easily obtainable and does not involve statutorily required disciplinary action.

Preponderance: A standard of proof which is met when, based upon all the available evidence, it is more likely that a right was violated than not; greater weight of evidence, not as to quantity (number of witnesses), but as to quality (believability and greater weight of important facts provided).

Substantiation: A determination that a right was violated, utilizing a preponderance of evidence standard (evidence which is of greater weight or more convincing than the evidence offered in opposition to it) as proof.

ABUSE AND NEGLECT DEFINITIONS

Abuse class I means a non-accidental act or provocation of another to act by an employee, volunteer, or agent of a provider that caused or contributed to the death, or sexual abuse of, or serious physical harm to a recipient.

Abuse class II means any of the following:

- (i) A non-accidental act or provocation of another to act by an employee, volunteer, or agent of a provider that caused or contributed to nonserious physical harm to a recipient.
- (ii) The use of unreasonable force on a recipient by an employee, volunteer, or agent of a provider with or without apparent harm.
- (iii) Any action or provocation of another to act by an employee, volunteer, or agent of a provider that causes or contributes to emotional harm to a recipient.
- (iv) An action taken on behalf of a recipient by a provider who assumes the recipient is incompetent, despite the fact that a guardian has not been appointed, that results in substantial economic, material, or emotional harm to the recipient.
- (v) Exploitation of a recipient by an employee, volunteer, or agent of a provider.

Abuse class III means the use of language or other means of communication by an employee, volunteer, or agent of a provider to degrade, threaten, or sexually harass a recipient.

Neglect class I means either of the following:

- (i) Acts of commission or omission by an employee, volunteer, or agent of a provider that result from noncompliance with a standard of care or treatment required by law and/or rules, policies, guidelines, written directives, procedures, or individual plan of service and causes or contributes to the death, or sexual abuse of, or serious physical harm to a recipient.
- (ii) The failure to report apparent or suspected abuse Class I or neglect Class I of a recipient.

Neglect class II means either of the following:

- (i) Acts of commission or omission by an employee, volunteer, or agent of a provider that result from noncompliance with a standard of care or treatment required by law, rules, policies, guidelines, written directives, procedures, or individual plan of service and that cause or contribute to non-serious physical harm or emotional harm to a recipient.
- (ii) The failure to report apparent or suspected abuse Class II or neglect Class II of a recipient.

Neglect class III means either of the following:

- (i) Acts of commission or omission by an employee, volunteer, or agent of a provider that result from noncompliance with a standard of care or treatment required by law and/or rules, policies, guidelines, written directives, procedures, or individual plan of service that either placed or could have placed a recipient at risk of physical harm or sexual abuse.
- (ii) The failure to report apparent or suspected abuse Class III or neglect Class III of a recipient

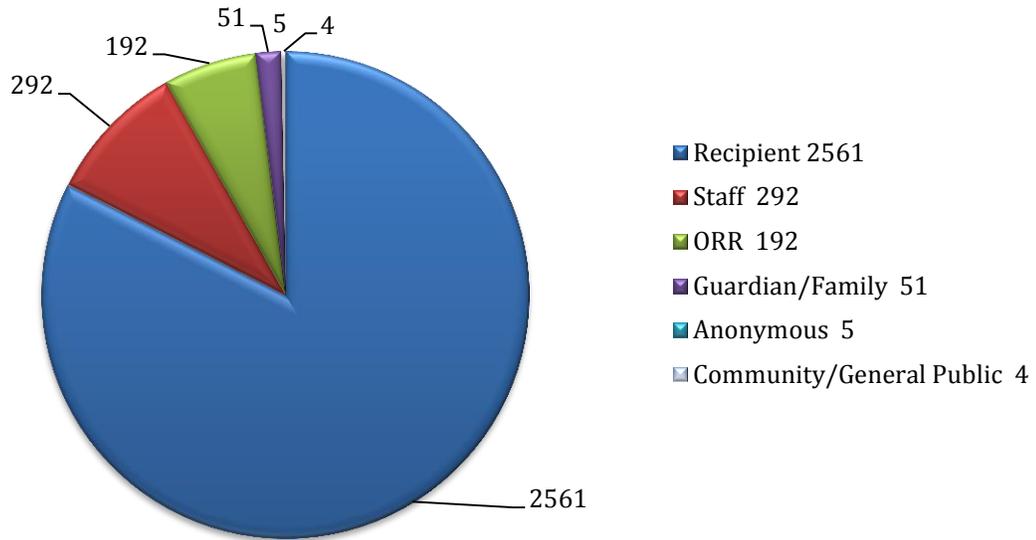
THE FIELD UNIT

- Provides the rights protection for recipients in MDCH-operated hospitals and centers. MDCH-ORR has offices at each of the five state-operated hospitals and centers: Caro Center, Hawthorn Center, Kalamazoo Psychiatric Hospital, Walter Reuther Psychiatric Hospital, and the Center for Forensic Psychiatry.
- Resolves allegations of rights violations through investigations and interventions, and, when appropriate, recommends remedial action(s) to the Directors of the facilities.
- Provides new hire training to all employees of the facilities.
- Educates consumers about their rights.

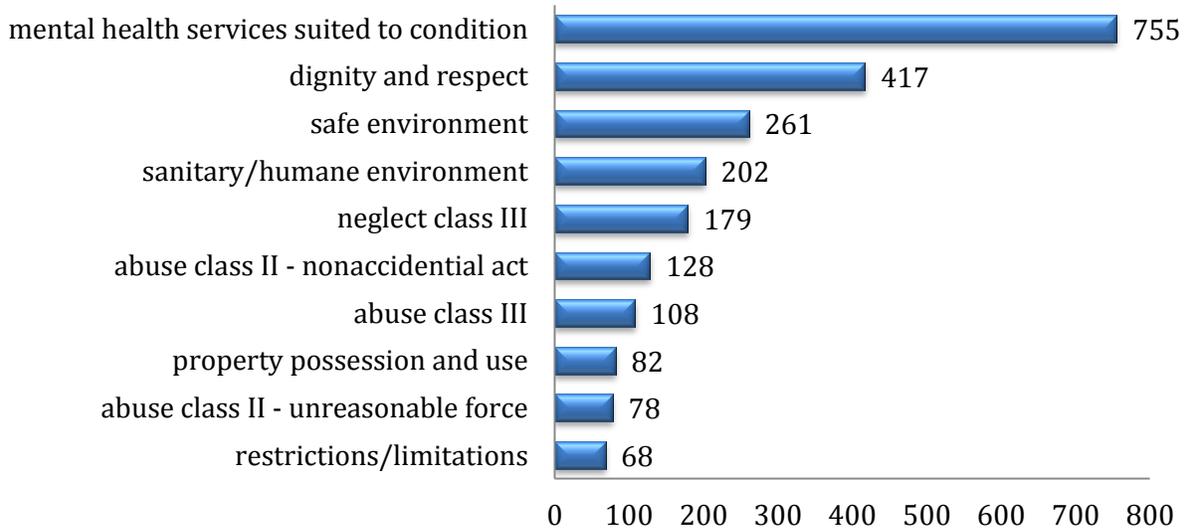
The five MDCH Hospitals received 3280 allegations covering 63 rights categories (Appendix B) in FY 14. Of these, 492 did not involve a code protected right or were outside the jurisdiction of the facility's rights office. Of the remaining 2788 allegations, 2253 were resolved through intervention with 70 of the interventions being substantiated. Investigation was conducted on 535 allegations; of these 131 were substantiated. Specific data on types of rights violations and remedial action taken to remedy them can be found in Appendix D.

2788 ALLEGATIONS OF
A MENTAL HEALTH CODE
PROTECTED RIGHT IN
MDCH HOSPITALS AND
CENTERS DURING FY 14
413 OF THESE INVOLVED
ALLEGATIONS OF ABUSE
OR NEGLECT

Sources of Allegations Received at DCH Hospitals and Centers

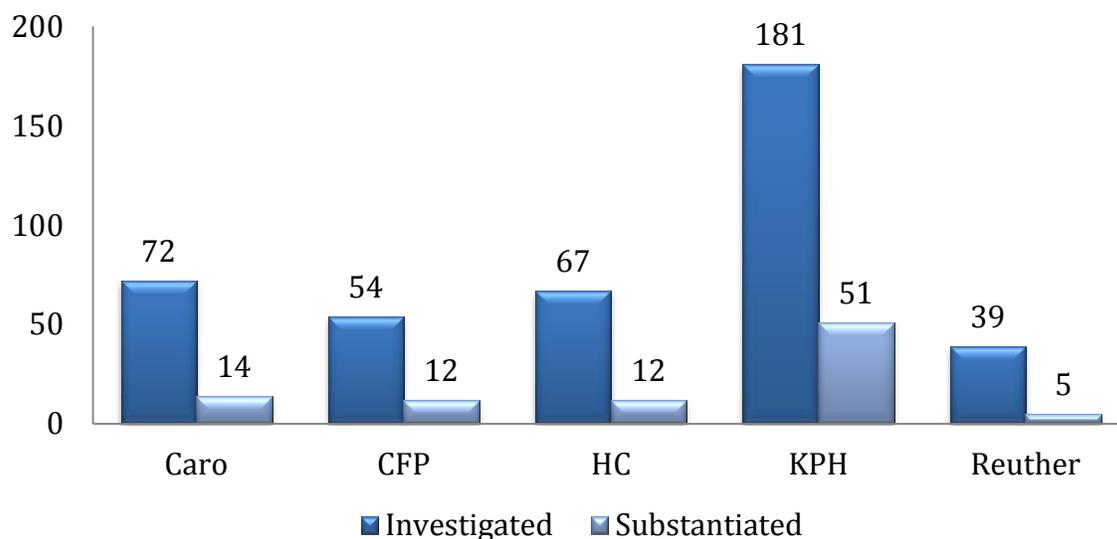


Top Ten Types of Allegations Received – DCH Hospitals and Centers FY 14

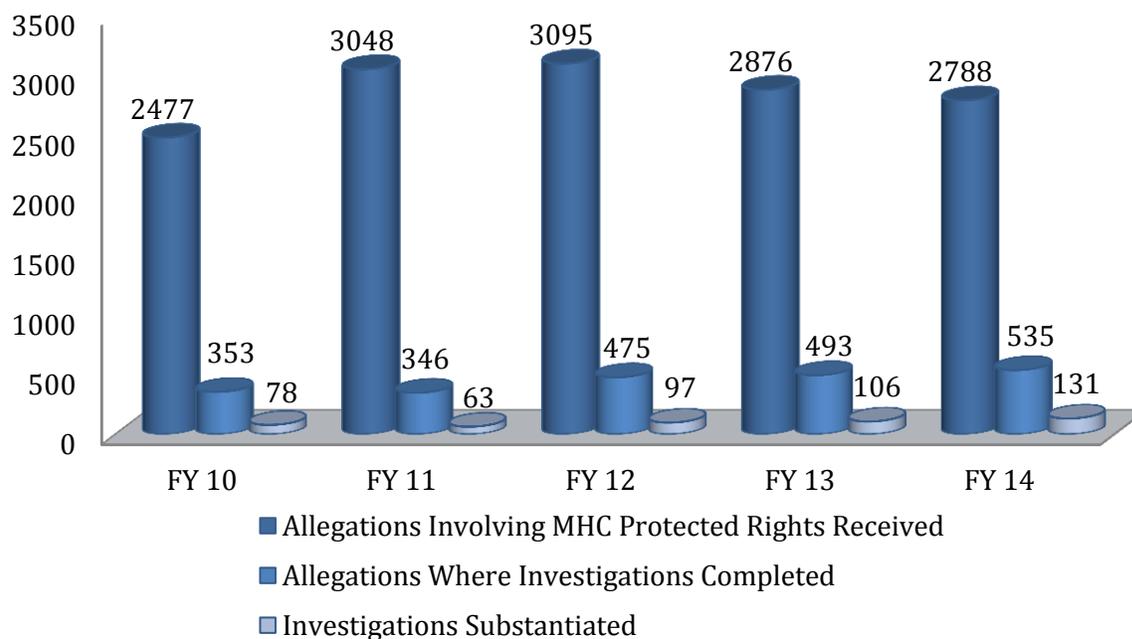


Abuse and Neglect

Of the 413 investigations into allegations of abuse or neglect conducted, 94 (33.5%) were substantiated. The chart below indicates the distribution of these by facility.



DCH Operated Hospital Allegation, Investigation, Substantiation Data FY 10 - FY 14



Rights Training at MDCH Operated Hospitals FY14

The MDCH-ORR Field Unit staff provide rights training to staff of the hospitals and centers. These trainings are focused on meeting the mandate that all staff hired by the Department will receive training on recipient rights within the first thirty days of hire. Education of consumers receiving services in MDCH operated facilities on Mental Health Code protected rights is also a function of the MDCH-ORR staff. The chart below indicates the number of people participating in training activities FY 14.

Hospital	# Agency Staff	# Contractual Staff	# Other Staff	# of Consumers
Caro	149	0	0	0
CFP	49	5	0	108
HC	12	0	58	10
KPH	112	0	0	59
WRPH	21	0	0	640

TRAINING RECEIVED BY MDCH-ORR RECIPIENT RIGHTS STAFF

The Mental Health Code Section 330.1754 (1)(d) requires that “Staff of the state office of recipient rights receive training each year in recipient rights protection.” The training presented to staff of the State Office of Recipient Rights included, but was not limited to, the following topics:

A New Approach to BTP and NAPPI	Dialectical Sampler	Michigan's Dual Eligible Demonstration
ADA Housing and Work	Disability Rights in The US	Penguins
Adolescent SUD/ORR	Elder Abuse	Presenting With Confidence
Best Practices – Inpatient	Forensics of Interviewing	Rights System Update
Body Language	Generational Differences	So! You're New to Rights
Children's Interviews	Guardianship Issues	Social Capital
Communication Challenges	How to Better Understand Your Medicaid and MH Rights	Social Capital -Breakout
Community Service Troopers	Intensive Investigation	The State Of Guardianship in the State
Compassion Fatigue	Workshop	Trauma Informed Care: Beyond the Basics
Developing Collaborative Relationships	Least Restrictive Interventions	
	Let's Talk About...	

THE COMMUNITY RIGHTS UNIT

- Ensures standards for certification of CMHSP ORR programs are met.
- Conducts triennial onsite assessments and yearly monitoring of these programs
- Provides oversight and technical assistance to CMHSP and LPH/U's.

Chapter 2 of the Mental Health Code requires that the Department of Community Health promulgate rules to establish standards for certification and the certification review process for CMHSPs. Administrative Rule 330.2801 requires the department assess the CMHSPs compliance with certification standards by determining the degree to which all of the following provisions apply:

- a) The CMHSP has established processes, policies and procedures necessary to achieve the required result.
- b) The established processes, policies and procedures are properly implemented.
- c) The expected result of the processes, policies and procedures is being achieved.

The Mental Health Code also requires that MDCH-ORR review the CMHSP rights systems in order to "ensure a uniformly high standard of recipient rights protection throughout the state." The certification standards must include those for the protection and promotion of recipient rights (MCL 330.232a [1][b]). Although standards as to matters of CMHSP governance, resource management, quality improvement, service delivery and safety management may be waived by the department in whole or in part as the result of the CMHSP's accreditation by a nationally recognized accrediting body, this is not the case relative to standards established by the department in regard to the protection and promotion of recipient rights.

ASSESSMENT PROCESS

Each CMHSP recipient rights system is assessed annually by two ORR Community Rights Specialists through careful review of and follow-up on semi-annual and annual reports prepared by each CMHSP rights office and submitted by the executive director. Each CMHSP also receives an on-site assessment once every three years. This three-day review includes an entrance conference; compliance review of complaint case files, logs, Code-mandated reports and notices, appeals cases; program site visits; review of contract language to ascertain clarity as to how rights will be protected during the contract period; review of training records for agency staff, contracted service providers and employees of contracted service providers; compliance review of all twenty-one rights-related policies required by the Code; meeting with the Recipient Rights Advisory Committee and an exit conference.

ASSESSMENTS RESULTS – FY 2014

Sixteen CMHSP rights protection systems were evaluated through on site assessments conducted by the Office of Recipient Rights Community Rights Unit Specialists. As a means of more expediently identifying which specific areas a rights system excels or has difficulty, the standards

template (Attachment A) was revised and reformatted to reflect the weighting of particular standards. “Attachment A” standards are organized into seven separate sections, each with its own weighted multiplier specified as follows:

Section	Multiplier	Points	Points
CMHSP Responsibilities	1.5	39	42
ORR Requirements	1.5	39	39
Semi and Annual Reports	1.0	6	6
Policies	1.0	50	50
Recipient Rights Advisory Committee	1.0	22	24
Complaint Investigation/Resolution	1.5	105	102
Appeal/Dispute Resolution	1.0	16	16
Total		277	279

The multiplier reflects the weighted difficulty or complexity of the standards contained in each section. Each standard is scored at 2 points for full compliance, 1 point for partial compliance and 0 points for non-compliance. The minimum score required for substantial compliance with established standards is 263 out of a possible 277, and 265 out of a possible 279, respectively, for the scheduled assessments in 2013 and 2014 comprising FY 14. The minimum scores reflect a 95% compliance rate. In the table that follows, CMHSPs that attained 100% compliance are listed in bold along with the names of the executive director (for his/her support of the rights protection process) and rights office director

If it is determined that a deficiency previously cited in the last assessment (three years prior) had not been corrected at the time of the current assessment, the rights system is scored as being in less than substantial compliance, even if the overall score was in the range of substantial compliance. Evidence that the repeat citation has been corrected must be provided to MDCH-ORR within 30 days of receipt of the assessment report by the CMHSP.

