



OFFICE of RECIPIENT RIGHTS

2019 Semi-Annual Report Statistical Analysis of CMH and LPH Data

The rights of every man are diminished when the rights of one man are threatened.

John F. Kennedy



INTRODUCTION

The Michigan Mental Health Code §330.1754 indicates that: (6) The state office of recipient rights shall do all of the following: (I) Review semiannual statistical rights data submitted by community mental health services programs and licensed hospitals to determine trends and patterns in the protection of recipient rights in the public mental health system and provide a summary of the data to community mental health services programs and to the director of the department.

Consistent with that mandate, the MDHHS Office of Recipient Rights presents the semi-annual statistical report for the period October 1, 2018 – March 30, 2019. Questions pertaining to this report may be directed to the Office of Recipient Rights:

MDHHS-RecipientRights@michigan.gov.

John T. Sanford

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DEFINITIONS:

"Community Mental Health Services Program" (CMHSP) means a program, operated under Chapter 2 of the Michigan Mental Health Code, as a county community mental health agency, a community mental health authority, or a community mental health organization.

"Hospital" (LPH)... means an inpatient program operated by the department for the treatment of individuals with serious mental illness or serious emotional disturbance or a psychiatric hospital or psychiatric unit licensed under section 330.1137 of the Michigan Mental Health Code.

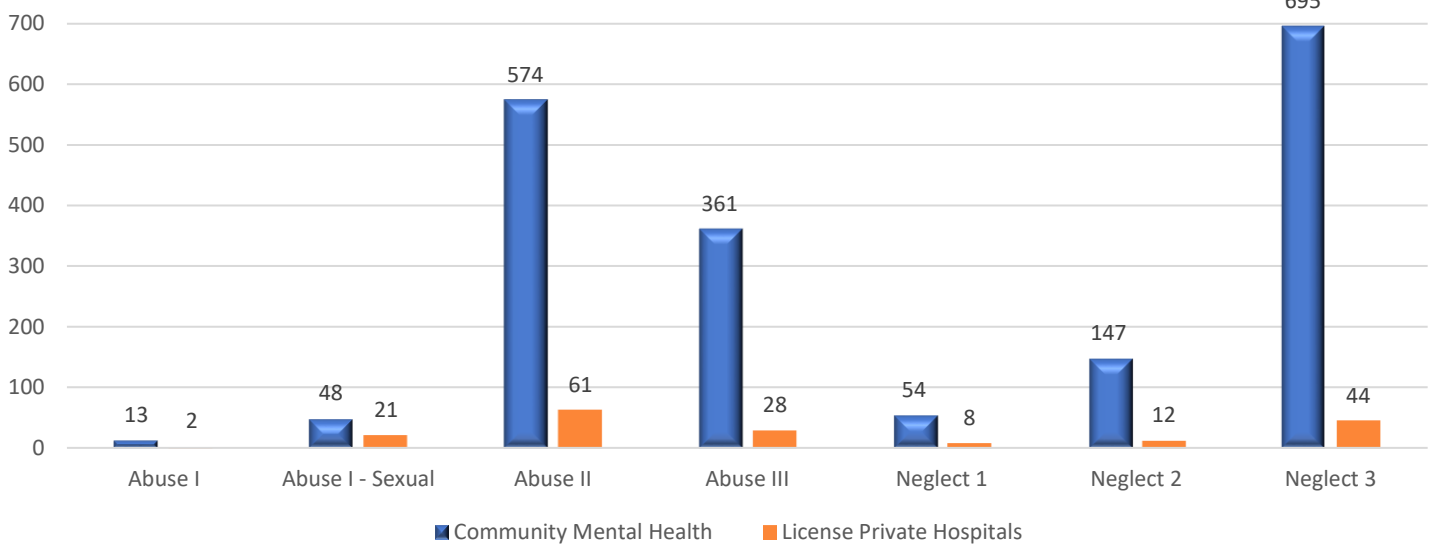
"Intervention": To act on behalf of a recipient to resolve a complaint alleging a violation of a code protected right when the facts are clear and the remedy, if applicable, is clear, easily obtainable within 30 days, and does not involve statutorily required disciplinary action. Interventions, at a minimum, must contain the following elements: the specific action taken by ORR, on behalf of the complainant, to resolve the complaint, identification of the code protected right, a statement indicating whether the allegation of a rights violation is substantiated or not substantiated. Additionally, if the allegation is substantiated, the specific remedial action taken is identified.

