



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ROBERT GORDON
DIRECTOR

RECIPIENT RIGHTS ADVISORY COMMITTEE

FINAL MINUTES

May 13, 2021

1:00 PM – 3:30 PM

via Microsoft Team meeting due to Pandemic

MEMBERS PRESENT: Jennifer Gorman (chair), Norman DeLisle (vice-chair), Dianne Baker, Vendella Collins, Liz Healy, Liz O'Dell, Margaret Stooksberry, Shaun Thompson, and Tish Watson

MEMBERS ABSENT: Dr. Robert Lagrou (unexcused) and Price Pullins (excused)

ORR STAFF PRESENT: Andrew Silver and Julie Markham (recorder)

PUBLIC PRESENT: Sean Bennett

OPENING REMARKS

Jennifer Gorman

- Call to Order
 - The meeting was called to order at 1:06 PM
- Approval of Agenda
 - The agenda was approved, *with correction to the date from March 13, 2021 to May 13, 2021*, by motion of Dianne Baker and second from Shaun Thompson and with roll call for members present, except for Liz O'Dell (not yet present) and Dianne Baker (inadvertently missed).
- Approval of Meeting Minutes – March 2021
 - The minutes from the March 13, 2021 meeting were approved, *with correction of title from agenda to minutes*, by motion of Dianne Baker and second by Liz Healy and roll call for members present, except for Liz O'Dell (not yet present).

NEW BUSINESS

Jennifer Gorman

- Bylaw Review
 - Discussion of changes in language or additions are needed, specifically for public comments, to give structure, limit the amount of time the public addresses the committee, and limit public comments to rights protection issues only. Jennifer asked for participants willing to meet and discuss as a subcommittee that will meet before the next regularly scheduled RRAC meeting.
- RRAC Opening
 - There is an open seat on the committee with Basil Scott's departure. Members agreed there are already enough rights advisors on the committee. Discussion was held to invite more consumers to the committee. Jennifer will send out a memo to recipient rights advisors to forward to their advisory committees for candidate suggestions.

DIRECTOR UPDATES/REPORT

Raymie Postema

- ORR is finalizing the Inter-agency Agreement with LARA to complete assessments of the LPH/U's recipient rights systems. Projecting a July 1, 2021 start date.
Discussion:
Next steps are to develop a process and hire someone to do the job. The assessments will be similar in nature to CMH assessments, with mandatory training for all CEOs. There is a previously developed pilot for same, specific to private psychiatric hospitals, that can be reviewed.
- ORR has been charged with operationalizing the new requirements in sec. 720 and sec. 721 of the MHC. A new notification of deaths form has been sent to all LPHs and state hospitals and ORR will complete required investigations and annual reports.
- Theresa Randleman has retired as of 5/1/21. We wish her well in her next adventures.
Discussion:
Assisted committee for many years. Jennifer Gorman will send card of thanks.
- Revised language for HB 4057 related to revising sec. 740 and sec. 742 (restraint and seclusion) has been sent to MDHHS Legislative Services to present to Rep. Anthony.
- SB 191 (<http://legislature.mi.gov/doc.aspx?2021-SB-0191>), expanding authorizations by nurse practitioners, PA's, etc. passed by Senate and referred to House Policy Committee.

➤ **Education, Training and Compliance Unit**

Andrew Silver

ETU Report:

- Virtual assessments going well. Most agencies are being helpful.
- Sanctions recommended for Woodlands for third violations in a row.
- Training going well.
- Improving Michigan Practices is a new online course.
- Rights Conference: PreCon Sept 13th and 14th and rest of conference follows the next week. Good sessions. Virtually improved over last year; going with different vendor this year.
- Training plan is to go back to in-person training in future. Conference will probably go hybrid.

➤ **Investigation Unit**

Andrew Silver

- Oct to Dec. 1st quarter: Caro 126 complaints, 5 substantiated, CFP 76 complaints, 4 substantiated, Hawthorn Center 49 complaints, 10 substantiated, CFP 87 complaints with 1 substantiated, WRPH 87 complaints with 1 substantiated.
- Question was asked as to how many interviews are done face-to face as opposed to virtual and which criteria is being used. Since the Director of Hospital and Community Investigations was not present this question will be move to the July agenda.
- Question was raised as to whether all staff were vaccinated. Since the Director of Hospital and Community Investigations was not present this question will be move to the July agenda.

OLD BUSINESS

Jennifer Gorman

- Subcommittee information regarding proposed changes to Chapter 7.
 - Recommended changes should go to Raymie and her team; recommendations should come from ORR to legislature.

Page 3

- Committee did identify and pass along to Raymie to further perfect language for:
 - 1712 Individual Plan of Service--plan timeframes. Lack of clarity of discharge planning.
 - 1713. Choice of physician or mental health professional. Does not include state hospitals. Justification for denial in writing.
 - Seclusion and Restraint taken off list of recommended changes because of pending Senate bill.
 - Psychotropic medications. Med consent forms, dosages, and rationalizations.
 - 1708 Suitable Services. Not in rules. Right to shave.
 - 1726 Communication. Mail and telephone outdated. Capability of computer or devices for communication.
 - Use Medicaid manual to define timelines. Do not want code to say something different than the standards of the Medicaid manual.

Additional Business

None

Committee

Public Comment

Mr. Bennett was not online at time of Public Comment but had prior conversation with Jennifer Gorman. Mr. Bennett's concerns include changes to the Mental Health Code regarding informed consent and forcing medications. HB 4507 may give further clarification and address Mr. Bennett's concerns.

Additional Items for Next Meeting

Bylaw revision discussion and vote.

Adjournment

Meeting adjourned at 1:56 PM; adjournment motioned by Liz Healy and seconded by Margaret Stooksberry.