DATE	CMHSP	SCORE	RESULTS
October 01 – 03, 2013	Genesee County CMH Services Danis Russell, Chief Executive Officer Cheryl Rousseau, Recipient Rights Director	277	FC
October 15 – 17, 2013	Van Buren CMH Authority Debra Hess, Executive Director Zana Smallen, Recipient Rights Director	277	FC
November 05 – 11, 2013	Shiawassee County CMH Services Joseph Sedlock, Executive Director Rebecca Browne, Recipient Rights Director	277	FC

DATE	CMHSP	SCORE	RESULTS
November 19 – 11, 2013	Barry County CMH Authority	273.5	SC
December 10 – 12, 2013	Clinton-Eaton-Ingham CMH	266.5	SC
March 04 – 06, 2014	Livingston County CMH Constance Conklin, Executive Director Elizabeth Mooney, Recipient Rights Officer	279	FC
March 18 – 20, 2014	CMH for Central Michigan	275.5	SC
April 15 – 17, 2014	Ionia County CMH Services	271	SC
May 06 – 08, 2014	LifeWays	274.5	SC
May 20 – 22, 2014	Bay-Arenac Behavioral Health Christopher Pinter, Chief Executive Officer Melissa Neering, Recipient Rights Manager	279	FC
June 10 – 12, 2014	Berrien-Riverwood Center Ric Compton, Chief Executive Officer Basil Scott, Recipient Rights Officer	279	FC
June 24 – 26, 2014	Centra Wellness Network	169	LSC
July 08 – 10, 2014	Copper Country CMH Services	274.5	SC
July 22 – 24, 2014	Ottawa County CMH Michael Brashears, Executive Director Briana Fowler, Recipient Rights Director	279	FC
August 19 – 21, 2014	Pathways Mary Swift, Chief Executive Officer Faye Witte, Recipient Rights Director	279	FC
September 15 – 19, 2014	Detroit Wayne County MH Authority	250	LSC

ANNUAL REPORTS IN THE STATEWIDE RIGHTS PROTECTION SYSTEM

All Executive Directors or Hospital Directors are required to submit an “annual report prepared by the office of recipient rights on the current status of recipient rights in the community mental health services program system or licensed hospital system and a review of the operations of the office of recipient rights” to the department.

The annual report shall include, at a minimum, all of the following:

- (a) Summary data by category regarding the rights of recipients receiving services from the community mental health services program or licensed hospital including complaints received, the number of reports filed, and the number of reports investigated by provider.
- (b) The number of substantiated rights violations by category and provider.

(c) The remedial actions taken on substantiated rights violations by category and provider.

(d) Training received by staff of the office of recipient rights.

(e) Training provided by the office of recipient rights to contract providers.

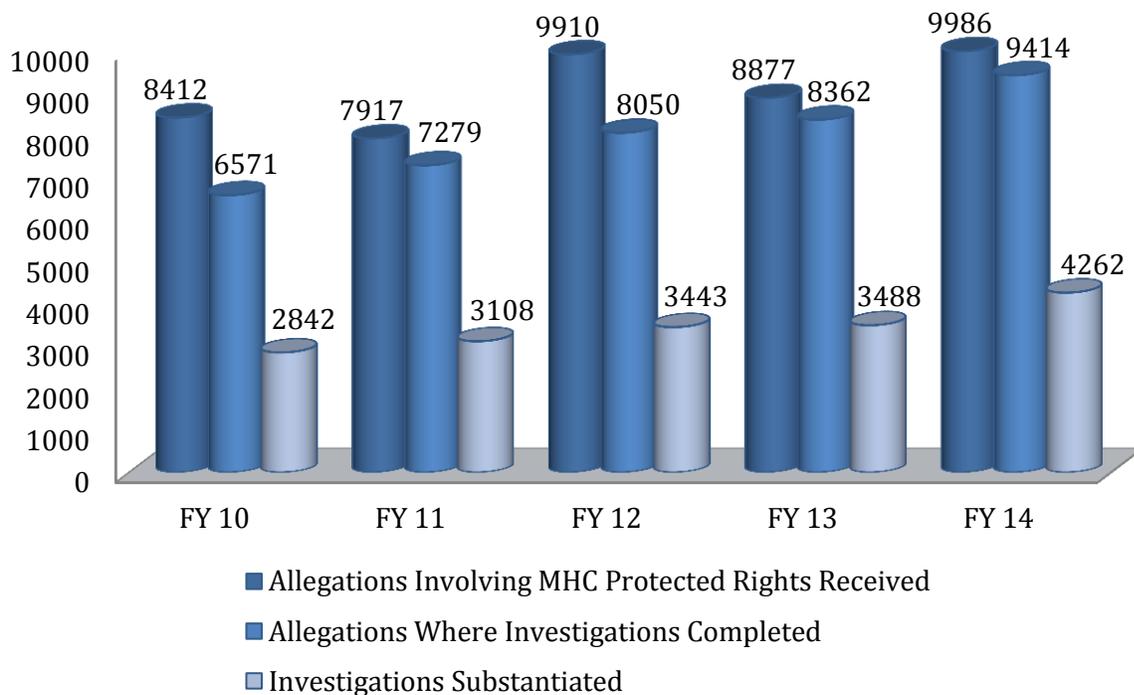
(f) Desired outcomes established for the office of recipient rights and progress toward these outcomes.

(g) Recommendations to the community mental health services program board or licensed hospital governing board.

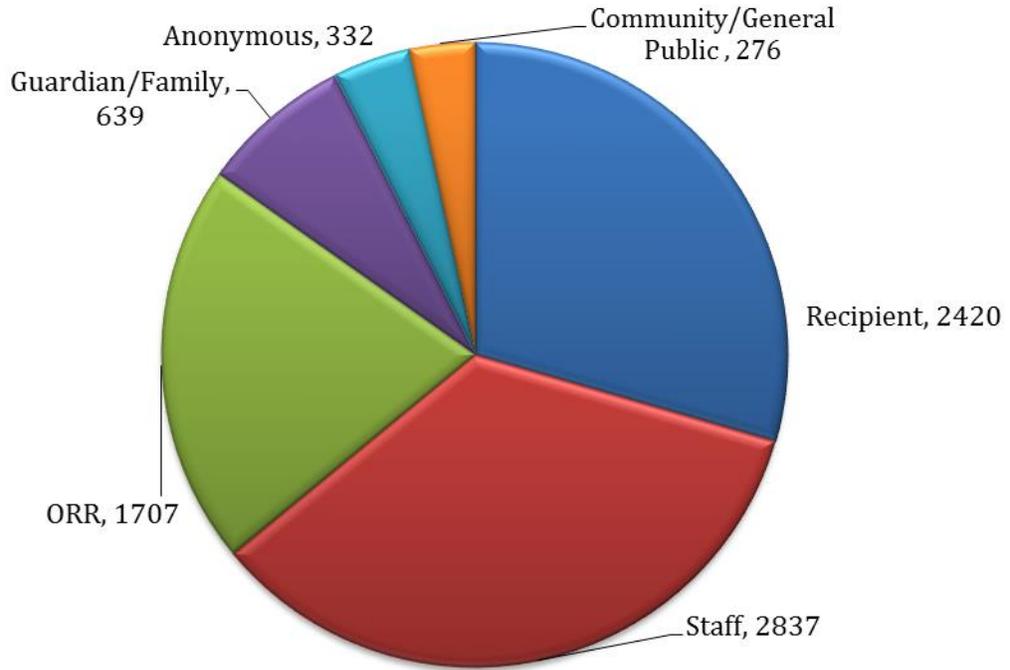
CMHSP COMPARATIVE DATA

In an effort to be further responsive and provide sufficient data to stakeholders in the public mental health rights protection system and to allow the Executive Directors, Rights Offices and Recipient Rights Advisory Committees to do a comparative analysis, the table in Appendix E indicates, in addition to the unduplicated count and the staff resources, the geographic area of the CMHSPs, the number of group homes visited for site reviews, and basic complaint information for FY 14. A complete report of CMHSP data for FY 14 can be found in Appendix F.

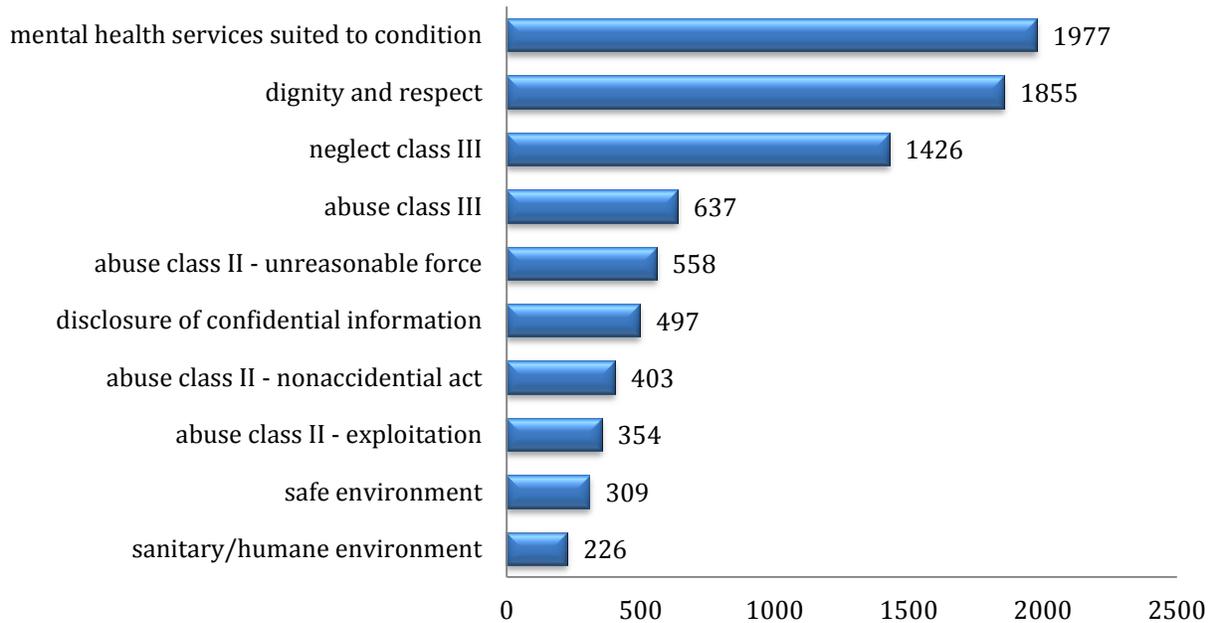
CMHSP Allegation, Investigation, Substantiation Data FY 10 - FY 14



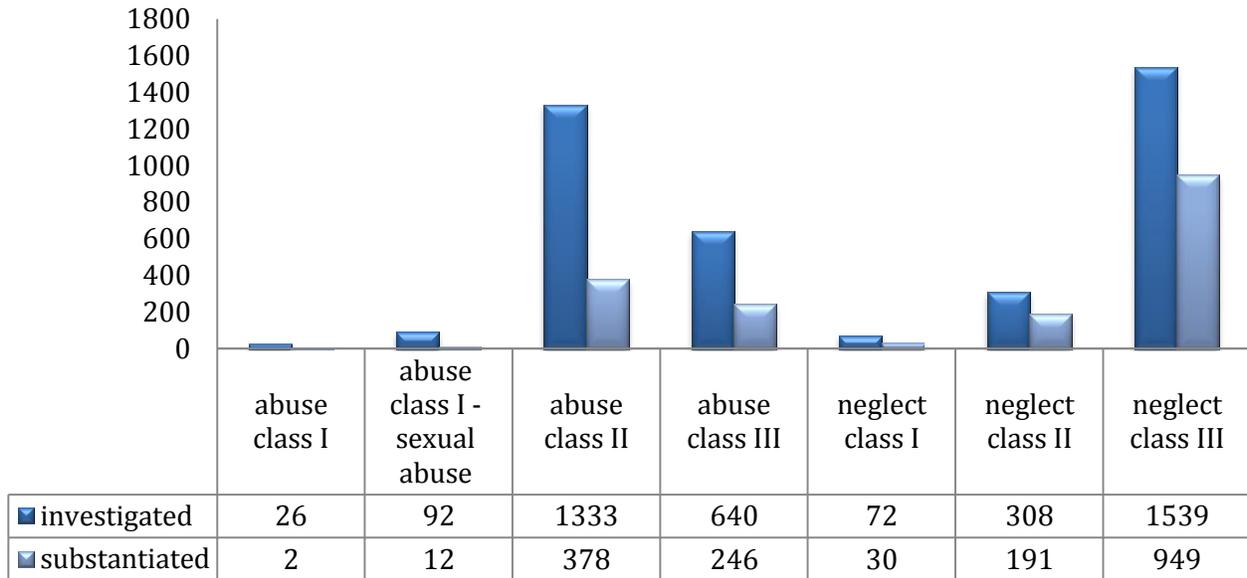
Sources of Allegations Received - CMHSPs FY 14



Top Ten Types of Allegations Received - CMHSP FY 14



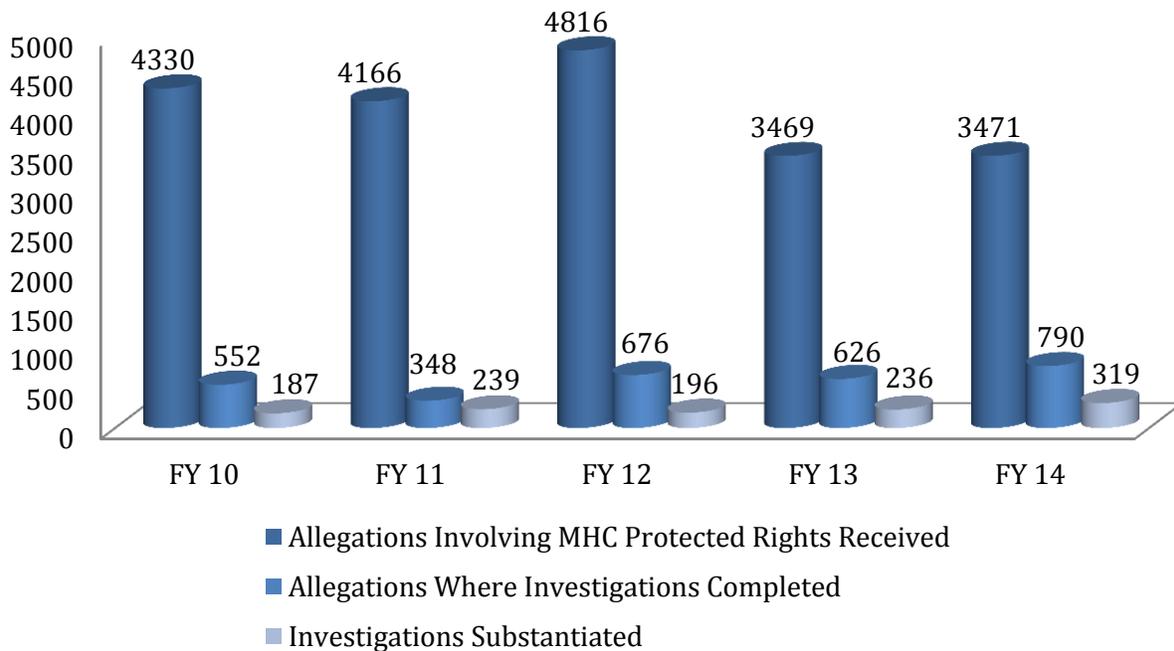
Abuse and Neglect Allegations Received – CMHSP FY14



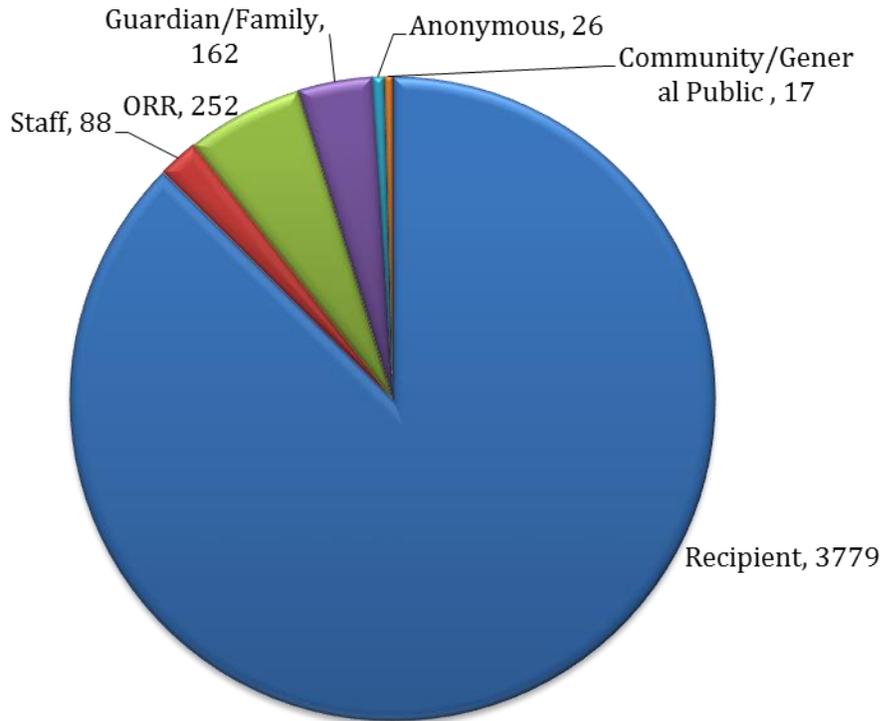
LPH/U COMPARATIVE DATA FY14

The table which will be found in Appendix H indicates, in addition to the number of patient days and the number of hours devoted to rights/40, the basic complaint information for FY 14. A complete report of LPH/U data for FY 14 can be found in Appendix I.