"Investigation": A detailed inquiry into and systematic examination of an allegation raised in a rights complaint, as outlined in 330.1778 of PA 258 of 1974.

BASIC RESPONSIBILITIES OF THE OFFICE OF RECIPIENT RIGHTS:

- 5) Each office of recipient rights established under PA 258 of 1974 shall do all of the following:
- (a) Provide or coordinate the protection of recipient rights for all directly operated or contracted services.
 - (b) Ensure that recipients, parents of minor recipients, and guardians or other legal representatives have access to summaries of the rights guaranteed by this chapter and chapter 7a and are notified of those rights in an understandable manner, both at the time services are initiated and periodically during the time services are provided to the recipient.
 - (c) Ensure that the telephone number and address of the office of recipient rights and the names of rights officers are conspicuously posted in all service sites.
 - (d) Maintain a record system for all reports of apparent or suspected rights violations received within the community mental health services program system or the licensed hospital system, including a mechanism for logging in all complaints and a mechanism for secure storage of all investigative documents and evidence.
 - (e) Ensure that each service site is visited with the frequency necessary for protection of rights but in no case less than annually.
 - (f) Ensure that all individuals employed by the community mental health services program, contract agency, or licensed hospital receive training related to recipient rights protection before or within 30 days after being employed.
 - (g) Review the recipient rights policies and the rights system of each provider of mental health services under contract with the community mental health services program or licensed hospital to ensure that the rights protection system of each provider is in compliance with this act and is of a uniformly high standard.
 - (h) Serve as consultant to the executive director or hospital director and to staff of the community mental health services program or licensed hospital in matters related to recipient rights.
 - (i) Ensure that all reports of apparent or suspected violations of rights within the community mental health services program system or licensed hospital system are investigated in accordance with section 778 and that those reports that do not warrant investigation are recorded in accordance with subdivision (d).
 - (j) Semiannually provide summary complaint data consistent with the annual report required in subsection (6), together with a summary of remedial action taken on substantiated complaints by category, to the department and to the recipient rights advisory committee of the community mental health services program or licensed hospital

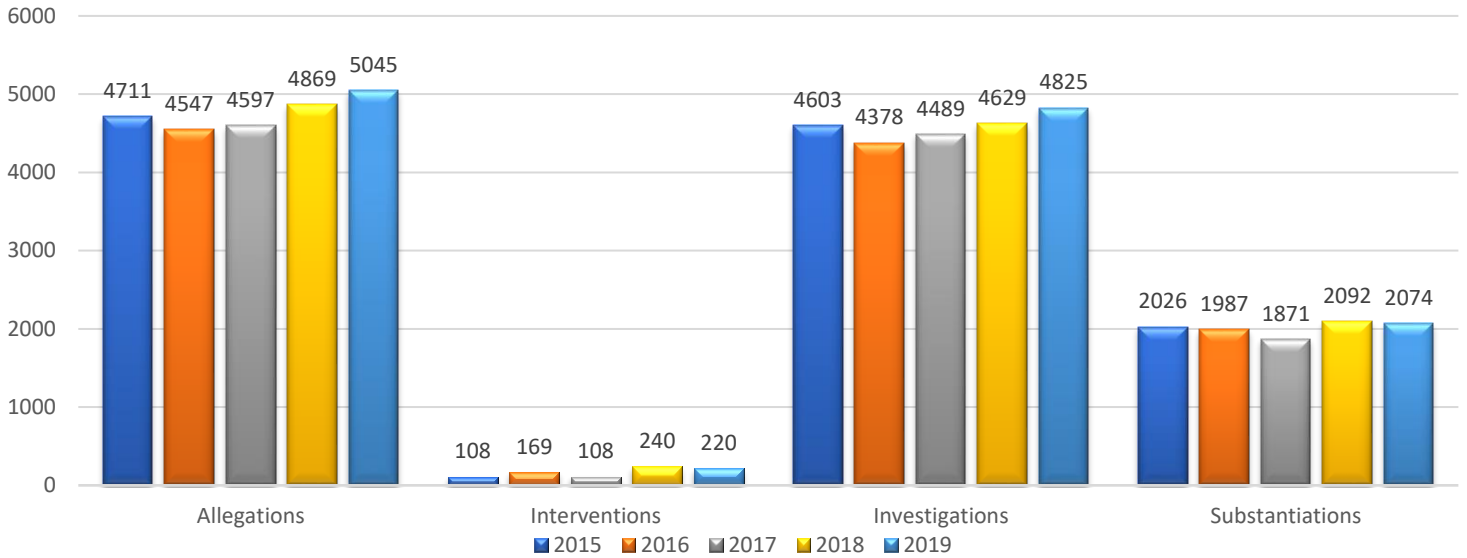
Abuse and Neglect Allegations by Agency Type October 2018 - June 2019



