



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
DIRECTOR

MINUTES
RECIPIENT RIGHTS ADVISORY COMMITTEE

November 12, 2015

1:00 – 3:30 p.m.

Lewis Cass Building
3rd Floor Conference Room

Members Participating: Basil, Darlene, Liz, Margaret, Mark, Michelle, Sue, Vendella

Staff: John, Cynthia, Andy

The meeting was called to order at 1:05 p.m.

The draft agenda was approved (M/S: Margaret/Basil), as were minutes of the previous committee meeting (M/S: Vendella/Margaret).

A letter from MDHHS Director Lyon to the committee chair, acknowledging receipt of a budget letter from the committee to the director, was distributed.

Officer elections for 2016 were held. On advice of staff, voting was restricted to those attending in-person, and Sue was not yet present for this portion of the meeting.

Nominees for chair were Michelle, Darlene, and Wayne. Michelle was unanimously elected (Basil, Darlene, Margaret, Mark, Michelle, Vendella). Nominees for vice-chair were Darlene, Sue, Basil, and Rosemary. Darlene was elected with five votes (Basil, Darlene, Mark, Michelle, Vendella), while Margaret voted for Sue.

In the ORR Director's report, John stated the office would be approved for a 2016 floater position among state hospitals. He added that Raymie is swamped with arbitration hearings post-Kalamazoo, and the department is still considering new hospital rights standards post-Kalamazoo.

Cynthia reported on her work with state hospital directors. The department's rights policies have been reviewed. Among issues of attention are separate grievance policies among hospitals, and procedures regarding facility director disagreement with a rights conclusion.

John and Mark reported on the Snyder administration's new ad hoc work group on guardianship issues, under the aegis of the state's Diversion Council. The effort has been given a somewhat narrow focus, looking at the respective populations of adults with mental illness, persons with developmental disability, and minors. For each sub-

population, the work group was asked if current law should be changed with respect to guardian authority to consent to treatment; and steps that might be taken when a ward refuses recommended treatment. Additional points raised by members have been ruled beyond the work group's scope, but will be brought to the attention of the Diversion Council.

The work group has recommended a new, separate task force be formed regarding minors; no changes to current law on DD guardianship; and two law revisions on guardianship law for adults with mental illness. These are: 1) a guardian can consent to mental health treatment; 2) if the ward refuses recommended treatment, a new option for guardians to explore with courts would be application of assisted outpatient treatment.

Materials related to other staff reports were in members' packets. Andy noted a new Detroit-Wayne online training format. He felt it needs some work, and Andy is involved with that. He also said next fall's statewide rights conference would likely be in Jackson or Flint.

In public comment, there was a written statement that the current chair of the committee should be removed from the committee.

Members raised questions as to whether we would be opening up the bylaws and the so-called Murphy Bill in Congress. Regarding bylaws, Michelle expressed the thought they should be revisited. On the Murphy Bill, Mark gave some background info (among other points, more federal support for assisted outpatient treatment, more emphasis in SAMHSA on severe mental illness, and more information-sharing with family members), and Liz said she would distribute some new materials she had just received on the issue.

John thanked the Chair, whose committee term has expired and who does not wish an additional term, for his past work on the committee.

The meeting was adjourned at 3:00 p.m.

Respectfully submitted,
Mark Reinstein