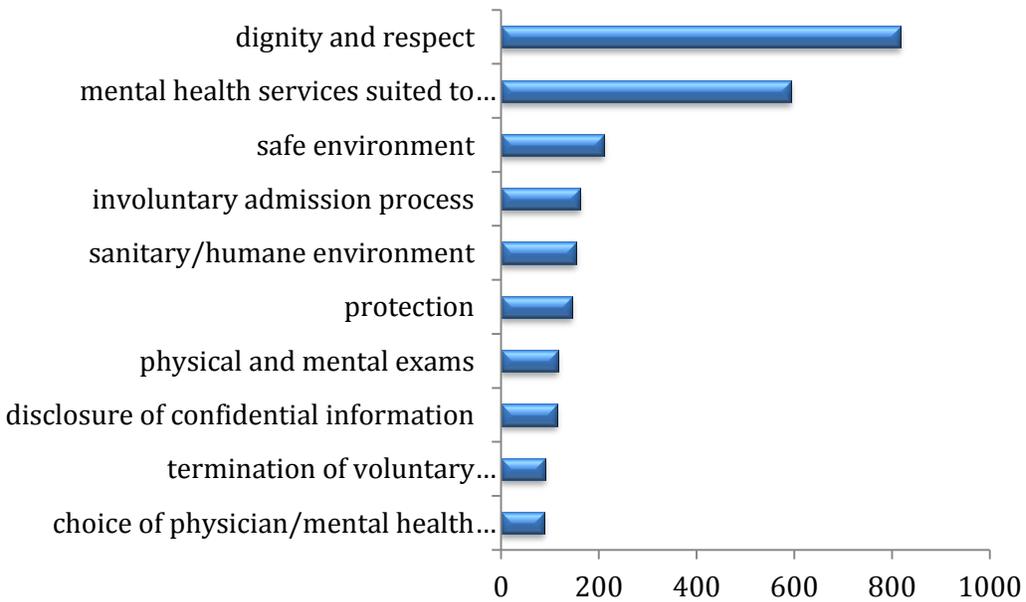
LPH/U Allegation, Investigation, Substantiation Data FY 10 - FY 14



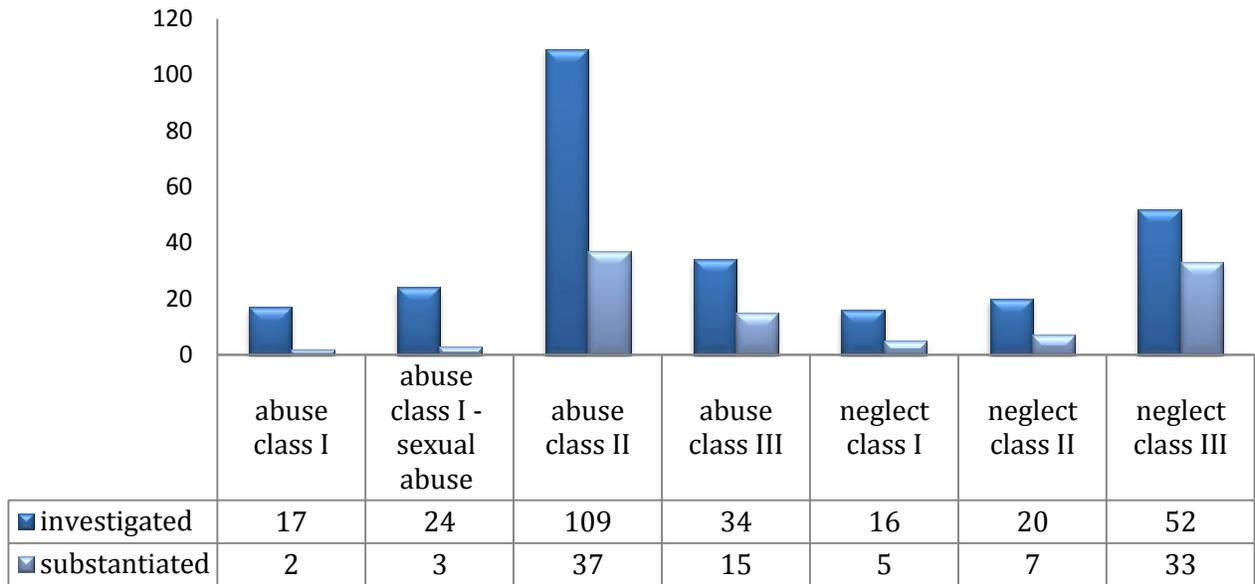
Sources of Complaints Received - LPH/U



Top Ten Types of Allegations Received - LPH/U



Abuse and Neglect Allegations Received - LPH/U FY14



“Injustice anywhere is a threat to justice everywhere.”

Martin Luther King

CMHSP AND LPH/U TRAINING DATA

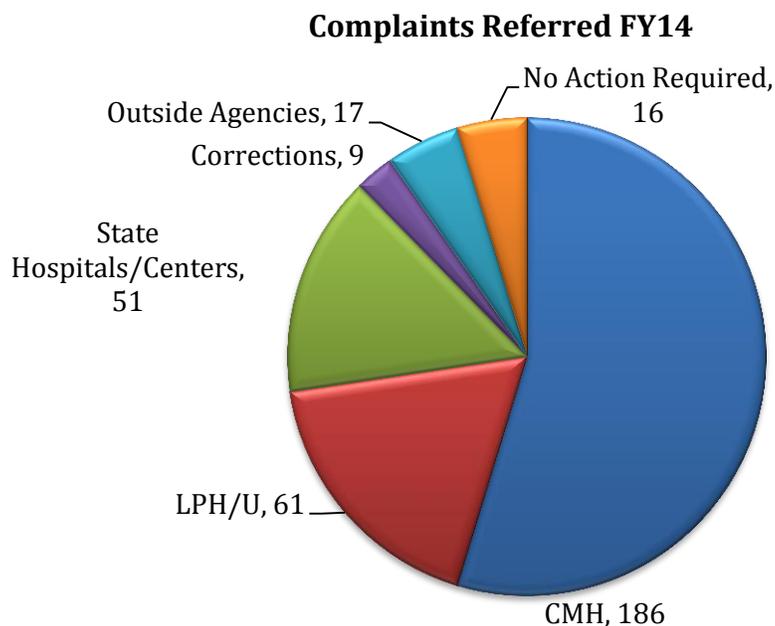
In addition to the information on complaint resolution, all CMHSPs and LPH/Us submit data on training received and provided. Rights offices provide or coordinate the training of all new employees as mandated in MHC 330.1755 (5) (f). Trainings must be completed within the first thirty days of hire, and if mandated by policy or contract, annual update training in rights is also required.

Education of consumers receiving services is not currently mandated, although frequently provided by many CMHSPs. The tables, which can be found in Appendices G and J, indicate the training activities carried out by CMHSPs and LPH/Us, respectively in FY 14. Due to the variations in training length and titles, the FY 14 report only indicates number of attendees, as data for more discrete analysis is not currently available.

INFORMATION AND REFERRAL

The Rights Information and Referral Specialist is responsible for the provision of all information and referral services including systematic data collection, entry and analysis relative to these services, as well as amalgamating the data from the semi-annual and annual reports received from the CMHSPs and licensed private psychiatric hospitals/units.

The Information and Referral Specialist assists members of the public as well as rights officers and advisers in navigating the mental health code, especially as it relates to voluntary and involuntary admission, alternative treatment orders, assisted outpatient treatment, the rights afforded to recipients and complaint resolution. In addition to responding to inquiries received by phone and email, Information and Referral also processes written complaints received at the State Office of Recipient Rights in Lansing. All complaints are referred to the rights office potentially having jurisdiction over the matter, whenever possible. Distribution of the 455 complaints received during FY 14 is indicated in the chart below:



In order to expedite the receipt of complaints by the rights offices and agencies having jurisdiction over the complaint, all complaints are sent in a “zipped” file, by e-mail, which rights officer must “unlock” in order to access. “Hard copies” are retained by MDCH, for 30 days, and computer files are deleted weekly. If an office cannot receive a complaint by e-mail, the complaint is faxed for rapid distribution. The Rights Information and Referral Specialist also acts as support to the Training Unit, Community Rights Specialists and the ORR Director of Community and Field Operations, with a special focus on supporting the LPH/U rights offices.

In FY2014 the Information and Referral Specialist participated in a grant program through Family Voices, providing information to families on the recipient rights complaint, investigation and appeal process. In the seven sessions that were offered there were 83 attendees. Two students, 38 family members and 43 professionals participated.

The Information and Referral Specialist also maintains a directory of rights officers and advisors for use by rights offices, updated on an ongoing basis and distributed twice per year.

THE EDUCATION AND TRAINING UNIT

- Develops and presents training to foster consistent implementation of recipient rights protection across the state.
- Provides workshops to rights staff from the Department, licensed private hospital/units, CMHSPs and their contract agencies.
- Offers programs for other persons involved in the recipient rights arena (Recipient Rights Advisory Committee and Recipient Rights Appeals Committee members, staff from other state agencies, service providers) whose roles although ancillary, are essential to preserving and promoting the rights of recipients.
- Oversees the implementation of the annual Recipient Rights Conference.

2211: The number of people attending MDCH-ORR sponsored training or online training programs during FY14.

The Mental Health Code, Section 330.1754, states, “*The Department shall ensure... “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.”* Under this mandate, the Office of Recipient Rights Training Unit develops and presents instructional programs with the mission of assuring consistent implementation of recipient rights protection processes across the state.

In order to carry out this mission, the Education and Training Unit:

- Provides a six-day orientation (Basic Skills) program that all new recipient rights staff from MDCH facility rights offices, licensed private hospital/units (LPH/U), community mental

health service providers (CMHSP) and their contract agencies must attend and successfully complete

- Provides mandatory rights education programs for newly hired CMHSP Directors
- Coordinates recipient rights training programs provided to all staff in MDCH Hospitals and Center
- Oversees the new hire rights orientation for all MDCH Central Office staff
- Develops and presents additional rights related training programs for recipient rights staff from MDCH, CMH, and LPH/U providers
- Develops the curriculum for, and oversees the implementation of, the annual Recipient Rights Conference

Mental Health Code, Section 330.1755 (2) states:

“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.” In addition, the MDCH/CMHSP Managed Mental Health Supports and Services Contract: FY14 requires that:...*“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.”*

The Office of Recipient Rights has defined “Recipient Rights Update Training” in Attachment C 6.3.2.3 of the CMHSP Managed Mental Health Supports and Services Contract entitled “CEU Requirements for RR Staff”:

“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. 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.”

These standards are intended to ensure that rights protection meets the highest standards and is uniformly enforced across all service providers.

COURSE CONTENT

Basic Skills I and II

The initial comprehensive, training program for recipient rights staff. This is a two-part, 48 hour program that provides the education and skill development required to carry out the responsibilities mandated in Chapters 7 and 7A of the Mental Health Code. Part I focuses on the legal basis for rights, the role of the rights office, its interaction with other segments of the agency, outside entities, and consumers, a detailed analysis of the Mental Health Code, and development of training skills to assist in carrying out the education component of the position. Part II concentrates on the practical skills necessary to do a thorough and effective investigation to write

the reports in the format and timeframes required by the Code, and also provides an review of the appeals process.

Building Blocks of Report Writing

This course provides a review of the basic skills needed in writing reports. The content covers the areas of recognizing appropriate citations, development of issue questions, and coming to an effective conclusion. It is recommended that rights staff enroll in this course six months after completing Basic Skills.

Developing Effective Training

This course focuses on the issues involved in developing and delivering an effective training program. This interactive training provides foundational, experiential and practical information to trainers in every setting; DCH, CMH, LPH/U and Agencies responsible for rights training. Topics covered include:

- Principles of training for adult learners
- Using introductory and closing activities effectively
- Pre-existing content; avoiding reinventing the wheel
- Audience based rights training
- Practical Implementation Techniques

Rights Training for CMHSP Executive Directors

Participation in recipient rights training is mandatory for new executive directors at CMHSP agencies. The content of this program provides the attendee with an overview of the rights system, the roles and responsibilities the executive director has in overseeing the rights office and facilitating a quality rights protection system.

Recipient Rights Advisory Committee

This program is designed for Rights Advisory Committee members. Course content includes an overview of the applicable Mental Health Code and MDCH Administrative Rule citations pertaining to the committee membership and functions, details about the relationship between the committee and the rights office and the CMHSP, LPH/U or department director, and what actions the committee can take to carry out its mandate to protect and advise the rights office and agency director.

Recipient Rights Appeals Committee

This course is a primer for Appeals Committee members and rights office staff on the proper processes and functioning of the committee as it conducts appeals hearings. The material covered includes the legal grounds for filing an appeal, identification of those with appropriate standing to appeal, processes for conducting the appeal review and actions that the committee can take in regard to an appeal.

Rights Training for Staff of MDCH Central Office

The Training Unit has developed an online Recipient Rights Training Course for all newly hired MDCH Central Office staff. During FY 2014, 258 people went through this training program.

Responses to the evaluations for the respective programs are found in Appendix G.

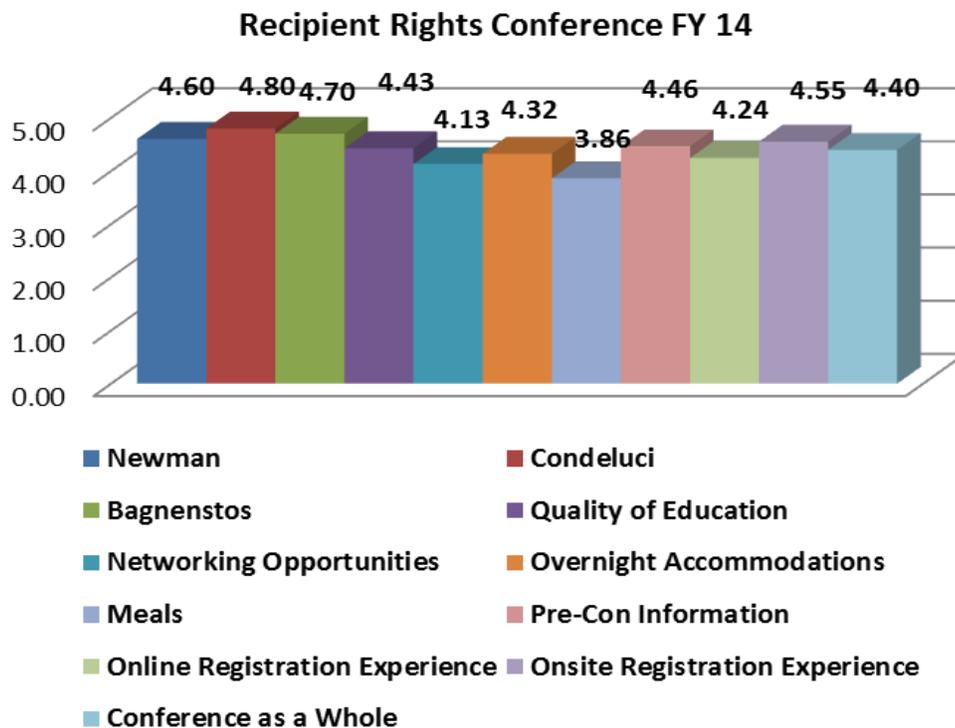
RECIPIENT RIGHTS CONFERENCE FY14

The Recipient Rights Conference had its inception in 1994 and has been conducted annually since then. The goal of the conference is to: 1) offer educational opportunities for rights staff to comply with the training requirements as mandated by the Mental Health Code, 2) foster the coordination and integration of rights protection services, 3) assure an informed and knowledgeable consumer population.

