

Michigan Department of Community Health Office of Recipient Rights Newsletter

Winter 2010

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March 24-26, 2010

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May 13, 2010

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Advisory/Appeals

Committee Training

June 18, 2010

Shiawassee

County

To register online

click here:[ORR](#)

[Training Division](#)

2010 Census

Our Mission and Vision

Mission Statement

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 Statement

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.

From the Director's Pen....

Dear John ,

It is with heartfelt gratitude and much excitement that I have the pleasure of introducing the new DCH-ORR newsletter to the rights community. The intent of this newsletter is to serve as a tool to enhance rights staff's ability to meet the needs of mental health recipients. On a quarterly basis, DCH ORR intends to provide you with the most updated information in the arena of mental health rights to assist you in advocating for the rights of mental health recipients. As a person in rights you will need to stay informed. This means the information you receive should be current, accurate and provided in a timely manner. This is the aim of our newsletter.

Please remember we operate as a community, which means we must share important information. That means you are as important in providing us information to share, as we are in sharing information to the entire community. The goal of this newsletter can only be accomplished if we work as a team in seeing that information needed by all rights staff is shared amongst ourselves.

To this end, I say to all rights staff: please look forward to the coming issues of our newsletter and also become a contributor by contacting our office with information that will be vital for the rights community. Let's make this newsletter serve as a valuable tool to promote the enhancement of rights protection throughout Michigan.

Director, MDCH, Office of Recipient Rights



Persons in group homes, residential treatment centers, homeless shelters, in-patient hospice facilities and skilled nursing facilities (nursing homes) as well as state psychiatric centers will be asked to participate in the 2010 census. It is **ORR's position** that AFC staff may give information regarding residents, that may otherwise be considered confidential, to a census taker. Of course, they may give only that information necessary to fulfill the requirements of the US Census. If residents, who do not have guardians agree to be interviewed, they may do so. For those with guardians, the provider may seek permission from the guardian to have their ward interviewed. This is an excellent opportunity for residents to participate in a real community inclusive opportunity!

The **2010 Recipient Rights Conference** will be held at the Radisson Plaza Hotel, Kalamazoo, MI from **October 5, 2010 to October 8, 2010**. This year's hotel rates are:

- \$99.00 - single occupancy
- \$130.00 - double occupancy
- \$140.00 - triple occupancy
- \$150.00 - quad occupancy

We are currently seeking your suggestions for topics and speakers that will benefit both Licensed Private Hospital/Units and Community Mental Health Offices. Watch for the call for topics in your email soon.

CMH Assessments

The 2010 CMH Rights Office Assessment Schedule has been finalized. To view the 2010 CMH Assessment Schedule [click here](#). For 2010, Attachments A, B, C have been revised. These have been sent out to all rights officers and advisors with the following information: "specific attention should be paid to the reformatting and re-weighting of Attachment A. Full compliance is now 277 with a substantial compliance score being 263. "

Additionally, Attachment C has been formatted to reflect the checklist ORR used internally to score Attachment C. This attachment, with comments, will be submitted to the CMH as part of the report and to expedite any necessary performance improvement. If you have questions, contact your rights specialist.



Ask ORR

ORR Website



Have

In a "treatment suited to condition" allegation, is it appropriate to cite relevant provisions of the individual's written IPOS in the Citations section of the report of investigative findings?

The answer is NO. The Michigan Mental Health Code states at MCL 330.1778(5)(c) that the investigative report shall include citations to relevant provisions of the act, rules, policies and guidelines. The IPOS is a confidential document. If there is an allegation of a violation of a recipient's right to services suited to condition and a resulting

you checked out the DCH-ORR website recently? You can find lots of information related to rights. There are links to the Mental Health Code and Administrative Rules, the Rights Book for recipients as well as podcasts of the rights book for download. You can find information about training dates, locations, and approved continuing education credits, as well as CMH assessment scores and dates for upcoming assessments. We have a downloadable pdf file of contact information for rights staff across the state and answers to many frequently asked questions related to rights. So check it out at:

[MDCH Office of Recipient Rights](#)

investigation and report, the investigator must cite to the following in the Citations section of the report: MCL 330.1708 (1) A recipient shall receive mental health services suited to his or her condition. (Since this citation cannot stand alone as there must be some standard of care or treatment, the following citations must also be made) MCL 330.1712 (1).. The individual plan of services shall consist of a treatment plan, a support plan, or both. A treatment plan shall establish meaningful and measurable goals with the recipient. Administrative Rule 330.7199(2) The plan shall identify, at a minimum, all of the following...(c) The services, supports, and treatments committed by the responsible mental health agency...For CMHSP Rights Offices, add: MDCH/CMHSP FY 10 Contract Attachment C3.4.1.1 Person-Centered Planning III.6.c. Each Individual Plan of Service must contain the date the service is to begin, the specified scope, duration, intensity and who will provide each authorized service.

Example:

If the allegation indicates that the recipient was to get 4 individual therapy sessions per month, but has only received 3 sessions over the last 4 months, the rights investigator would use the above citations and then specify the IPOS requirements in the Issues section based upon investigative findings, e.g.:

1. Did Jane Doe receive 3 individual therapy sessions from January 2010 through April 2010?
2. Does Jane Doe's IPOS indicate that she was to get 4 one hour individual therapy sessions per month for 6 months beginning January 2010?
3. Did County CMHSP fail to comply with the standard of treatment established in Jane Doe's IPOS?

If the answer to all 3 Issue questions is yes, the rights office would substantiate a violation of Jane Doe's right to treatment suited to her condition.