

## PATHWAYS CMH

<b>POLICY TITLE:</b> Notification of Recipient Rights	<b>CATEGORY:</b> Recipient Rights	
<b>EFFECTIVE DATE:</b> April 28, 2003	<b>BOARD APPROVAL DATE:</b> April 28, 2003	
<b>REVIEWED DATE:</b> April 15, 2017	<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 all applicants, recipients, parents with legal custody of minor recipients, and guardians are notified of their rights.

### **PURPOSE:**

To ensure that all applicants, recipients, parents with legal custody of minor recipients, and guardians are notified of their rights.

### **DEFINITIONS:**

#### Accurate summary of rights

A written summary of Chapters 7 and 7a of the Mental Health Code which includes the name, address, and telephone number of a staff of the Office of Recipient Rights.

#### Applicant

An individual or his or her legal representative who makes a request for mental health services.

#### Guardian

A person appointed by the court to exercise specific powers over an individual who is a minor, legally incapacitated, or developmentally disabled.

#### Recipient

An individual who receives mental health services from Pathways or from a provider that is under contract with Pathways.

### **REFERENCES:**

- A. Act 258 of the Public Acts of 1974, as amended (Mental Health Code) Sections 100a, 100b, 100c, 706, 755
- B. Department of Community Health Administrative Rule 7011

### **HISTORY:**

Dates Reviewed: May 2008; July 2011; April 2013; July 11, 2013; July 11, 2014; May 5, 2015; April 19, 2016; April 15, 2017

Dates Revised: April 2008; July 2011; July 11, 2013

Dates Approved: April 28, 2003

## PROCEDURES

- A. An employee who is assigned the responsibility of notifying applicants, recipients, parents with legal custody of minor recipients, and guardians or other legal representatives about recipients rights shall:
  - 1. Verbally inform the individual about recipient rights in an understandable manner and provide an accurate summary of rights at the time services are first requested;
  - 2. Obtain written verification of such notification to be filed in the recipient's record.
  - 3. Distribute information regarding the Pathways' provider list to the recipient, parent with legal custody, or guardian.
- B. Pathways will send an accurate summary of rights with the annual financial update.
- C. If the individual is unable to read or understand the material for any reason, staff shall make a reasonable attempt to assist the recipient in understanding the materials. This may include, but is not limited to: illiteracy, perceptual difficulties, or visual impairment.
- D. If the individual uses sign language or any language other than English, Pathways shall arrange for a translator to provide the explanation within a reasonable period of time.
- E. If the individual is emotionally upset and unable to comprehend the explanation, it may be delayed until a more clinically suitable time.
- F. When a special explanation is given, or when notification is delayed for any reason, it shall be documented in the recipient's record.
- G. If a minor 14 years of age or older is receiving mental health services without the consent or knowledge of the minor's parent, guardian, or person in loco parentis, only the minor recipient will be notified of recipient rights.
- H. The Office of Recipient Rights shall:
  - 1. Have a complete copy of Chapters 7 and 7a readily available for review by applicants, recipients, parents, and guardians;
  - 2. Provide the summary in an available alternate format if requested.