The Recipient Rights Conference is self-funded, *using no general fund resources*. Each year, the conference offers mental health consumers from across the state the opportunity to attend the sessions through the consumer scholarship fund, a collaboration of the conference and the CMHSP's. The conference covers the cost of registration and hotel accommodations; travel expenses are provided by the sponsoring CMHSP. The Director of the Training Unit, in collaboration with a steering committee composed of representatives from state and local rights offices, has responsibility for planning and implementing the conference.



The 20th annual conference was held October 21-25, 2013 at the Grand Traverse Resort in Traverse City. Two hundred sixty-five individuals attended, including six consumers who were chosen to receive scholarships. Once again, the Michigan Social Work Continuing Education Collaborative approved all conference sessions for continuing education units for Michigan Social Workers and all sessions were approved for Recipient Rights continuing education credits. The conference featured 2 pre-conference sessions: the Intensive Investigation Workshop and an overview of Elder Abuse, along with 15 breakout sessions whose topics included, "Generational Differences and How They Affect Your Interviews", "Attending to Body Language Cues", "Least Restrictive Settings", "Presenting with Confidence", and "Best Practices in LPH Rights Offices". Responses to the conference evaluation indicated an overall satisfaction level of 4.30 on a scale of 1 to 5. The areas evaluated and the averages of the responses are depicted in the graph below:



AWARDS PRESENTED AT THE RECIPIENT RIGHTS CONFERENCE

Each year the Director of the Department of Community Health recognizes agencies or individuals that have developed exceptional methods to assure that staff, recipients, parents, and guardians are made aware of, and become involved in, the process of rights

The following are the honorees for FY 2014.

Director’s Award for Innovation in Rights Protection

To be considered for this award, a rights office will have created a new and different way of enacting the vision of recipient rights or of a rights office. This may include creating a valuable new process or product, constructing a different way of approaching old problems, creating a new solution for certain wide-range systemic problems, etc. The rights office will show a demonstrated willingness to share the innovation with others when possible. As a result of this innovation, rights office will have an increased ability to better provide rights services either directly (such as when performing standard rights activities) or indirectly (such as if the innovation improves or enhances the operation of the rights office.)

Innovation in Rights Protection Honoree: Sue Witting, Henry Ford Kingswood Hospital

Director's Award for Advocacy on Behalf of Mental Health Recipients

To be considered for this award, a rights office will have made an outstanding contribution toward or have gone through extraordinary means to directly or indirectly advocate on behalf of people receiving mental health services. This may include exceptional effort or initiative by the rights office directly advocating on behalf of consumers. It may also include extraordinary indirect advocacy, such as a rights office acting as a catalyst for positive change, inspiring other entities or systems within or outside of mental health, to realize their roles in championing the rights or needs of recipients.

Advocacy on Behalf of Mental Health Recipients Honoree: John Rogers, Detroit Wayne Mental Health Authority

Director's Award for Consumer Empowerment

To be considered for this award, a rights office has made a profound or uniquely positive difference in the lives of consumers, so that consumers are empowered to transcend the "world of disability" and live a transformed life of self-advocacy. Due to the initiative or effort of the rights office, consumers advocate for themselves in the protection of their own rights to the fullest extent possible, engendering hope, control of their own lives, and a place in society.

Consumer Empowerment Honoree: Mark Mishal, Macomb County CMH Services

Cookie Gant Spirit Award

Cookie Gant was a Michigan grown but nationally known advocate for human rights. She was a disability activist, a performance artist, a powerful raiser of consciousness, and a relentless supporter of diversity in every aspect of life. Cookie fought for human rights in the mental health system every day, never giving up her tough spirit, her love for others, or her sense of humor. She was an unstoppable, irreverent activist, who always maintained loving support and affection for people in "the movement."

Shortly after her death in 2003, the State Recipient Rights Committee established an award in her honor and indicated that it should be given annually to a person who exhibits the dedication, demonstrates the tenacity, and advocates diligently for persons with mental illness and developmental disabilities - just the way Cookie lived her life.

Cookie Gant Spirit Honorees: Sheryl Kuenzer



MDCH RECIPIENT RIGHTS APPEALS COMMITTEE

The Michigan Mental Health Code at Section 774 states, "The director shall appoint an appeals committee consisting of seven individuals, none of whom shall be employed by the department or a community mental health services program, to hear appeals of recipient rights matters. The MDCH Appeals Committee reviews appeals of rights complaints filed by or on behalf of patients/residents of state hospitals and centers. Additionally, the Committee reviews appeals submitted by or on behalf of individuals who are or have been patients in one of the 58 licensed psychiatric hospitals/units (LPH/U) that have entered into an agreement to use the Department's Appeals Committee in lieu of appointing their own. Only five LPH/Us have not executed an agreement with the MDCH to use the State Appeals Committee for appeals on behalf of non-CMH recipients. Following is a summary of activity for the MDCH Appeals Committee for FY 2013.

Total Number of Requests for Appeal: 10 (Investigations Appealed: 13)

Total received that did not contain sufficient grounds for appeal: 0

Total Number Appeals Heard from State Hospital/Centers:

- 1 Caro Center
- 1 Center for Forensic Psychiatry
- 7 Hawthorne Center

Total Number Appeals Heard from LPH/U:

- 1 Allegiance Health
- 1 Forest View
- 1 Oakwood
- 1 St. Mary Mercy Livonia

Appeal Committee Decisions on Appeals Heard: *Note: Appeal may have multiple grounds*

- 7 Upheld findings of rights office and action taken
- 5 Returned to ORR for re-investigation
- 1 Returned to facility for different or additional action
- 0 Returned for supervisory action due to lack of timeliness

REVIEW OF BUDGETARY ISSUES

Michigan Mental Health Code, MCL 330.1754 [2] requires that the Department ensure that the *“process for funding the state office of recipient rights includes a review of the funding by the state recipient rights advisory committee.”*

Michigan Mental Health Code at MCL 330.1754 (3) requires that *“the Department endeavor to ensure that the state office of recipient rights has sufficient staff and other resources necessary to perform the duties described in this section.”*

The Office of Recipient Rights spending plans for FY 11 through FY 14 are listed in the table below.

	FY11	FY12	FY13	Variance from FY12	FY14	Variance from FY13
Source of Expenditures	General Fund	General Fund	General Fund		General Fund	
FTE	19	18	19		19	
Salary & Fringe	\$1,933,117	\$1,807,928	\$2,230,649	\$422,721	\$2,399,391	\$168,742
CSS&M	\$86,771	\$77,701	\$79,628	\$1,926	\$90,000	\$10,372
Travel	\$52,133	\$55,416	\$55,168	(-248)	\$57,000	\$1,832
MPHI - training					\$2,000	\$2,000
Total	\$2,072,021	\$1,941,063	\$2,365,444,	\$424,381	\$2,548,391	\$180,947

RECOMMENDATIONS TO THE DEPARTMENT

1. The Department of Health and Human Services (DHHS) should change its present policy and re-designate the Office of Recipient Rights as the only entity to draft all departmental policies, procedures, and standards required by statute or rule relating to the rights of recipient for implementation in all state operated hospitals and centers.
2. The Department of Health and Human Services should require its hospitals and centers to follow departmental policies and practice guidelines to ensure continuity of care across the continuum of public mental health services in Michigan. These policies and practice guidelines include the following:
 - Person Centered Policy and Practice Guideline.
 - Recovery Policy and Practice Advisory.

- Technical Requirement on Behavior Treatment Plan Review Committee.
- Inclusion Practice Guideline.
- Consumerism Practice Guideline.
- Trauma Policy.

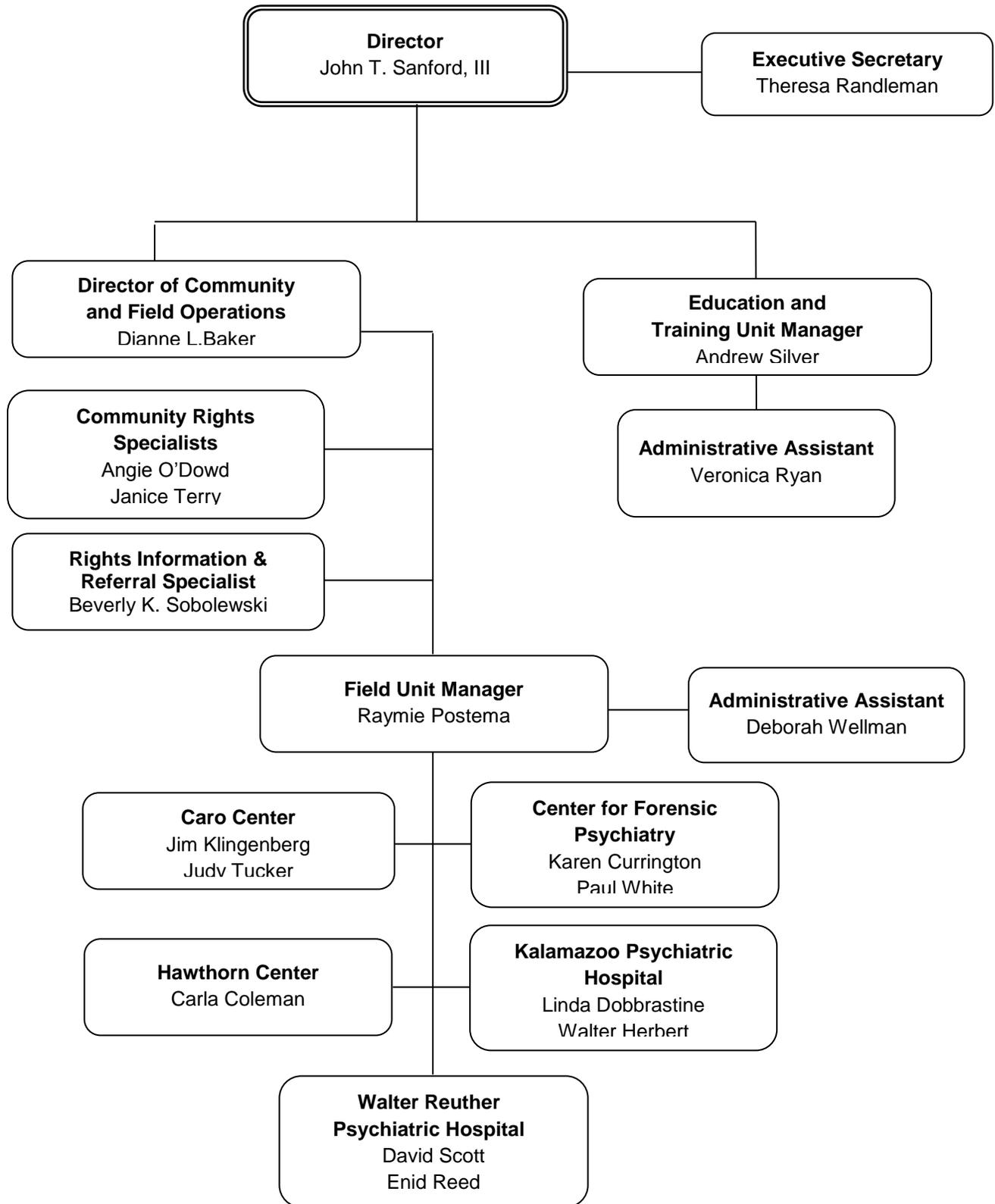
Further, hospital and center staff should receive ongoing training on departmental policies.

3. The Department of Health and Human Services should develop and implement the following policies and procedures to ensure appropriate and full rights protection is provided to all recipients of the public mental health system:
 - a. A policy and procedure describing how the department intends to fund the State Office of Recipient Rights.
 - b. A policy and procedure describing a formula to ensure the State Office of Recipient Rights has sufficient staff and other resources necessary to perform its duties as required by MHC 330.1754 (3) (a).
 - c. A policy and procedure which describes and details the role the Recipient Rights Advisory Committee will play in the review of funding the State Office of Recipient Rights required by MHC 330. 1754 (2) (a).
 - d. A policy and procedure to protect complainants, staff in the rights office, or any DHHS staff from harassment or retaliation resulting from recipient rights activities as required by MHC 330. 1754 (3) (b).
4. The Department of Health and Human Services should require all staff of the state hospitals and centers receive annual recipient rights updated training.
5. The Department of Health and Human Services should establish a monitoring mechanism to ensure that each of its state hospitals and centers is in compliance with all laws, rules, and policies of the department.

“The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities; whether we are going to treat our fellow Americans as we want to be treated.”

John F. Kennedy

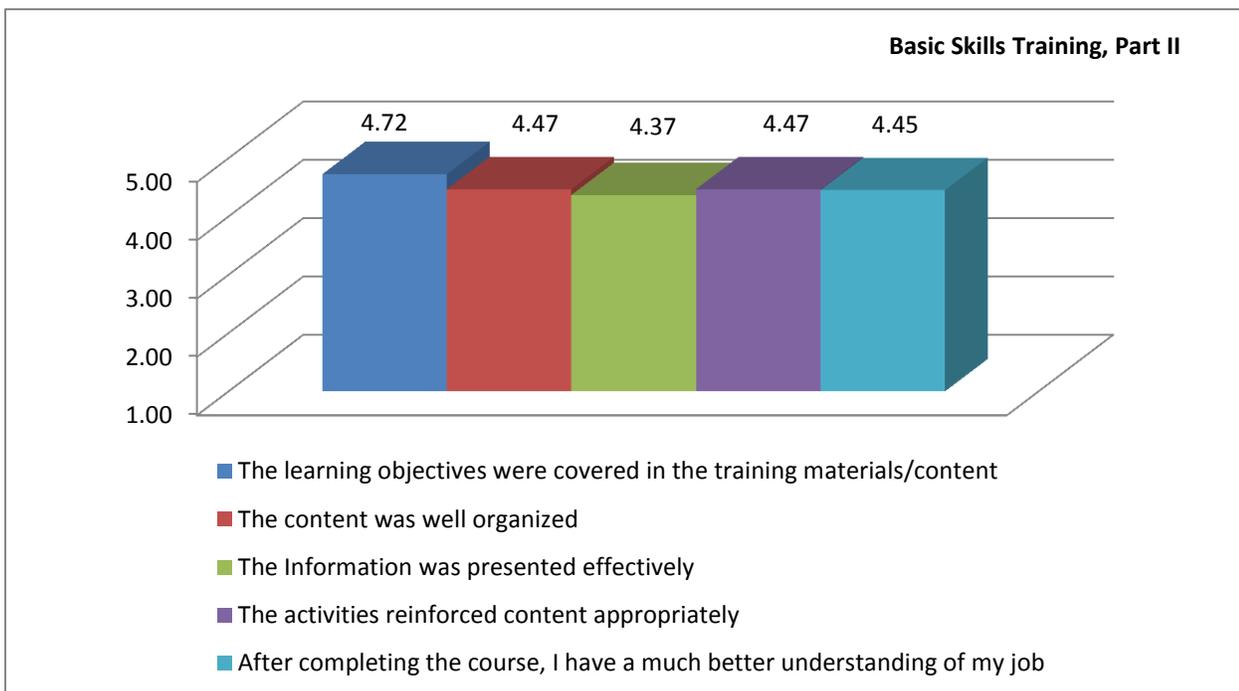
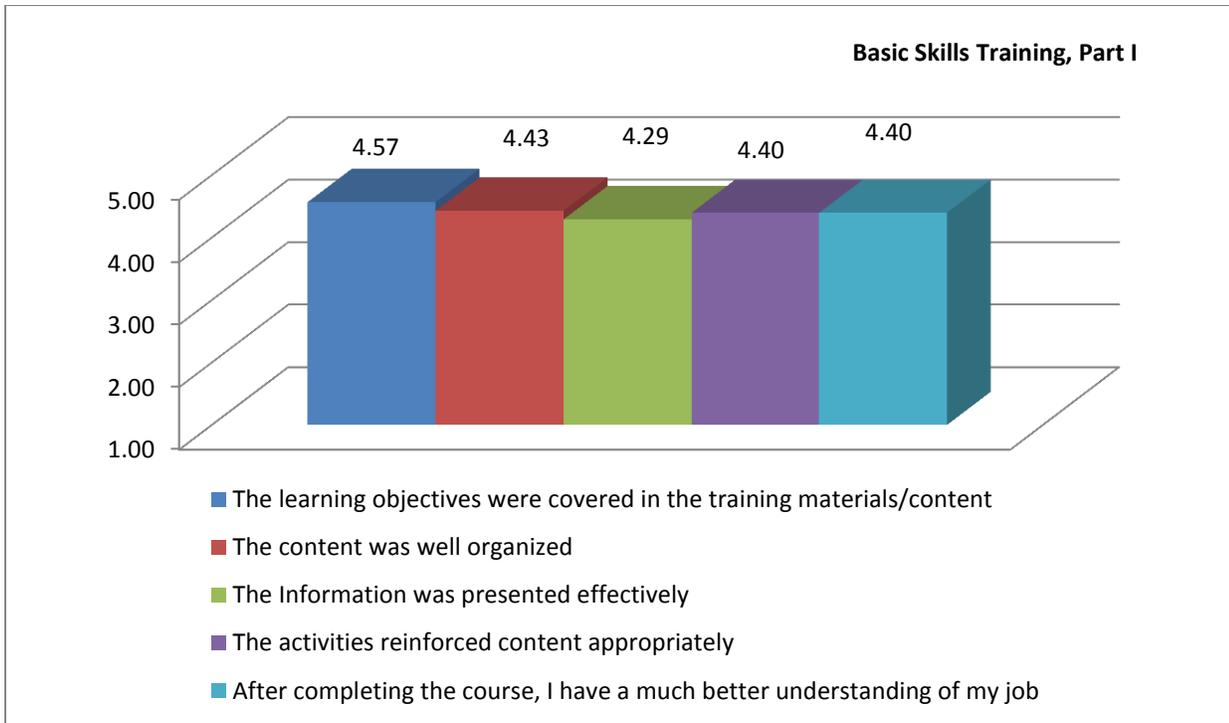
APPENDIX A: MDCH OFFICE OF RECIPIENT RIGHTS ORGANIZATIONAL CHART FY14