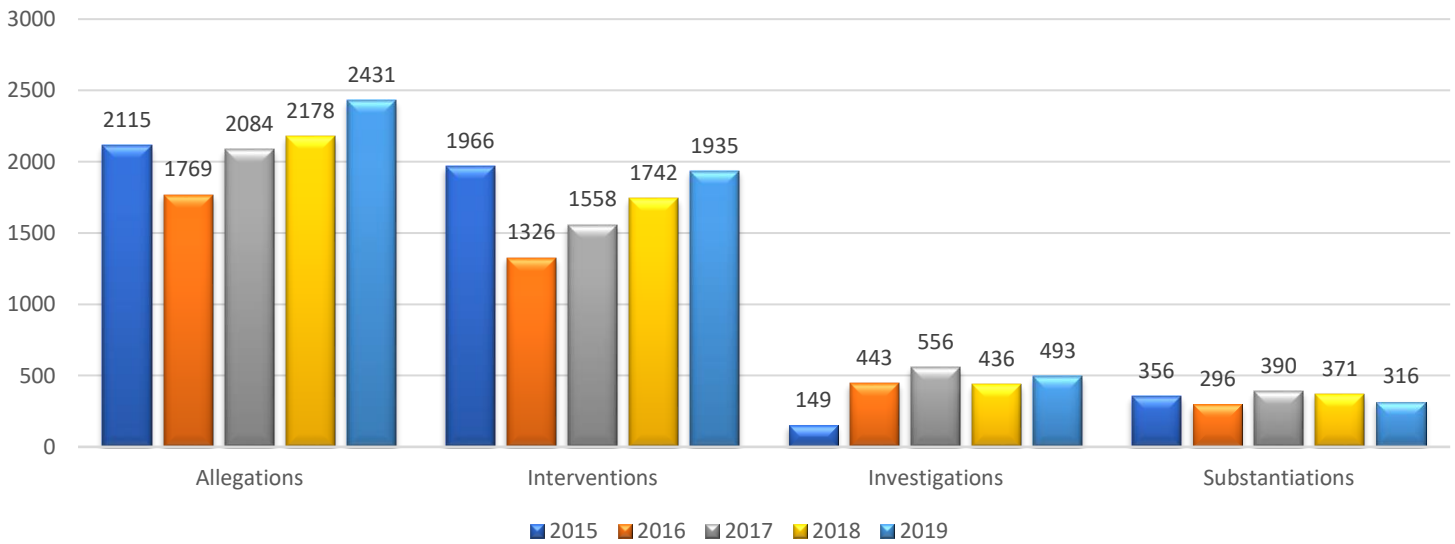
(a) "Abuse class I" means a nonaccidental act or provocation of another to act by an employee, volunteer, or agent of a provider that caused or contributed to the death, or sexual abuse of, or serious physical harm to a recipient. (b) "Abuse class II" means any of the following: (i) A non-accidental 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. (c) "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.

(i) "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. (j) "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. (k) "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 II of a recipient.

