

State of Michigan  
MICHIGAN DEPARTMENT OF COMMUNITY HEALTH  
LANSING, MICHIGAN 48913

RICK SNYDER, GOVERNOR

JAMES K.HAVEMAN, DIRECTOR

MINUTES

RECIPIENT RIGHTS ADVISORY COMMITTEE

November 8, 2012  
3rd Floor Conference Room, Lewis Cass Building  
Lansing, Michigan 48913

Mission

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

Vision

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

**ATTENDANCE**

Basil Scott, Mark Reinstein, Michelle Milligan, Pamela Stants, Kathleen Gross, Margaret Toombsberry, Denice Virgo, Vendella Collins

**STAFF PRESENT**

Dianne Baker

**PUBLIC PRESENT**

Eunice Howard, D-WCMH ORR, Chad Witcher, OCCMHA ORR

**CALL TO ORDER**

The meeting was called to order at 1:05 p.m. by Chair, Basil Scott.

**AGENDA APPROVAL**

Scott requested the addition of the status of the NLCMH ORR to the agenda. **Motion to approve the agenda by Toombsberry, seconded by Reinstein. Motion carried.**

**APPROVAL OF PREVIOUS MINUTES** (May 10, 2012; July 12, 2012; September 13, 2012)  
**Motion by Toombsberry to approve minutes from previous three meetings, seconded by Stants. Motion carried.**

**PUBLIC COMMENT**

Chad Witcher distributed two documents to RRAC members; Public Comment to the NLCMH RRAC on 10/2/2012 and Public Comment to the NLCMH Board of Directors on

10/18/2012. In his public comment to the MDCH RRAC, he urged the RRAC to make a strong recommendation to the MDCH Director to issue the Special Investigation Report submitted to him in October 2012 by MDCH-ORR regarding the NLCMH recipient rights protection system. "The stakes are too high for the Director to delay issuing the report and taking decisive and effective action on the report....Recipient Rights Office Directors, CMHSP Executive Directors, CMHSP Board members, as well as recipients, guardians and other parties interested in the protection of recipient rights are watching this situation closely." Discussion ensued.

**Motion by Stants that a letter be sent on behalf of the RRAC to Director Haveman recommending that he release the MDCH-ORR Special Investigation Report as expeditiously as possible and assure appropriate remedial action is taken. Seconded by Reinstein. Motion carried.**

**Motion by Virgo that the RRAC be provided any comments from the MDCH Director's Office and/or Legal Affairs that result in changes to the initial Special Investigative Report and/or recommendations. Seconded by Reinstein. Motion carried.**

Further discussion ensued.

## **DIRECTOR'S REPORT**

In Sanford's absence, Vendella Collins discussed the MDCH Leadership Retreat held October 23-24, 2012. She indicated that the focus of MDCH is to hone in on Governor Snyder's goal for a healthier Michigan. Each participant got a compendium of information covered during the retreat. She indicated that Director Haveman told participants that this would not be the last of this type of retreat.

Discussion ensued and involved the Health Insurance Exchanges as well as the Integrated Care for Dual Eligibles proposal submitted by MDCH to CMS.

*(The RRAC and ORR staff would like to apologize to Nicole Miller, NLCMH Board member, Samantha Garcia, guardian of a NLCMH consumer and Jodi Pickman, NLCMH service provider who were participating in the meeting via telephone. Due to technical difficulties, all were disconnected and we were unable to get them back.)*

## **STAFF REPORTS**

Training Unit, Field Unit and Community Rights Unit reports were contained in members' folders.

Baker discussed letter of complaint sent to the CMS Chicago Regional Office by MPAS 10/25/2012 indicating that the WRPB ORR has failed in its responsibility to protect and promote patient rights as required by 42 CFR 482.13. CMS conducted a survey, most likely a result of this letter, at WRPB October 29-30, 2012. Baker discussed MDCH-ORR's efforts to get the two year vacancy at WRPB filled.

**RESTRAINT AND SECLUSION PROCESS IMPROVEMENT  
STEERING COMMITTEE – STATUS UPDATE**

There will be a conference call between the Steering Committee and Raul Almazar, SAMHSA Consultant, on November 26, 2012 to discuss training of all direct care staff at the state hospitals in trauma informed care and alternatives to restraint and seclusion.

**AMENDMENT TO MDCH-RRAC BY-LAWS**

Article VI, Section 2, Quorum is proposed to be amended from: “A simple majority shall constitute a quorum for the transaction of business at any Committee meeting” to: “One member over one-third of the total membership shall constitute a quorum for the purpose of transacting business at any Committee meeting.”

The proposed amendment has been submitted in writing at a previous regular meeting in accordance with the by-laws.

Motion by Stants to approve the amendment. Seconded by Reinstein. Motion carried.

Stants volunteered to act as Vice-Chair of the RRAC. The Committee confirmed.

**DRAFT CRITERIA FOR COOKIE GANT AWARD**

Collins presented her draft of criteria for awarding the Cookie Gant Award each year at the annual Recipient Rights Conference. The individual:

- Raises the consciousness of disability in the greater community
- Exemplifies Leadership
- Works for social justice and social change
- Works to build opportunities for people with disabilities towards full community integration
- Uses knowledge and skills to improve lives of people with disabilities – gives back.

Discussion ensued with suggestions from RRAC members. Collins will revise accordingly and submit to Baker for distribution to members for discussion at the January RRAC meeting.

**ADJOURNMENT**

The meeting adjourned at 2:30 p.m.

January 10, 2013, 1:00 p.m. – 3:30 p.m.  
Lewis Cass Building  
3<sup>rd</sup> Floor Large Conference Room  
Lansing, MI 48913

**IF YOU WOULD LIKE TO CALL INTO THE RECIPIENT RIGHTS ADVISORY  
COMMITTEE MEETING, YOU CAN CALL TOLL FREE AT 1-877-873-8018,  
ACCESS CODE 5062210**