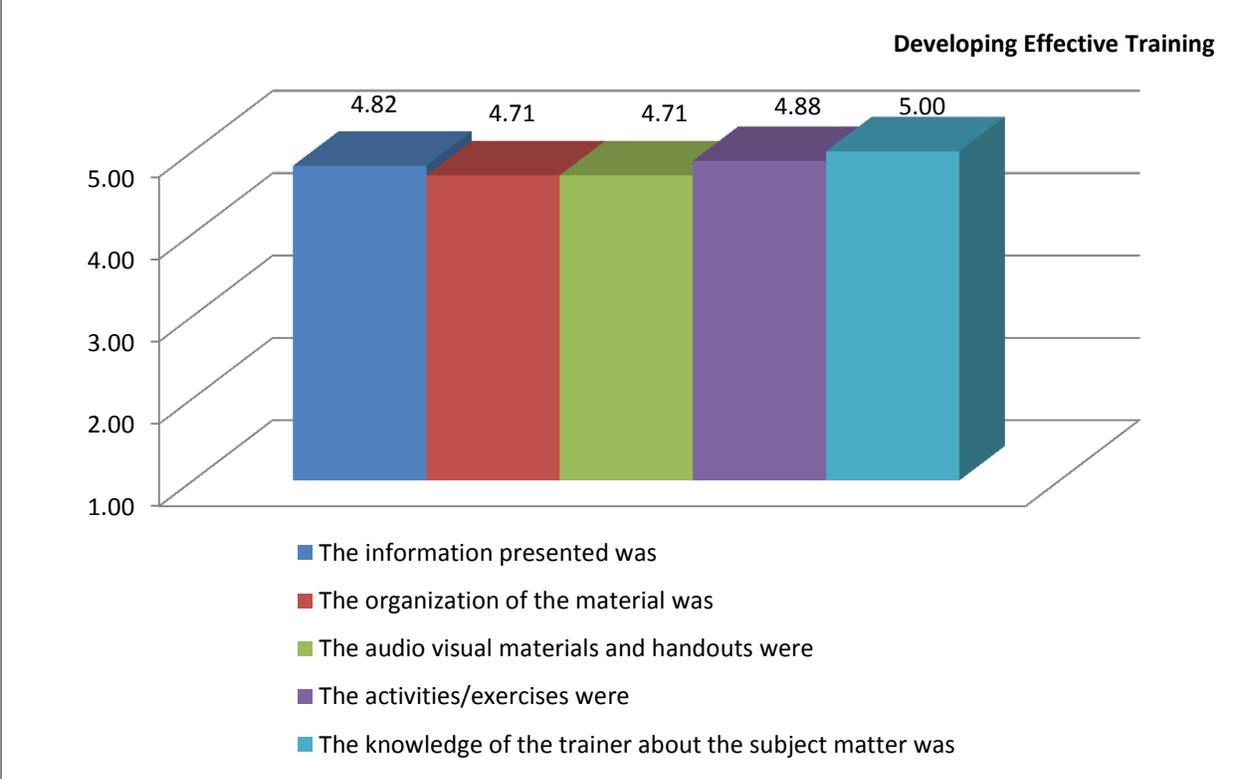
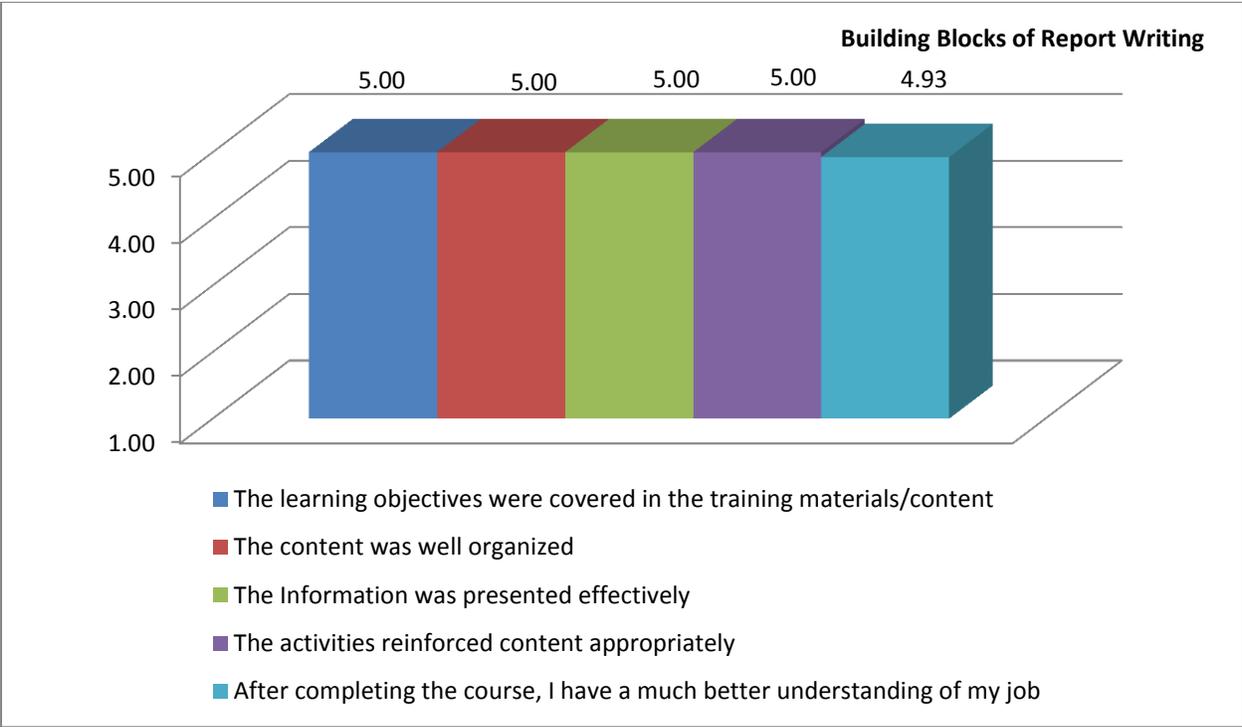


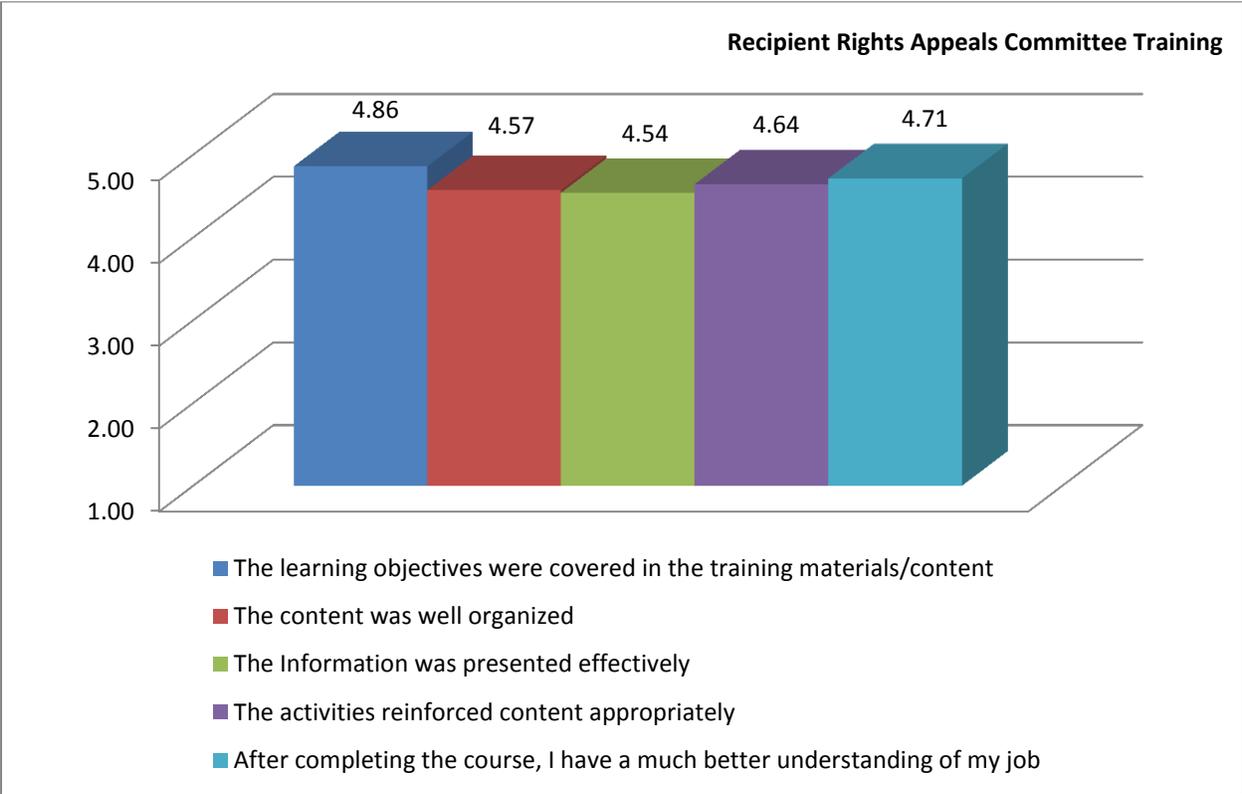
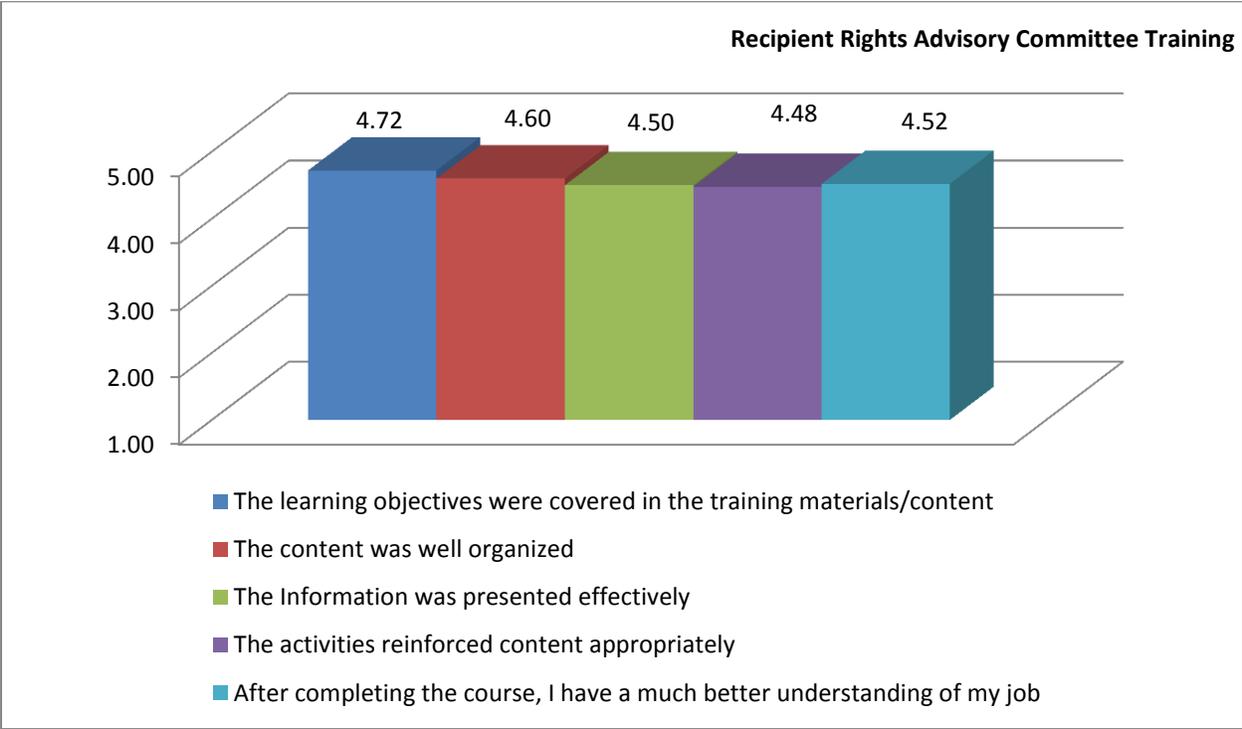
APPENDIX B: MENTAL HEALTH RIGHTS – CATEGORIES OF RIGHTS COMPLAINTS

ABUSE AND NEGLECT			COMMUNICATION AND VISITS			FREEDOM OF MOVEMENT			SUITABLE SERVICES		
7221	Abuse Class I	7261	Visits	7441	Restrictions/Limitations	1708	Dignity and Respect				
72221	Abuse Class II - Non-Accidental Act	7262	Contact with Attorneys or others Regarding Legal Matters	7400	Restraint AR 7243	7003	Informed Consent				
72222	Abuse Class II - Unreasonable Force	7263	Access to Telephone/Mail	7420	Seclusion AR 7243	7029	Information on Family Planning				
72223	Abuse Class II - Emotional Harm	7264	Funds for Postage, Stationery, Telephone Usage		PERSONAL PROPERTY	7049	Treatment by Spiritual Means				
72224	Abuse Class II - Treating as Incompetent	7265	Written and Posted Limitations, if Established	7267	Access to Entertainment Materials, Information, News AR 7139	7080	MH Services Suited to Condition				
72225	Abuse Class II - Exploitation	7266	Uncensored Mail	7281	Possession and Use	7100	Physical and Mental Exams				
7223	Abuse Class III		CONFIDENTIALITY AR 7051	7282	Storage Space	7130	Choice of Physician or Mental Health Professional				
7224	Abuse Class I - Sexual Abuse	7481	Disclosure of Confidential Information	7283	Inspection at Reasonable Times	7140	Notice of Clinical Status/Progress				
72251	Neglect Class I	7485	Withholding of Information (includes recipient access to records)	7285	Exclusions	7150	Services of Mental Health Professional				
72252	Neglect Class I - Failure to Report	7486	Correction of Record	7286	Limitations 1728(4)	7160	Surgery				
72261	Neglect Class II	7487	Access by P & A to Records	7287	Receipts to Recipient and to Designated Individual	7170	Electro Convulsive Therapy (ECT)				
72262	Neglect Class II - Failure to Report	7501	Privileged Communication	7288	Waiver	7180	Psychotropic Drugs				
72271	Neglect Class III		FAMILY RIGHTS	7289	Protection	7190	Notice of Medication Side Effects				
72272	Neglect Class III - Failure to Report	7111	Family Dignity & Respect		PHOTOGRAPHS, FINGERPRINTS		TREATMENT ENVIRONMENT				
	CIVIL RIGHTS AR 7009	7112	Receipt of General Education Information AR 7012	7241	Prior Consent	7081	Safe Environment				
7041	Civil Rights: Discrimination, Accessibility, Accommodation, etc.	7113	Opportunity to Provide Information	7242	Identification	7082	Sanitary/Humane Environment				
7044	Religious Practice		FINANCIAL ISSUES Per Agency Policy	7243	Objection	7086	Least Restrictive Setting				
7045	Voting	7301	Safeguarding Money	7244	Release to Others/Return		TREATMENT PLANNING AR 7199				
7047	Presumption of Competency	7302	Facility Account	7245	Storage/Destruction	7121	Person-Centered Process				
7284	Search/Seizure AR 7009	7303	Easy Access to Money in Account		RIGHTS PROTECTION SYSTEM	7122	Timely Development				
	ADMISSION/DISCHARGE	7304	Ability to Spend or Use as Desired	7060	Notice/Explanation of Rights AR 7011	7123	Requests for Review				
4090	Second Opinion - Denial of Hospitalization	7305	Delivery of Money upon Discharge	7520	Failure to Report	7124	Participation by Individual(s) of Choice				
4190	Termination of Voluntary Hospitalization (adult)	7360	Labor & Compensation	7545	Retaliation/Harassment	7125	Assessment of Needs				
4510	Involuntary Admission Process			7760	Access to Rights System		NO RIGHT INVOLVED				
4630	Independent Clinical Examination			7780	Complaint Investigation Process	0000					
4980	Objection to Hospitalization (minor)			7840	Appeal Process/Mediation	0001	OUTSIDE PROVIDER JURISDICTION				
7050	2nd Opinion - Denial Services AR 7005										

APPENDIX C: TRAINING FEEDBACK SURVEYS - FY14







APPENDIX D: COMPLAINT DATA - ALL MDCH OPERATED HOSPITALS FY14

Following is the MDCH-ORR complaint data and remedial action taken for FY 2014 by individual facility.