CMH 5 YEAR COMPLAINT DATA



LPH 5 YEAR COMPLAINT DATA



CMHSP	Persons Served Unduplicated Count	Rights Office Staffing FTE	Allegations (excluding 0000/0001)	Investigations	Investigations Substantiated	Interventions	Interventions Substantiated
Allegan County CMH Services	1,771	2.20	150	138	31	12	4
AuSable Valley CMHA	2,081	1.50	40	36	16	4	2
Barry County CMHA	836	1.00	3	3	3	0	0
Bay-Arenac Behavioral Health	4,573	2.75	70	62	26	8	7
Berrien MHA-Riverwood	5,186	1.60	27	19	13	8	4
Centra Wellness Network	983	1.50	18	14	10	4	2
CMH & SA Services of St Joseph	1,223	1.50	18	16	6	2	0
Clinton Eaton Ingham	8,080	4.00	64	64	21	0	0
CMH for Central Michigan	7,695	5.80	151	151	53	0	0
CMH of Ottawa County	2,349	1	23	23	5	0	0
Copper Country CMH Services	736	0.60	27	27	5	0	0
Detroit Wayne Mental Health Authority	51,986	33.00	668	668	263	0	0
Genesee Health System	8,975	6.00	217	206	80	11	11
Gogebic Community Mental Health Authority	427	0.25	3	3	3	0	0
Gratiot Integrated Health Network	1,310	1.00	9	7	4	2	0
HealthWest	5,396	2.00	97	97	67	0	0
Hiawatha Behavioral Health	1,083	1.40	15	12	10	3	0
Huron Behavioral Health Services	1,019	0.50	4	4	2	0	0
Kalamazoo CMH & SA Services	4,875	6.00	357	264	111	93	11

CMHSP	Persons Served Unduplicated Count	Rights Office Staffing FTE	Allegations (excluding 0000/0001)	Investigations	Investigations Substantiated	Interventions	Interventions Substantiated
Lapeer County CMH Services	1,480	1.00	19	9	7	10	0
Lenawee County CMH Authority	1,562	1.25	51	51	25	0	0
Lifeways CMH	5,619	4.00	161	161	70	0	0
Livingston County CMH Services	1,765	2.00	83	82	24	1	1
Macomb County CMH Services	13,728	16.50	789	789	320	0	0
Monroe CMH Authority	2,069	2.00	84	84	50	0	0
Montcalm Care Network	1,462	1.25	25	15	10	10	5
network180	11,339	4.25	176	171	61	5	0
Newaygo County CMH Services	1,505	1.00	18	15	4	3	3
North Country CMH	2,978	2.00	57	52	31	5	2
Northeast Michigan CMH Authority	1,868	2.00	34	33	21	1	1
Northern Lakes CMH	3,986	4.00	138	133	78	5	4
Northpointe Behavioral Healthcare Systems	1,486	1.00	30	29	18	1	0
Oakland Community Health Network	20,198	16.00	414	413	166	1	1
Pathways	2,172	3.00	147	141	52	6	2
Pines Behavioral Health Services	1,544	0.60	53	51	17	2	2
Saginaw County CMH Authority	5,842	3.00	93	92	50	1	0
Sanilac County CMH Services	1,053	1.20	52	45	31	7	1
Shiawassee County CMH Services	1,192	2.00	35	31	15	4	4
St Clair County CMH Services	3,557	2.50	79	79	36	0	0

