

PATHWAYS CMH

POLICY TITLE: Freedom of Movement	CATEGORY: Recipient Rights	
EFFECTIVE DATE: May 2, 2007	BOARD APPROVAL DATE: May 2, 2007	
REVIEWED DATE: December 30, 2019	REVISION(S) TO POLICY STATEMENT: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OTHER REVISION(S): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
RESPONSIBLE PARTY: Recipient Rights Supervisor or Designee	CEO APPROVAL: Mary J. Swift, CEO	

APPLIES TO:

Employees, volunteers and contractual providers of Pathways CMH.

POLICY:

It is the policy of the Pathways Board that the freedom of movement of a recipient shall not be restricted more than is necessary to provide mental health services, to prevent injury to self or others, or to prevent substantial property damage.

The following standards shall be adhered to:

- A. A recipient shall receive services in the least restrictive setting that is appropriate for that recipient.
- B. The freedom of movement of a recipient shall not be restricted more than is necessary to provide mental health services to the recipient, to prevent injury to self or others, or to prevent substantial property damage, except that security precautions appropriate to the condition and circumstances of an individual admitted by order of a criminal court or transferred as a sentence-serving convict from a penal institution may be taken.

PURPOSE:

To protect the rights of recipients

DEFINITIONS:

Restriction: Constraint of a right for an individual recipient within the provisions of the Mental Health Code and Administrative Rules.

Primary Clinician: The staff member in charge of implementing the recipient's plan of service.

Substantial Property Damage: Damage over \$100

REFERENCES:

MCL 330.712 and 744. MI Administrative Code R 330.7199(2)(9), (4) and (5);
Pathways Clinical Directives

HISTORY:

Dates Reviewed: June, 2001; July 11, 2013; July 11, 2014; May 5, 2015; April 19, 2016; April 15, 2017; March 26, 2018; December 30, 2019
Dates Revised: June, 2011; July 11, 2013
Dates Approved: May 2, 2007

PROCEDURES:

A. Placement

The appropriateness of the recipient's placement shall be addressed as part of the person-centered planning process.

B. Restrictions

1. The recipient's freedom of movement may be restricted only if the restriction is essential for one of the following purposes:
 - a. In order to prevent injury to the recipient or others;
 - b. In order to prevent substantial property damage.
2. The need for the restriction will be reviewed using the person centered planning process.
3. There will be no restrictions on a resident's freedom of movement, unless it is in a behavior plan and reviewed by the Behavior Treatment Committee.
4. The primary clinician will
 - a. Explain the limitation to the resident, parent of a minor, or guardian and place the following documentation in the resident's record.
 1. The specific limitation;
 2. The justification for its adoption;
 3. The date it expires;
 4. The date the explanation was given;
 - b. Notify the resident, parent of a minor, or guardian of the appeal process;
 - c. Review the limitation at least annually and remove it when the circumstance that justified its adoption ceases to exist;
 - d. Notify the resident, parent or a minor, or guardian of the removal. Any restriction on freedom of movement of a recipient will be removed when the circumstance that justified its adoption ceases to exist.

C. Review

If the resident, parent of a minor, or guardian disagrees with a limitation or the expiration date of a limitation the clinician will provide them with information on the Pathways Grievance and Appeals Process, including Recipient Rights Complaint Process.