

## PATHWAYS CMH

<b>POLICY TITLE:</b> COMMUNICATION BY MAIL, TELEPHONE AND VISITS	<b>CATEGORY:</b> RECIPIENT RIGHTS	
<b>EFFECTIVE DATE:</b> July 6, 2005	<b>BOARD APPROVAL DATE:</b> July 6, 2005	
<b>REVIEW DATE:</b> December 30, 2019	<b>REVISION(S) TO POLICY STATEMENT:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>OTHER REVISION(S):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>RESPONSIBLE PARTY:</b> Recipient Rights Supervisor or Designee	<b>CEO APPROVAL:</b> Mary J. Swift, CEO	

### **APPLIES TO:**

Employees, volunteers and contractual providers of Pathways CMH

### **POLICY:**

It is the policy of the Pathways Board that residents are entitled to unimpeded, private, and uncensored communication with others by mail and telephone, and to visit with persons of his or her choice unless limited by house rules or the Individual Plan of Service.

The following standards shall be adhered to:

- A. A facility shall:
1. Make telephones for incoming and outgoing calls reasonably accessible;
  2. Ensure that correspondence can be conveniently and confidentially received and mailed;
  3. Make space available for visits;
  4. Provide reasonable amounts of writing materials, telephone usage funds, and postage for residents who are unable to procure such items.
- B. If times and places for the use of telephones and for visits are established, they shall be reasonable, in writing and posted on each living unit of a residential program.
- C. The right of a resident to communicate by mail or telephone or to receive visitors shall not be further limited except as authorized in the resident's individual plan of services.
- D. Limitations on communication do not apply to a resident and an attorney, court or any other individual if the communication involves matters that may be subject of legal inquiry.
- E. If a resident is able to secure the services of a mental health professional, he or she shall be allowed to see the professional at any reasonable time.

### **PURPOSE:**

To protect the rights of recipients

### **DEFINITIONS:**

#### Facility

A residential facility for the care or treatment of individuals with serious mental illness, serious emotional disturbance, or developmental disability that is either a state facility or a licensed facility.

#### Legal inquiry

Any matter concerning civil, criminal, or administrative law.

Primary clinician

The staff member in charge of implementing the Resident's plan of service.

Reasonable time

Hours of the day that does not seriously tax the effective functioning of the facility.

**REFERENCES:**

Act 258 of the Public Acts of 1974, as amended (Mental Health Code), Section 726 (2), 726 (3), 726 (4), 726 (5) and 715.

Michigan Department of Community Health Administrative Rules 7199 (2) (g), 7199 (4)(5)

**HISTORY:**

Dates Reviewed: May 2011; August 2011; July 11, 2013; July 11, 2014; May 5, 2015, April 19, 2016; April 15, 2017; March 26, 2018; December 30, 2019

Dates Revised: May 2011; August 2011; July 11, 2013

Dates Approved: July 6, 2005

## **PROCEDURES:**

### **A. House Rules**

The home manager will post a written copy of the house rules in an area that is accessible to residents and provide a copy if requested.

### **B. Mail**

The home manager will ensure that:

1. An instance of staff opening or destroying a resident's mail is documented in the resident's clinical record.
2. The facility has a postal box or there is daily pick up and deposit of mail.

### **C. Limitations**

If there is a reason for a communication limitation, the primary clinician will:

1. Discuss and explain the need for the limitation during the Person Centered Planning Process.
2. Document the following in the resident's Plan of Service:
  - a. The specific limitation;
  - b. The justification for its adoption;
  - c. The purpose the limitation is intended to achieve;
  - d. The persons or entities involved;
  - e. The date it expires;
  - f. The date the explanation was given.
3. Notify the resident, parent of a minor, or guardian of the appeal process.
4. Review the limitation in conjunction with the Person Centered Planning Meeting (at least annually) and remove it when the circumstance that justified its adoption ceases to exist;
5. Notify the resident, parent of a minor or guardian of the removal of any limitation.

### **D. Appeals**

1. If the recipient, parent of a minor, or guardian asks for a review of any communication limitations, its justification, extent, or duration:
  - a. The primary clinician will request his or her supervisor to conduct a review;
  - b. The reviewing party will notify the individual of the decision within 14 days and document it in the resident's record.
2. If the appellant is dissatisfied, he or she may submit a complaint to the Recipient Rights Office, verbally or in writing.