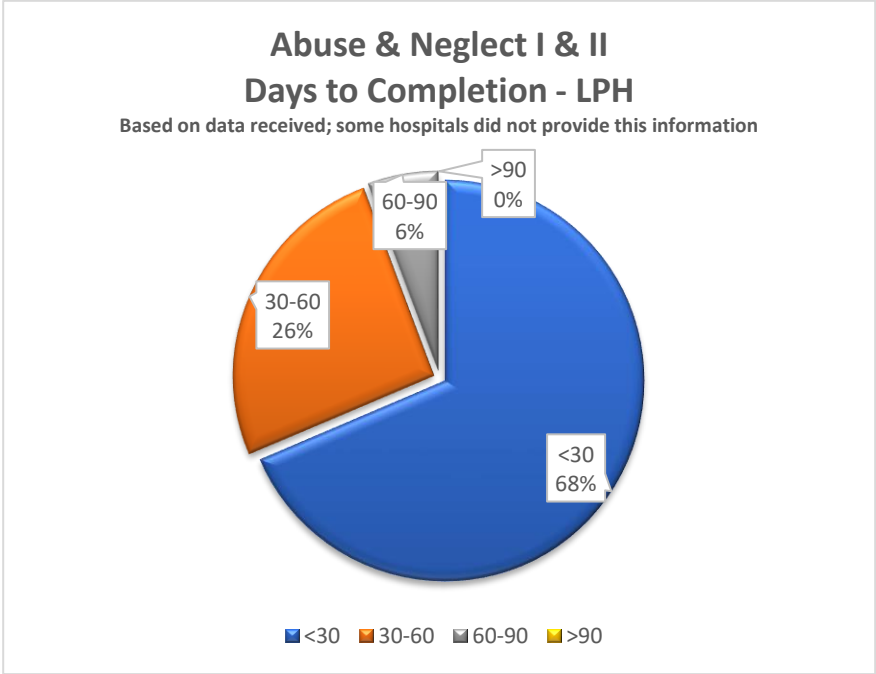
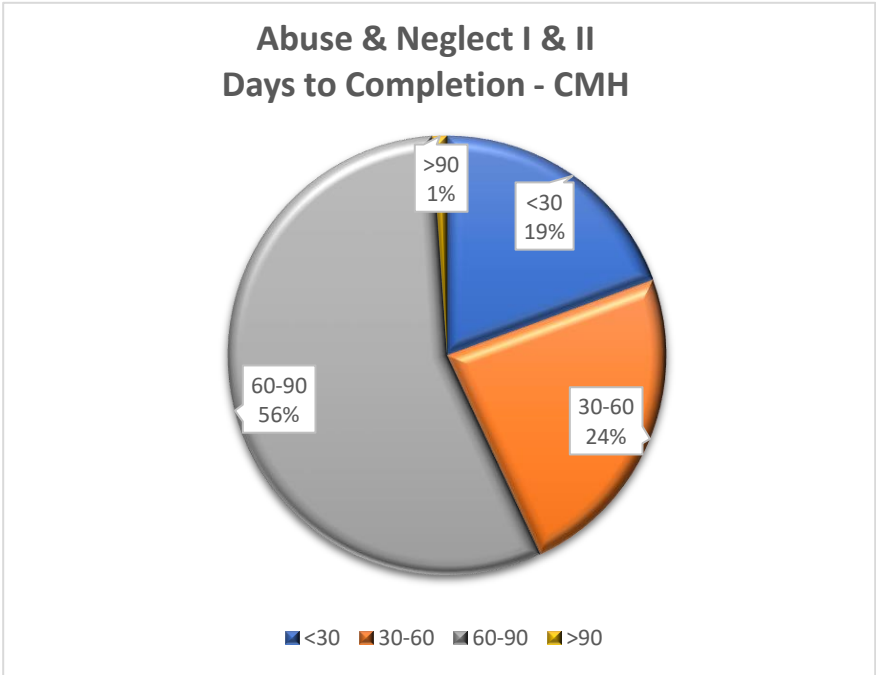
CMHSP	Persons Served Unduplicated Count	Rights Office Staffing FTE	Allegations (excluding 0000/0001)	Investigations	Investigations Substantiated	Interventions	Interventions Substantiated
Summit Pointe Behavioral Health	9,715	3.00	190	190	119	0	0
The Right Door for Hope, Recovery and Wellness	1,722	1.00	26	25	11	1	0
Tuscola Behavioral Health Systems	1,030	1.00	82	82	51	0	0
Van Buren CMH Authority	2,362	1.00	8	5	2	3	1
Washtenaw County CMH	3,951	4.00	190	190	57	0	0
West Michigan CMH	1,959	1.00	25	18	10	7	6
Woodlands	984	1.00	25	25	9	0	0
TOTALS	216,643	156.15	5045	4825	2074	220	74