Agency: Caro Center

Rights Advisors: Jim Klingenberg and Judy Tucker

Part A: Totals

Allegations	720
Interventions	547
Investigations	82
Interventions Substantiated	14
Investigations Substantiated	16

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I	1	1	1
72221	abuse class II - nonaccidental act	11	11	1
72222	abuse class II - unreasonable force	16	16	3
72223	abuse class II - emotional harm			
72224	abuse class II - treating as incompetent			
72225	abuse class II - exploitation			
7223	abuse class III	20	20	2
7224	abuse class I - sexual abuse	13	13	

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I			
72252	neglect class I - failure to report			
72261	neglect class II			
72262	neglect class II - failure to report	3	3	3
72271	neglect class III	7	7	4
72272	neglect class III - failure to report	1	1	

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights					
7520	failure to report					
7545	retaliation/harassment	1			1	
7760	access to rights system					
7780	complaint investigation process					
7840	appeal process/mediation					

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization					
4190	termination of voluntary hospitalization (adult)					
4510	involuntary admission process					
4630	independent clinical examination					
4980	objection to hospitalization (minor)					
7050	second opinion - denial of services					

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc	2	2			
7044	religious practice					
7045	voting					
7047	presumption of competency					
7284	search/seizure	4	4	1		

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect					
7112	receipt of general education information					
7113	opportunity to provide information					

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	visits	5	5			
7262	contact with attorneys or others regarding legal matters					
7263	access to telephone, mail	21	21			
7264	funds for postage, stationery, telephone usage					
7265	written and posted limitations, if established					
7266	uncensored mail					

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	9	9	1		
7485	withholding of information (includes recipient access to records)	2	2	1		
7486	correction of record	12	12			
7487	access by p & a to records					
7501	privileged communication					

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	41	41	1		
7082	sanitary/humane environment	42	42	1		
7086	least restrictive setting	18	18			

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	21	20		1	1
7400	restraint					
7420	seclusion					
7301	safeguarding money	8	8			
7302	facility account	23	23			
7303	easy access to money in account	4	4			
7304	ability to spend or use as desired	1	1			
7305	delivery of money upon release					
7360	labor & compensation					

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	3	3			
7281	possession and use	20	20			
7282	storage space					
7283	inspection at reasonable times	2	2			
7285	Exclusions					
7286	Limitations					
7287	receipts to recipient and to designated individual					
7288	Waiver					
7289	Protection	15	15	1		

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	81	73	5	8	1
7003	informed consent	1	1			
7029	information on family planning					
7049	treatment by spiritual means					
7080	mh services suited to condition	190	190	3		
7100	physical and mental exams					
7130	choice of physician/mental health professional					
7140	notice of clinical status/progress					
7150	services of mental health professional					
7160	Surgery					
7170	electro convulsive therapy (ect)					
7180	psychotropic drugs	29	29			
7190	notice of medication side effects					

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	1	1			
7122	timely development					
7123	requests for review					
7124	participation by individual(s) of choice					
7125	assessment of needs					

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent	1	1			
7242	Identification					
7243	Objection					
7244	release to others/return					
7245	storage/destruction					
TOTALS		629	547	14	82	16

17. No Right Involved

Code	Category	Received
0000	no right involved	81

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	10

The Mental Health Code requires in 330.1780 (1): *“If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation.”* It is the responsibility of the ORR to maintain a record of the documented action.

*Employee left the agency, but substantiated; a letter was placed in the employee’s personnel file indicating that the allegation of a rights violation requiring disciplinary action was substantiated.

Remedial Action Key		
Written Reprimand	Employment Termination	Recipient Transfer to Another Provider/Site
Suspension	*Employee left the agency, but substantiated	Other
Demotion	Contract Action	Pending
Staff Transfer	Policy Revision/Development	None
Training	Environmental Repair/Enhancement	Plan of Service Revision

Remedial Action Taken for Substantiated Rights Violations: Caro Center

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class I	Employee left the agency, but substantiated
abuse class II - nonaccidental act	Written Reprimand

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class II - unreasonable force	Suspension
abuse class II - unreasonable force	Suspension
abuse class II - unreasonable force	Suspension
abuse class III	Written Reprimand
abuse class III	Written Reprimand
neglect class I - failure to report	Written Reprimand
neglect class III	Written Reprimand
neglect class III	Written Reprimand
neglect class III	Written Reprimand
neglect class II - failure to report	Suspension
neglect class II - failure to report	Suspension
neglect class III - failure to report	Suspension
dignity and respect	Verbal Counseling
dignity and respect	Verbal Counseling
dignity and respect	Written Counseling
dignity and respect	Written Counseling
dignity and respect	Written Counseling
dignity and respect	Other
disclosure of confidential information	Written Counseling
Limitations	Verbal Counseling
mh services suited to condition	Written Counseling
mh services suited to condition	Written Counseling
mh services suited to condition	Policy Revision/Development
Protection	Other
safe environment	Verbal Counseling
sanitary/humane environment	Environmental Repair/Enhancement
search/seizure	Written Counseling
withholding of information (includes recipient access to records)	Other

Agency: Center for Forensic Psychiatry
Rights Advisors: Karen Currington and Paul White

Part A: Totals

Allegations	866
Interventions	546
Investigations	89
Interventions Substantiated	26
Investigations Substantiated	17

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I			
72221	abuse class II - nonaccidental act	10	10	2
72222	abuse class II - unreasonable force	14	14	3
72223	abuse class II - emotional harm	1	1	1
72224	abuse class II - treating as incompetent			
72225	abuse class II - exploitation			
7223	abuse class III	22	22	1
7224	abuse class I - sexual abuse			

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I	1	1	
72252	neglect class I - failure to report			
72261	neglect class II			
72262	neglect class II - failure to report	2	2	1
72271	neglect class III	2	2	2
72272	neglect class III - failure to report	2	2	2

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights	1	1			
7520	failure to report					
7545	retaliation/harassment					
7760	access to rights system					
7780	complaint investigation process					
7840	appeal process/mediation					

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization					
4190	termination of voluntary hospitalization (adult)					
4510	involuntary admission process	2	2			
4630	independent clinical examination	1	1			
4980	objection to hospitalization (minor)					
7050	second opinion - denial of services					

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc	6	6			
7044	religious practice	4	4			
7045	voting					
7047	presumption of competency	2	1		1	
7284	search/seizure					

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect	2	2			
7112	receipt of general education information					
7113	opportunity to provide information					

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	visits					
7262	contact with attorneys or others regarding legal matters	1	1			
7263	access to telephone, mail	8	8			
7264	funds for postage, stationery, telephone usage					
7265	written and posted limitations, if established					
7266	uncensored mail	3	3			

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	3	2		1	
7485	withholding of information (includes recipient access to records)	6	6	1		
7486	correction of record	3	3			
7487	access by p & a to records					
7501	privileged communication					

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	64	57	10	7	1
7082	sanitary/humane environment	44	41	2	3	
7086	least restrictive setting	8	7		1	

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	16	15		1	1
7400	restraint	1			1	1
7420	seclusion	1			1	

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money	7	7			
7302	facility account	22	22			
7303	easy access to money in account	2	2			
7304	ability to spend or use as desired	4	4			
7305	delivery of money upon release					
7360	labor & compensation					

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	2	2			
7281	possession and use	25	25			
7282	storage space					
7283	inspection at reasonable times	1	1			
7285	exclusions	3	3			
7286	limitations					
7287	receipts to recipient and to designated individual	1	1			
7288	waiver					
7289	protection	16	15	1	1	

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	79	63		16	1
7003	informed consent					
7029	information on family planning					
7049	treatment by spiritual means	1	1			
7080	mh services suited to condition	226	224	11	2	1
7100	physical and mental exams	3	3			
7130	choice of physician/mental health professional					
7140	notice of clinical status/progress					

13. Suitable Services, cont'd

7150	services of mental health professional	1	1			
7160	Surgery					
7170	electro convulsive therapy (ect)					
7180	psychotropic drugs	6	6			
7190	notice of medication side effects	2	2			

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	3	3			
7122	timely development					
7123	requests for review					
7124	participation by individual(s) of choice					
7125	assessment of needs	1	1			

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent					
7242	identification					
7243	objection					
7244	release to others/return					
7245	storage/destruction					
TOTALS		6635	546	26	89	17

17. No Right Involved

Code	Category	Received
0000	no right involved	204

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	27

The Mental Health Code requires in 330.1780 (1): *“If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation.”* It is the responsibility of the ORR to maintain a record of the documented action.

*Employee left the agency, but substantiated; a letter was placed in the employee’s personnel file indicating that the allegation of a rights violation requiring disciplinary action was substantiated.

Remedial Action Key		
Written Reprimand	Employment Termination	Recipient Transfer to Another Provider/Site
Suspension	*Employee left the agency, but substantiated	Other
Demotion	Contract Action	Pending
Staff Transfer	Policy Revision/Development	None
Training	Environmental Repair/Enhancement	Plan of Service Revision

Remedial Action Taken for Substantiated Rights Violations: CFP

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class II - emotional harm	Employment Termination
abuse class II - nonaccidental act	Suspension
abuse class II - unreasonable force	Employment Termination
abuse class II - unreasonable force	Employee left the agency, but substantiated
abuse class II - unreasonable force	Employment Termination
abuse class III	Employee left the agency, but substantiated
dignity and respect	Employment Termination
mh services suited to condition	Other
mh services suited to condition	Other
mh services suited to condition	Plan of Service Revision
mh services suited to condition	Other
mh services suited to condition	Plan of Service Revision
mh services suited to condition	Other
mh services suited to condition	Plan of Service Revision
mh services suited to condition	Policy Revision/Development
mh services suited to condition	Plan of Service Revision
mh services suited to condition	Policy Revision/Development
mh services suited to condition	Policy Revision/Development
mh services suited to condition	Other
neglect class II - failure to report	Written Counseling
neglect class II - failure to report	Written Reprimand
neglect class III	Training
neglect class III	Written Reprimand
neglect class III - failure to report	Suspension
neglect class III - failure to report	Written Reprimand
possession and use	Other
protection	Other
restraint	Training
restrictions/limitations	Training
safe environment	Contract Action
safe environment	Plan of Service Revision
safe environment	Other
safe environment	Recipient Transfer to Another Provider/Site
safe environment	Plan of Service Revision
safe environment	Plan of Service Revision
safe environment	Other
safe environment	Plan of Service Revision
safe environment	Plan of Service Revision
safe environment	Training
safe environment	Plan of Service Revision
sanitary/humane environment	Other

Category (from Complaint Data)	Specific Remedial Action(s)
sanitary/humane environment	Environmental Repair/Enhancement
withholding of information (includes recipient access to records)	Training

Agency: Hawthorn Center

Rights Advisors: Carla Colman

Part A: Totals

Allegations	266
Interventions	163
Investigations	94
Interventions Substantiated	8
Investigations Substantiated	16

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I			
72221	abuse class II - nonaccidental act	29	29	2
72222	abuse class II - unreasonable force	17	17	6
72223	abuse class II - emotional harm			
72224	abuse class II - treating as incompetent			
72225	abuse class II - exploitation			
7223	abuse class III	8	8	1
7224	abuse class I - sexual abuse	3	3	

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I			
72252	neglect class I - failure to report			
72261	neglect class II	3	3	1
72262	neglect class II - failure to report	2	2	
72271	neglect class III	4	4	2
72272	neglect class III - failure to report	1	1	

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights					
7520	failure to report					
7545	retaliation/harassment					

3. Rights Protection System, cont'd

7760	access to rights system					
7780	complaint investigation process					
7840	appeal process/mediation					

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization					
4190	termination of voluntary hospitalization (adult)					
4510	involuntary admission process					
4630	independent clinical examination					
4980	objection to hospitalization (minor)					
7050	second opinion - denial of services					

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc					
7044	religious practice					
7045	Voting					
7047	presumption of competency					
7284	search/seizure					

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect	1			1	
7112	receipt of general education information					
7113	opportunity to provide information					

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	visits	3	3			
7262	contact with attorneys or others regarding legal matters					
7263	access to telephone, mail	1	1			
7264	funds for postage, stationery, telephone usage					
7265	written and posted limitations, if established					
7266	uncensored mail					

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	1	1			
7485	withholding of information (includes recipient access to records)					
7486	correction of record					
7487	access by p & a to records					
7501	privileged communication					

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	55	51		4	
7082	sanitary/humane environment	26	26	5		
7086	least restrictive setting	3	3			

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	4	4			
7400	restraint	4	1	1	3	1
7420	seclusion	2			2	2

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money					
7302	facility account					
7303	easy access to money in account					
7304	ability to spend or use as desired					
7305	delivery of money upon release					
7360	labor & compensation					

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	2	2			
7281	possession and use	1	1			
7282	storage space					
7283	inspection at reasonable times					
7285	exclusions					
7286	limitations	1	1			
7287	receipts to recipient and to designated individual					
7288	waiver					
7289	protection	2	2	1		

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	30	18		12	
7003	informed consent	1			1	1
7029	information on family planning					
7049	treatment by spiritual means					
7080	mh services suited to condition	52	49	1	3	
7100	physical and mental exams					
7130	choice of physician/mental health professional					
7140	notice of clinical status/progress					
7150	services of mental health professional					
7160	surgery					
7170	electro convulsive therapy (ect)					
7180	psychotropic drugs					
7190	notice of medication side effects	1			1	

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process					
7122	timely development					
7123	requests for review					
7124	participation by individual(s) of choice					
7125	assessment of needs					

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent					
7242	identification					
7243	objection					
7244	release to others/return					
7245	storage/destruction					
TOTALS		257	163	8	94	16

17. No Right Involved

Code	Category	Received
0000	no right involved	9

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	

The Mental Health Code requires in 330.1780 (1): *“If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation.”* It is the responsibility of the ORR to maintain a record of the documented action.

*Employee left the agency, but substantiated; a letter was placed in the employee’s personnel file indicating that the allegation of a rights violation requiring disciplinary action was substantiated.

Remedial Action Key		
Written Reprimand	Employment Termination	Recipient Transfer to Another Provider/Site
Suspension	*Employee left the agency, but substantiated	Other
Demotion	Contract Action	Pending
Staff Transfer	Policy Revision/Development	None
Training	Environmental Repair/Enhancement	Plan of Service Revision

Remedial Action Taken for Substantiated Rights Violations: Hawthorn

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class II - nonaccidental act	Employment Termination
abuse class II - nonaccidental act	Employment Termination
abuse class II - unreasonable force	Employment Termination
abuse class II - unreasonable force	Suspension
abuse class II - unreasonable force	Suspension
abuse class II - unreasonable force	Written Reprimand
abuse class II - unreasonable force	Employment Termination
abuse class II - unreasonable force	Employment Termination
abuse class III	Written Reprimand
informed consent	Written Reprimand
mh services suited to condition	Training
neglect class II	Employment Termination
neglect class III	Written Reprimand
neglect class III - failure to report	Written Reprimand
protection	Plan of Service Revision
restraint	Training
restraint	Training
sanitary/humane environment	Environmental Repair/Enhancement
sanitary/humane environment	Environmental Repair/Enhancement
sanitary/humane environment	Environmental Repair/Enhancement
sanitary/humane environment	Contract Action
sanitary/humane environment	Contract Action
seclusion	Suspension
seclusion	Training

Part A: Totals

Allegations	886
Interventions	572
Investigations	220
Interventions Substantiated	14
Investigations Substantiated	73

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
221	abuse class I	3	3	1
72221	abuse class II - nonaccidental act	57	57	4
72222	abuse class II - unreasonable force	11	11	4
72223	abuse class II - emotional harm			
72224	abuse class II - treating as incompetent			
72225	abuse class II - exploitation	4	4	
7223	abuse class III	35	35	7
7224	abuse class I - sexual abuse	21	21	

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I	7	7	5
72252	neglect class I - failure to report	3	3	3
72261	neglect class II	5	5	2
72262	neglect class II - failure to report			
72271	neglect class III	31	31	22
72272	neglect class III - failure to report	4	4	3

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights					
7520	failure to report					
7545	retaliation/harassment					
7760	access to rights system					
7780	complaint investigation process					
7840	appeal process/mediation					

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization					
4190	termination of voluntary hospitalization (adult)					
4510	involuntary admission process					
4630	independent clinical examination					
4980	objection to hospitalization (minor)					
7050	second opinion - denial of services					

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc					
7044	religious practice	4	4			
7045	voting					
7047	presumption of competency					
7284	search/seizure	2	2			

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect					
7112	receipt of general education information					
7113	opportunity to provide information					

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	visits	5	4		1	1
7262	contact with attorneys or others regarding legal matters					
7263	access to telephone, mail	13	13	1		
7264	funds for postage, stationery, telephone usage	3	3			
7265	written and posted limitations, if established	1			1	1
7266	uncensored mail	4	3		1	1

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	12	9	2	3	2
7485	withholding of information (includes recipient access to records)					
7486	correction of record					

8. Confidentiality/Privileged Communications/Disclosure, cont'd

7487	access by p & a to records					
7501	privileged communication					

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	98	92		6	2
7082	sanitary/humane environment	52	52			
7086	least restrictive setting	19	19			

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	22	21		1	
7400	restraint	12	5	1	7	1
7420	seclusion	3	1	1	2	2

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money	13	12		1	
7302	facility account					
7303	easy access to money in account	3	3			
7304	ability to spend or use as desired	4	4	1		
7305	delivery of money upon release					
7360	labor & compensation	2	2			

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news					
7281	possession and use	23	19	1	4	3
7282	storage space					
7283	inspection at reasonable times					
7285	exclusions					
7286	limitations	1	1			
7287	receipts to recipient and to designated individual					
7288	waiver					
7289	protection	7	7			

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	129	126	2	3	2
7003	informed consent					
7029	information on family planning					
7049	treatment by spiritual means					
7080	mh services suited to condition	176	167	5	9	7
7100	physical and mental exams					
7130	choice of physician/mental health professional					
7140	notice of clinical status/progress					
7150	services of mental health professional					
7160	surgery					
7170	electro convulsive therapy (ect)					
7180	psychotropic drugs					
7190	notice of medication side effects	1	1			

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	2	2			
7122	timely development					
7123	requests for review					
7124	participation by individual(s) of choice					
7125	assessment of needs					

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent					
7242	identification					
7243	objection					
7244	release to others/return					
7245	storage/destruction					
TOTALS		792	572	14	220	73

17. No Right Involved

Code	Category	Received
0000	no right involved	78

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	16

The Mental Health Code requires in 330.1780 (1): *“If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation.”* It is the responsibility of the ORR to maintain a record of the documented action.

*Employee left the agency, but substantiated; a letter was placed in the employee’s personnel file indicating that the allegation of a rights violation requiring disciplinary action was substantiated.

Remedial Action Key		
Written Reprimand	Employment Termination	Recipient Transfer to Another Provider/Site
Suspension	*Employee left the agency, but substantiated	Other
Demotion	Contract Action	Pending
Staff Transfer	Policy Revision/Development	None
Training	Environmental Repair/Enhancement	Plan of Service Revision

Remedial Action Taken for Substantiated Rights Violations: KPH Center

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class I	Employee left the agency, but substantiated
abuse class II - nonaccidental act	Employee left the agency, but substantiated
abuse class II - nonaccidental act	Employee left the agency, but substantiated
abuse class II - nonaccidental act	Pending
abuse class II - nonaccidental act	Pending
abuse class II - unreasonable force	Suspension
abuse class II - unreasonable force	Pending
abuse class II - unreasonable force	Pending
abuse class II - unreasonable force	Pending
abuse class III	Suspension
abuse class III	Employee left the agency, but substantiated
abuse class III	Employee left the agency, but substantiated
abuse class III	Employee left the agency, but substantiated
abuse class III	Pending
abuse class III	Pending
abuse class III	Pending
access to telephone, mail	Training
dignity and respect	Written Counseling
dignity and respect	Training
dignity and respect	Training
dignity and respect	Pending
disclosure of confidential information	Training
disclosure of confidential information	Training
disclosure of confidential information	Other
disclosure of confidential information	Training
mh services suited to condition	Training
mh services suited to condition	Employee left the agency, but substantiated

Category (from Complaint Data)	Specific Remedial Action(s)
mh services suited to condition	Training
mh services suited to condition	Environmental Repair/Enhancement
mh services suited to condition	Policy Revision/Development
mh services suited to condition	Training
mh services suited to condition	Employee left the agency, but substantiated
mh services suited to condition	Training
mh services suited to condition	Training
mh services suited to condition	Pending
mh services suited to condition	Pending
mh services suited to condition	Pending
ability to spend or use as desired	Training
neglect class I	Suspension
neglect class I	Employment Termination
neglect class I	Employee left the agency, but substantiated
neglect class I	Employment Termination
neglect class I	Employee left the agency, but substantiated
neglect class I - failure to report	Suspension
neglect class I - failure to report	Employee left the agency, but substantiated
neglect class I - failure to report	Employment Termination
neglect class II	Pending
neglect class II	Pending
neglect class III	Written Reprimand
neglect class III	Employment Termination
neglect class III	Pending
neglect class III - failure to report	Pending
neglect class III - failure to report	Pending

Category (from Complaint Data)	Specific Remedial Action(s)
neglect class III - failure to report	Pending
possession and use	Other
possession and use	Training
possession and use	Training
possession and use	Training
Restraint	Employee left the agency, but substantiated
Restraint	Training
safe environment	Pending
safe environment	Pending
Seclusion	Training
Seclusion	Employment Termination
Seclusion	Training
uncensored mail	Training
Visits	Training
written and posted limitations, if established	Pending

Agency: Walter Reuther

Rights Advisors: David Scott and Enid Reed

Part A: Totals

Allegations	542
Interventions	425
Investigations	50
Interventions Substantiated	8
Investigations Substantiated	9

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I			
72221	abuse class II - nonaccidental act	22	22	1
72222	abuse class II - unreasonable force	2	2	1
72223	abuse class II - emotional harm			
72224	abuse class II - treating as incompetent			
72225	abuse class II - exploitation			
7223	abuse class III	5	5	
7224	abuse class I - sexual abuse	7	7	

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I			
72252	neglect class I - failure to report			
72261	neglect class II			
72262	neglect class II - failure to report			
72271	neglect class III	3	3	3
72272	neglect class III - failure to report			

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights					
7520	failure to report					
7545	retaliation/harassment					
7760	access to rights system					
7780	complaint investigation process					
7840	appeal process/mediation					

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization					
4190	termination of voluntary hospitalization (adult)					
4510	involuntary admission process	1	1			
4630	independent clinical examination	4	4			
4980	objection to hospitalization (minor)					
7050	second opinion - denial of services					

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc					
7044	religious practice	5	5			
7045	Voting					
7047	presumption of competency					
7284	search/seizure	3	3			

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect					
7112	receipt of general education information					
7113	opportunity to provide information					

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	Visits	7	7			
7262	contact with attorneys or others regarding legal matters					
7263	access to telephone, mail	16	16			
7264	funds for postage, stationery, telephone usage					
7265	written and posted limitations, if established					
7266	uncensored mail	4	4			

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	1	1			
7485	withholding of information (includes recipient access to records)	5	5			
7486	correction of record	1	1			
7487	access by p & a to records					
7501	privileged communication					

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	90	89	1	1	
7082	sanitary/humane environment	14	14			
7086	least restrictive setting	1	1			

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	22	21		1	1
7400	Restraint	3	2	1	1	1
7420	Seclusion					

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money	1	1			
7302	facility account	4	4			
7303	easy access to money in account	4	4			
7304	ability to spend or use as desired					
7305	delivery of money upon release					
7360	labor & compensation					

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	2	2			
7281	possession and use	28	27	1	1	
7282	storage space					
7283	inspection at reasonable times					
7285	Exclusions					
7286	Limitations					
7287	receipts to recipient and to designated individual	1	1			
7288	Waiver					
7289	Protection	19	19	1		

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	37	32	3	5	1
7003	informed consent					
7029	information on family planning					
7049	treatment by spiritual means					
7080	mh services suited to condition	137	135		2	1
7100	physical and mental exams					
7130	choice of physician/mental health professional	6	6			
7140	notice of clinical status/progress					
7150	services of mental health professional					
7160	Surgery					
7170	electro convulsive therapy (ect)					
7180	psychotropic drugs	16	16			
7190	notice of medication side effects	1	1			

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	2	2	1		
7122	timely development					
7123	requests for review					
7124	participation by individual(s) of choice					
7125	assessment of needs					

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent					
7242	Identification					
7243	Objection					
7244	release to others/return					
7245	storage/destruction	1	1			
TOTALS		475	425	8	50	9

17. No Right Involved

Code	Category	Received
0000	no right involved	62

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	5

The Mental Health Code requires in 330.1780 (1): *“If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements: (a) Corrects or provides a remedy for the rights violations. (b) Is implemented in a timely manner. (c) Attempts to prevent a recurrence of the rights violation.”* It is the responsibility of the ORR to maintain a record of the documented action.

*Employee left the agency, but substantiated; a letter was placed in the employee’s personnel file indicating that the allegation of a rights violation requiring disciplinary action was substantiated.

Remedial Action Key		
Written Reprimand	Employment Termination	Recipient Transfer to Another Provider/Site
Suspension	*Employee left the agency, but substantiated	Other
Demotion	Contract Action	Pending
Staff Transfer	Policy Revision/Development	None
Training	Environmental Repair/Enhancement	Plan of Service Revision

Remedial Action Taken for Substantiated Rights Violations: Walter Reuther

Category (from Complaint Data)	Specific Remedial Action(s)
abuse class II - nonaccidental act	Suspension
abuse class II - nonaccidental act	Suspension
dignity and respect	Written Counseling
dignity and respect	Verbal Counseling
dignity and respect	Written Reprimand
dignity and respect	Other
mh services suited to condition	Training
neglect class III	Suspension
neglect class III	Written Reprimand
neglect class III	Suspension
person-centered process	Plan of Service Revision
possession and use	Other
Protection	Other
Restraint	Other
Restraint	Training
restrictions/limitations	Training
safe environment	Other

APPENDIX E: CMHSP COMPARATIVE DATA - FY14

*"Allegations " does not include those that were not code protected rights or not in the jurisdiction of the office receiving the complaint.

CMHSP	Square Miles	Unduplicated Count	Rights Office Staffing FTE	Site Visits	Allegations	Investigations	Substantiated
Allegan	827.5	1710	1.00	60	48	39	19
AuSable	1678.4	2136	1.00	34	69	64	35
Barry	556.1	1989	0.50	29	9	9	5
Bay-Arenac	811.1	5924	2.00	89	177	146	99
Berrien - Riverwood	571	6702	1.60	79	37	26	21
CEI	3290.7	9996	4.00	120	78	77	13
Centra Wellness - Manistee Benzie	1707.1	1370	1.00	28	49	31	22
CMHCM (Central MI)	3275	9534	4.98	146	328	328	118
CMHSASSJ (St Joe)	509.1	2315	1.00	46	33	14	11
CMHSM (Muskegon)	864.9	4830	3.00	71	184	175	105
Copper Co	3768.2	1069	0.60	35	40	35	11
DWMHA	614.2	74409	35.00	547	959	959	297
Genesee	639.6	11047	5.00	163	611	569	252
Gogebic	1101.9	460	0.10	13	8	5	3
Gratiot	570.1	1802	1.00	23	26	26	17
Hiawatha	3751.4	1704	1.00	28	26	24	15
Huron	836.5	1378	0.50	13	5	5	3
Ionia	573.2	2215	0.40	24	32	30	26
Kalamazoo	561.9	5342	6.25	150	449	334	149
Lapeer	654.2	1689	1.00	39	36	26	17
Lenawee	750.5	2068	1.00	43	105	102	54
Lifeways	1305.4	6660	3.00	126	297	271	134
Livingston	568.4	2247	2.00	30	200	195	77
Macomb	480.4	12478	14.50	231	1816	1812	700

Monroe	551.1	2817	2.00	24	196	192	107
Montcalm	708	1182	1.25	26	23	17	9
Network 180	856.2	16928	4.25	241	380	369	120
Newaygo	842.4	1726	1.25	22	85	79	35
North Country	3152.8	3969	2.00	90	153	98	67
Northeast Michigan	2456.3	2127	1.50	54	94	84	60
Northern Lakes	2976.2	5910	3.00	140	455	432	180
NorthPointe	2459.8	1773	2.00	36	66	45	31
Oakland	872.5	23697	14.50	381	1062	1055	474
Ottawa	565.7	2789	1.00	102	92	90	34
Pathways	3894.2	2633	3.00	58	196	170	82
Pines - Branch Co	507.4	2596	0.50	26	11	11	5
Saginaw	808.9	5164	2.50	114	67	66	35
Sanilac	963.8	1047	1.00	42	60	55	44
Shiawassee	538.7	1501	2.00	19	151	101	89
St Clair	724.4	3643	1.70	85	85	83	35
Summit Pointe (Calhoun)	708.7	10380	1.60	77	460	419	275
Tuscola	812.4	1372	1.00	43	44	33	23
Van Buren	610.9	2863	1.00	56	17	17	10
Washtenaw	709.9	4886	4.00	51	557	555	249
West Michigan	1574.5	2354	1.33	61	72	57	42
Woodlands	492.2	1563	0.62	75	84	84	23

APPENDIX F: COMPLAINT DATA SUMMARY - ALL CMHSP RIGHTS OFFICES - FY14

Part A: Agency Totals

Allegations Received	9986
Interventions	602
Investigations	9414
Interventions Substantiated	246
Investigations Substantiated	4016

Not including 1384 outside jurisdiction or not a code protected right

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I	26	26	2
72221	abuse class II - nonaccidental act	406	406	70
72222	abuse class II - unreasonable force	560	560	178
72223	abuse class II - emotional harm	13	13	3
72224	abuse class II - treating as incompetent	0	0	0
72225	abuse class II - exploitation	354	354	125
7223	abuse class III	640	640	244
7224	abuse class I - sexual abuse	92	92	12

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I	64	64	24
72252	neglect class I - failure to report	8	8	6
72261	neglect class II	216	216	112
72262	neglect class II - failure to report	92	92	79
72271	neglect class III	1435	1435	862
72272	neglect class III - failure to report	104	104	92

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights	1	0	0	1	1
7520	failure to report	129	4	3	125	111
7545	retaliation/harassment	60	0	0	60	14
7760	access to rights system	10	1	1	9	6
7780	complaint investigation process	14	1	1	13	12
7840	appeal process/mediation	0	0	0	0	0

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization	3	2	1	1	0
4190	termination of voluntary hospitalization (adult)	0	0	0	0	0
4510	involuntary admission process	0	0	0	0	0
4630	independent clinical examination	0	0	0	0	0
4980	objection to hospitalization (minor)	0	0	0	0	0
7050	second opinion - denial of services	7	3	0	4	0

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc	12	4	1	8	2
7044	religious practice	11	2	0	9	3
7045	voting	0	0	0	0	0
7047	presumption of competency	0	0	0	0	0
7284	search/seizure	18	5	1	13	7

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect	144	6	0	138	48
7112	receipt of general education information	1	0	0	1	1
7113	opportunity to provide information	2	0	0	2	1

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	visits	18	0	0	18	1
7262	contact with attorneys or others regarding legal matters	3	1	0	2	1
7263	access to telephone, mail	76	4	1	72	14
7264	funds for postage, stationery, telephone usage	6	0	0	6	2
7265	written and posted limitations, if established	0	0	0	0	0
7266	uncensored mail	14	0	0	14	6

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	499	148	112	351	164
7485	withholding of information (includes recipient access to records)	12	0	0	12	4
7486	correction of record	5	1	0	4	1
7487	access by p & a to records	0	0	0	0	0
7501	privileged communication	0	0	0	0	0

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	311	40	13	271	118
7082	sanitary/humane environment	227	18	5	209	91
7086	least restrictive setting	19	4	0	15	3

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	84	4	4	80	30
7400	Restraint	5	0	0	5	4
7420	Seclusion	17	0	0	17	7

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money	14	0	0	14	9
7302	facility account	3	0	0	3	0
7303	easy access to money in account	9	2	0	7	3
7304	ability to spend or use as desired	3	0	0	3	1
7305	delivery of money upon release	5	0	0	5	3
7360	labor & compensation	13	2	1	11	5

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	4	0	0	4	2
7281	possession and use	156	15	5	141	77
7282	storage space	2	0	0	2	0
7283	inspection at reasonable times	0	0	0	0	0
7285	exclusions	1	0	0	1	0
7286	limitations	15	1	0	14	5