LPH	Admissions	# Hours/40	Allegations excluding 0000 or 0001	Number of Investigations	Number of Substantiated Allegations	Number of Interventions	Number of Substantiated Interventions
Ascension Borgess Hospital	723	16.00	11	1	0	10	0
Ascension Macomb-Oakland Hospital - Madison Heights Campus	356	5.00	13	1	0	12	1
Ascension Macomb-Oakland Hospital - Warren Campus	461	5.00	17	1	0	16	1
Ascension Providence Hospital	222	20.00	46	6	2	40	5
Ascension Providence Rochester	412	24.00	25	5	1	20	1
Ascension St John Hospital	335	10.00	36	10	5	26	4
Beaumont Hospital - Farmington Hills	319	15.00	3	2	0	1	1
Beaumont Hospital - Royal Oak	319	5.00	8	0	0	8	0
Beaumont Hospital - Taylor	396	40.00	131	131	6	0	0
Behavioral Center of Michigan	7,207	40.00	46	4	2	42	13
Bronson Battle Creek - Field Stone	308	24.00	98	19	8	79	14
Bronson Lakeview Hospital	92	2.00	2	2	1	0	0
Cedar Creek Hospital	702	10.00	3	1	1	2	1
DMC Detroit Receiving Hospital	No report submitted						
DMC Sinai-Grace Hospital	369	1.00	29	2	2	27	5
ForestView Psychiatric Hospital	1,769	25.00	90	9	0	81	34
Harbor Oaks Hospital	1,202	60.00	129	23	14	106	21
Havenwyck Hospital	4,097	2.00	250	6	1	244	30
HealthSource Saginaw	1,550	40.00	343	52	20	291	12
Henry Ford Allegiance Health	604	48.00	50	4	2	46	15
Henry Ford Kingswood Hospital	1,845	40.00	154	34	6	120	31
Henry Ford Macomb Hospital	855	1.00	92	13	12	79	5
Henry Ford Wyandotte Hospital	515	40.00	40	4	2	36	1
Hillsdale Hospital	183	8.00	3	3	0	0	0
Holland Hospital	303	6.00	12	11	2	1	0
Hurley Medical Center	501	8.00	10	10	1	0	0
McLaren - Bay Region	475	4.00	4	3	2	1	0
McLaren - Flint	558	16.00	1	0	0	1	0
McLaren - Greater Lansing	54	1.00	4	3	0	1	1
McLaren - Lapeer Region	200	5.00	6	6	1	0	0

LPH	Admissions	# Hours/40	Allegations excluding 0000 or 0001	Number of Investigations	Number of Substantiated Allegations	Number of Interventions	Number of Substantiated Interventions
McLaren - Oakland	299	40.00	65	6	6	59	4
McLaren - Port Huron	352	20.00	37	5	0	32	1
Memorial Healthcare - Owosso	417	20.00	4	2	2	2	0
Mercy Health Partners - Hackley	569	16.00	48	7	1	41	4
Mercy Health St Mary's	309	16.00	13	1	0	12	1
Michigan Medicine	783	37.50	18	18	7	0	0
MidMichigan Medical Center - Alpena	206	8.00	2	0	0	2	0
MidMichigan Medical Center - Gratiot	513	22.50	43	7	0	36	6
MidMichigan Medical Center - Midland	371	8.00	45	1	1	44	2
Munson Medical Center	325	40.00	71	3	2	68	3
Oaklawn Hospital	225	8.00	8	1	0	7	3
Pine Rest Christian Mental Health Services	3,582	60.00	62	3	3	59	0
Pontiac General Hospital	697	40.00	26	2	1	21	0
Promedica Coldwater Regional Hospital	463	3.00	6	6	2	0	0
ProMedica Monroe Regional Hospital	242	20.00	6	0	0	6	4
Samaritan Behavioral Center	641	40.00	25	9	4	16	5
Sparrow-St Lawrence Hospital	619	40.00	18	13	1	5	1
Spectrum Health Lakeland Hospital	433	1.00	3	0	0	3	1
St Joseph Mercy Hospital	483	24.00	4	0	0	4	2
St Joseph Mercy Hospital - Chelsea	389	18.00	3	0	0	3	2
St Joseph Mercy Hospital - Oakland	373	20.00	37	1	0	36	3
St Mary Mercy Hospital	439	20.00	28	2	0	26	5
StoneCrest Center	2,377	40.00	113	12	4	101	25
UP Health System - Marquette	333	16.00	5	0	0	5	0
War Memorial Hospital	539	20.00	85	28	14	57	48
TOTALS	42911	1119	2431	493	139	1935	316

TIME FRAMES FOR COMPLETION OF INVESTIGATIONS (ABUSE I & II/NEGLECT I & II)

The Mental Health Code requires completion of an investigation within 90 days



CMH

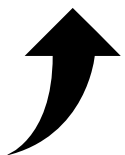
LPH



7% increase in complaint allegations since 2015



15% increase in complaint allegations since 2015



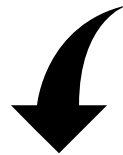
5% increase in complaint investigations since 2015



231% increase in complaint investigations since 2015



1% increase in substantiated complaint allegations since



11% decrease in substantiated complaint allegations since 2015



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