12. Personal Property, cont'd

7287	receipts to recipient and to designated individual	2	0	0	2	1
7288	waiver	0	0	0	0	0
7289	protection	8	2	1	6	0

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	1905	139	37	1766	589
7003	informed consent	21	0	0	21	17
7029	information on family planning	0	0	0	0	0
7049	treatment by spiritual means	0	0	0	0	0
7080	mh services suited to condition	2014	183	55	1831	792
7100	physical and mental exams	0	0	0	1	0
7130	choice of physician/mental health professional	22	8	0	14	0
7140	notice of clinical status/progress	3	0	0	3	0
7150	services of mental health professional	4	1	0	3	1
7160	surgery	0	0	0	0	0
7170	electro convulsive therapy (ect)	0	0	0	0	0
7180	psychotropic drugs	5	0	0	5	2
7190	notice of medication side effects	5	1	0	4	2

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	38	0	0	38	15
7122	timely development	19	3	2	16	14
7123	requests for review	2	0	0	2	1
7124	participation by individual(s) of choice	1	1	0	0	0
7125	assessment of needs	6	2	1	4	1

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent	28	3	1	25	15
7242	identification	0	0	0	0	0
7243	objection	0	0	0	0	0
7244	release to others/return	0	0	0	0	0
7245	storage/destruction	0	0	0	0	0
TOTALS		10027	611	246	9416	4016

17. No Right Involved

Code	Category	Received
0000	no right involved	727

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	657

APPENDIX G: TRAINING PROVIDED BY THE CMHSP RIGHTS OFFICE – FY14

Agency	Number of Agency Staff	Number of Contractual Staff	Number and Type Other Staff	Number of Consumers
Allegan	154	334	137	2
AuSable	395	0	0	30
Barry	71	9	0	0
Bay Arenac	278	927	0	0
Berrien	201	706	0	30
Centra Wellness	90	161	0	37
CEI	136	1061	0	0
CMHCM	400	783	0	0
CMHSA of St Joseph	71	75	8	22
CMHS of Muskegon Co	185	566	65	0
Copper Country	254	14	0	39
DWMHA	188	19199	0	0
Genesee Health System	439	2829	14	44
Gogebic	156	0	12	53
Gratiot	98	20	0	4
Hiawatha	159	182	0	8
Huron	129	98	0	0
Ionia	24	164	0	11
KCMHSAS	43	718	0	125
Lapeer	280	121	1300	88
Lenawee	17	291	0	0
LifeWays	212	2452	150	0
Livingston	86	431	18	11
Macomb	254	3704	0	0
Monroe	58	368	0	8
Montcalm	29	78	0	0
network180	32	2507	0	87
Newaygo	91	4	31	0
North Country	289	280	50	0
Northeast	529	124	97	0
NorthPointe	379	119	9	14
Northern Lakes	207	585	25	66
Oakland County	97	10963	0	1424
Ottawa	315	1078	18	75

Agency	Number of Agency Staff	Number of Contractual Staff	Number and Type Other Staff	Number of Consumers
Pathways	170	540	18	56
Pines Behavioral Health Services	31	151	0	0
Saginaw	477	1132	0	0
Sanilac	154	344	24	30
Shiawassee	188	227	21	0
St Clair	303	361	0	0
Summit Points	161	96	847	37
Tuscola	195	0	228	0
VanBuren	211	334	0	12
WCHO	217	1074	0	11
West MI	181	149	35	0
Woodlands	66	183	20	7

APPENDIX H: ALL LPH/U COMPARATIVE DATA - FY14

*"Allegations " does not include those that were not code protected rights or not in the jurisdiction of the office receiving the complaint.

LPH/U	Patient Days	Number of Hours/40	Number of Allegations	Number of Investigations	Number of Substantiated Allegations
Allegiance Health	9039	20	59	3	12
Alpena Regional Medical Center	4124	1	5	3	1
Beaumont Hospital	9000	5	9	2	0
Behavioral Center of Michigan	12318	60	171	20	35
Borgess Medical Center	13790	16	18	1	3
Botsford Hospital	8539	10	16	5	7
Bronson Battle Creek/Field Stone Center	5411	20	106	41	52
Bronson Lakeview Community Hospital	2700	1	2	2	1
Community Health Center of Branch County, Behavioral Healthcare	3116	20	16	16	4
Crittenton Hospital Medical Center	5432	24	106	32	12
DMC - Detroit Receiving Hospital	6534	40	21	5	6
DMC – Sinai Grace Hospital	6100	32	35	8	8
Doctors Hospital of Michigan	9282	40	49	8	28
ForestView Psychiatric Hospital	26067	40	100	22	8
Harbor Oaks Hospital	29595	28	67	17	18
Havenwyck Hospital	41126	40	261	12	36
HealthSource Saginaw	21712	40	309	53	78
Henry Ford Kingswood Hospital	160731	40	24	17	18
Henry Ford Macomb Hospital	24083	32	234	24	13
Henry Ford Wyandotte Hospital	9711	40	65	11	11
Herrick Medical Center	1932	2	6	0	0

LPH/U	Patient Days	Number of Hours/40	Number of Allegations	Number of Investigations	Number of Substantiated Allegations
Hillsdale Community Health Center	2397	12	0	0	0
Holland Community Hospital	4920	6	12	2	1
Hurley Medical Center	10877	8	27	26	7
Lakeland Regional Health System	5538	4	6	1	1
Marquette General Health System	7836	40	26	0	5
McLaren - Bay Region	6851	4	5	1	5
<i>McLaren - Flint*</i>	<i>9249</i>	<i>10</i>	<i>16</i>	<i>16</i>	<i>2</i>
McLaren - Greater Lansing	2804	1	0	0	0
McLaren - Lapeer Region	3234	4	25	1	0
McLaren - Oakland Hospital	6167	20	26	1	10
McLaren Port Huron		15	39	2	17
Memorial Healthcare-Owosso	5162	20	41	28	10
Mercy Health Partners - Hackley Campus	5910	20	113	38	11
Mercy Health St. Marys	34819	50	121	7	4
Mercy Memorial Hospital System	3814	20	28	2	6
MidMichigan Medical Center Midland	3888	40	27	19	6
MidMichigan Medical Center-Gratiot	4742	5	10	3	3
Munson Medical Center	3620	16	17	0	3
Oaklawn Hospital	3635	8	36	18	4
Oakwood Hospital - Taylor	9097	20	134	26	27
Pine Rest Christian Mental Health Services	30346	50	41	9	3
Providence Hospital	3850	20	12	3	6
Samaritan Behavioral Center	14848	60	255	58	32
Sparrow/St. Lawrence Hospital	11824	32	53	44	30

LPH/U	Patient Days	Number of Hours/40	Number of Allegations	Number of Investigations	Number of Substantiated Allegations
Spectrum Health Ludington Hospital Hadley Center	1883	4	1	0	0
St. John Hospital & Medical Center	7273	3	116	13	4
St. John Macomb-Oakland Hospital - Macomb Center	9558	5	68	2	6
St. John Macomb-Oakland Hospital - Oakland Center	7226	5	54	5	6
St. Joseph Mercy - Chelsea	5614	4	49	1	6
St. Joseph Mercy Hospital	6794	5	18	14	4
St. Joseph Mercy Hospital - Oakland	9194	20	90	5	13
St. Mary Mercy Hospital - Livonia	8440	28	77	10	15
StoneCrest Center	30392	40	168	71	92
University of Michigan Health System	12369	28	35	28	18
War Memorial Hospital	3880	20	62	51	11

*data received after the final report was compiled and is not reflected in the table in appendix I.

APPENDIX I: COMPLAINT DATA SUMMARY

ALL LPH/U RIGHTS OFFICES - FY14

Part A: Agency Totals

Allegations Received	3375
Interventions	2585
Investigations	790
Interventions Substantiated	394
Investigations Substantiated	319

Not including 1279 outside jurisdiction or not a code protected right

Part B: Aggregate Summary

1. Freedom from Abuse

Code	Category	Received	Investigations	Investigations Substantiated
7221	abuse class I	17	17	2
72221	abuse class II - nonaccidental act	25	25	9
72222	abuse class II - unreasonable force	76	76	25
72223	abuse class II - emotional harm	6	6	3
72224	abuse class II - treating as incompetent	1	1	0
72225	abuse class II - exploitation	1	1	0
7223	abuse class III	34	34	15
7224	abuse class I - sexual abuse	24	24	3

2. Freedom from Neglect

Code	Category	Received	Investigations	Investigations Substantiated
72251	neglect class I	15	15	4
72252	neglect class I - failure to report	1	1	1
72261	neglect class II	19	19	6
72262	neglect class II - failure to report	1	1	1
72271	neglect class III	49	49	31
72272	neglect class III - failure to report	3	3	2

3. Rights Protection System

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7060	notice/explanation of rights	7	6	0	1	0
7520	failure to report	4	1	1	3	2
7545	retaliation/harassment	0	0	0	0	0
7760	access to rights system	4	3	0	1	0
7780	complaint investigation process	0	0	0	0	0
7840	appeal process/mediation	0	0	0	0	0

4. Admission/Discharge/Second Opinion

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
4090	second opinion - denial of hospitalization	3	3	0	0	0
4190	termination of voluntary hospitalization (adult)	91	87	3	4	0
4510	involuntary admission process	162	135	8	27	13
4630	independent clinical examination	1	1	0	0	0
4980	objection to hospitalization (minor)	0	0	0	0	0
7050	second opinion - denial of services	0	0	0	0	0

5. Civil Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7041	civil rights: discrimination, accessibility, accommodation, etc	21	19	2	2	1
7044	religious practice	8	8	0	0	0
7045	Voting	1	1	0	0	0
7047	presumption of competency	0	0	0	0	0
7284	search/seizure	9	4	1	5	4

6. Family Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7111	family dignity & respect	48	26	6	22	9
7112	receipt of general education information	1	0	0	1	0
7113	opportunity to provide information	13	10	1	3	1

7. Communication & Visits

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7261	Visits	27	27	1	0	0
7262	contact with attorneys or others regarding legal matters	11	9	1	2	1
7263	access to telephone, mail	63	56	8	7	2
7264	funds for postage, stationery, telephone usage	6	6	1	0	0
7265	written and posted limitations, if established	2	2	0	0	0
7266	uncensored mail	2	2	1	0	0

8. Confidentiality/Privileged Communications/Disclosure

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7481	disclosure of confidential information	114	76	20	38	16
7485	withholding of information (includes recipient access to records)	19	17	2	2	0
7486	correction of record	8	7	0	1	0
7487	access by p & a to records	0	0	0	0	0
7501	privileged communication	2	2	0	0	0

9. Treatment Environment

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7081	safe environment	210	129	20	81	28
7082	sanitary/humane environment	154	150	22	4	1
7086	least restrictive setting	37	31	2	6	2

10. Freedom of Movement

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7441	restrictions/limitations	43	37	3	6	2
7400	Restraint	20	7	2	13	8
7420	Seclusion	9	3	0	6	2

11. Financial Rights

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7301	safeguarding money	1	1	0	0	0
7302	facility account	0	0	0	0	0
7303	easy access to money in account	5	5	0	0	0
7304	ability to spend or use as desired	4	4	0	0	0
7305	delivery of money upon release	0	0	0	0	0
7360	labor & compensation	1	1	0	0	0

12. Personal Property

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7267	access to entertainment materials, information, news	28	26	4	2	2
7281	possession and use	56	52	8	4	0
7282	storage space	0	0	0	0	0
7283	inspection at reasonable times	1	0	0	1	0
7285	Exclusions	0	0	0	0	0
7286	Limitations	0	0	0	0	0

12. Personal Property, cont'd

7287	receipts to recipient and to designated individual	19	16	10	3	2
7288	Waiver	0	0	0	0	0
7289	Protection	145	138	50	7	5

13. Suitable Services

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
1708	dignity and respect	817	684	101	133	48
7003	informed consent	26	17	2	9	5
7029	information on family planning	3	3	1	0	0
7049	treatment by spiritual means	5	4	0	1	1
7080	mh services suited to condition	592	533	69	59	30
7100	physical and mental exams	116	99	18	17	12
7130	choice of physician/mental health professional	88	81	10	7	2
7140	notice of clinical status/progress	10	6	0	4	3
7150	services of mental health professional	11	11	0	0	0
7160	Surgery	0	0	0	0	0
7170	electro convulsive therapy (ect)	2	0	0	2	2
7180	psychotropic drugs	53	46	2	7	4
7190	notice of medication side effects	19	13	4	6	2

14. Treatment Planning

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7121	person-centered process	78	60	8	18	7
7122	timely development	3	3	1	0	0
7123	requests for review	1	1	0	0	0
7124	participation by individual(s) of choice	9	8	1	1	0
7125	assessment of needs	4	2	0	2	0

15. Photographs, Fingerprints, Audiotapes, One-way Glass

Code	Category	Received	Interventions	Interventions Substantiated	Investigations	Investigations Substantiated
7241	prior consent	1	1	0	0	0
7242	Identification	1	1	0	0	0
7243	Objection	0	0	0	0	0
7244	release to others/return	0	0	0	0	0
7245	storage/destruction	0	0	0	0	0
TOTALS		3471	2681	394	790	319

17. No Right Involved

Code	Category	Received
0000	no right involved	1034

18. Outside Provider Jurisdiction

Code	Category	Received
0001	outside provider jurisdiction	245

APPENDIX J: TRAINING PROVIDED BY THE LPH/U RIGHTS OFFICE – FY14

Hospital/Unit	Number of Agency Staff	Number of Contractual Staff	Number and Type Other Staff	Number of Consumers
Allegiance Health	118	0	0	0
Alpena Regional Medical Center	813	0	0	0
Beaumont Hospital	8	0	0	0
Behavioral Center of Michigan	189	0	0	3
Borgess Medical Center	149	0	113	0
Botsford Hospital	102	0	0	0
Bronson Battle Creek/Field Stone Center	1569	0	0	0
Bronson Lakeview Community Hospital	45	0	0	0
Community Health Center of Branch County, Behavioral Healthcare	0	0	20	0
Crittenton Hospital Medical Center	202	0	0	0
DMC - Detroit Receiving Hospital	74	0	0	0
DMC - Madison Behavioral Health Services	0	0	0	0
DMC - Sinai-Grace Hospital	40	0	84	38
Doctors Hospital of Michigan	440	38	4	2
ForestView Psychiatric Hospital	219	4	9	0
Harbor Oaks Hospital	179	0	23	0
Havenwyck Hospital	0	10	494	0
HealthSource Saginaw	1070	105	350	202
Henry Ford Kingswood Hospital	126	12	48	0
Henry Ford Macomb Hospital	232	14	0	61
Henry Ford Wyandotte Hospital	980	0	0	0
Herrick Medical Center	23	0	0	0
Hillsdale Community Health Center	1227	0	0	0
Holland Community Hospital	51	0	0	0
Hurley Medical Center	43	0	9	0
Lakeland Regional Health System	57	0	0	0
Marquette General Health System	214	0	0	0
McLaren - Bay Region	48	0	0	0
McLaren - Flint	0	0	0	0
McLaren - Greater Lansing	137	1061	5	0

Hospital/Unit	Number of Agency Staff	Number of Contractual Staff	Number and Type Other Staff	Number of Consumers
McLaren - Lapeer Region	125	0	0	0
McLaren - Oakland Hospital	0	0	47	0
Memorial Healthcare-Owosso	64	0	11	0
Mercy Health Partners - Hackley Campus	138	50	0	200
Mercy Health St. Marys	2065	0	0	0
Mercy Memorial Hospital System	69	0	13	3
MidMichigan Medical Center Midland	24	0	0	0
MidMichigan Medical Center-Gratiot	2487	0	0	0
Munson Medical Center	76	0	0	0
Oaklawn Hospital	274	0	36	86
Oakwood Hospital – Taylor	1809	38	154	1560
Pine Rest Christian Mental Health Services	2065	0	0	0
McLaren Port Huron	8	0	35	265
ProMedica Herrick Medical Center	0	0	0	0
Providence Hospital	462	0	0	0
Samaritan Behavioral Center	146	0	0	3
Sparrow/St. Lawrence Hospital	139	0	60	0
Spectrum Health Ludington Hospital Hadley Center	24	0	0	0
St. John Hospital & Medical Center	79	0	0	0
St. John Macomb-Oakland Hospital - Macomb Center	61	40	0	0
St. John Macomb-Oakland Hospital - Oakland Center	47	22	0	0
St. Joseph Mercy – Chelsea	17	0	0	0
St. Joseph Mercy Hospital	773	0	0	0
St. Joseph Mercy Hospital - Oakland	270	0	0	0
St. Mary Mercy Hospital - Livonia	409	0	80	0
StoneCrest Center	320	8	0	0
University of Michigan Health System	510	0	10	35
War Memorial Hospital	115	0	0	0

