

PATHWAYS CMH

POLICY TITLE: Recipient Rights Advisory Committee	CATEGORY: Recipient Rights	
EFFECTIVE DATE:	BOARD APPROVAL DATE:	
REVIEW DATE: June 6, 2020	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:

Pathways CMH and the Pathways Recipient Rights Advisory Committee

POLICY:

It is the policy of the Pathways Board that a Recipient Rights Advisory Committee be appointed by the Board.

PURPOSE:

To protect the integrity of the Office of Recipient Rights

DEFINITIONS:

Family member

A parent, stepparent, spouse, sibling, child, or grandparent of a primary consumer, or an individual upon whom a primary consumer is dependent for at least 50% of his or her financial support.

Primary consumer

An individual who has received or is receiving services from the Department of Health and Human Services, Pathways, or its contract agencies, or services from the private sector equivalent to those offered by the Department of Health and Human Services, Pathways, or its contract agencies.

REFERENCES:

- A. Act 258 of the Public Acts of 1974, as amended (Mental Health Code) Sections 755 757
- B. Act 267 of the Public Acts of 1976 (Open Meetings Act)

HISTORY:

Dates Reviewed: May 2008; July 2011; July 11, 2013; July 11, 2014; May 5, 2015; April 19, 2016; April 15, 2017; March 26, 2018; June 6, 2020

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

Dates Approved:

PROCEDURES:

I. PATHWAYS BOARD BYLAWS

As a standing committee of the Pathways Community Mental health Board, the Recipient Rights Advisory Committee shall abide by the current bylaws of the Board.

II. MEMBERSHIP

- A. The Pathways Board shall appoint a Recipient Rights Advisory Committee consisting of twelve members. Appointments shall be based upon recommendations from the existing Committee. The membership of the Committee shall be broadly based so as to best represent the varied perspectives of the Pathways geographic area. At all times the Committee shall have a minimum of six current members.
- B. At least one third of the membership shall be primary consumers or family members, and of that one third, at least one half shall be primary consumers.
- C. General membership terms shall be three years from April 1st of the year of appointment. Terms shall be staggered so the majority of memberships do not expire in any one year. Board membership terms shall be for one year.
- D. Vacancies shall be filled in the same manner as new appointments.
- E. Members shall be paid the Board's established per diem for meetings, trainings, and other official Committee business.

III. OFFICERS

- A. The Committee shall elect a Vice-Chair and a Secretary at the first meeting after membership appointments have been made by the Board. The vote shall be by a majority of the Committee members present. Any member may nominate any other member, including him/herself, for office.
- B. The Vice-Chair shall preside in the absence of the Chair and perform such duties as the Chair may delegate.
- C. The Secretary, or his/her designee, shall record the minutes of all Committee meetings.

IV. MEETINGS

- A. The Committee shall meet at least quarterly or as necessary to carry out its responsibilities.
- B. Members shall determine the dates and locations of the regular meetings.
- C. Office of Recipient Rights staff shall provide an agenda and supporting materials to Committee members. Members and staff may suggest agenda items.
- D. A quorum shall consist of no less than one half of the members appointed and serving.
- E. Meetings are subject to the Open Meetings Act, Act No.,267 of the Public Acts of 1976, being Sections 15.261 to 15.275 of the Michigan Compiled Laws.
- F. Meetings shall be conducted in accordance with the current edition of Robert's Rules of Order.
- G. Minutes of all Committee meetings shall be maintained and made available to individuals upon request.

V. COMMITTEE RESPONSIBILITIES

The Committee shall:

- A. Maintain a current list of members' names to be made available to individuals upon request.
- B. Maintain a current list of categories represented to be made available to individuals upon request. The list of categories will not indicate the names of individual members in each category. A confidential membership survey will be distributed annually after new members have been appointed.
- C. Protect the Office of Recipient Rights from pressures that could interfere with the impartial, even-handed, and thorough performance of its functions.

- D. Report Committee recommendations to the Board. Inform the Board of the Committee's position when there is disagreement between the Committee and the Chief Executive Officer.
- E. Recommend candidates for the positions of Rights Coordinator and Rights Supervisor to the Chief Executive Officer. This may be accomplished by having a representative from the Committee participate in the hiring process.
- F. Consult with the Chief Executive Officer and the Rights Supervisor.
- G. Serve in an advisory capacity to the Chief Executive Officer and the Rights Supervisor.
- H. Consult with the Chief Executive Officer prior to any substantial changes to the rights system. Substantial changes include alterations to the levels of funding, staffing, or to the functions required of the Office of Recipient Rights.
- I. Review and provide comments on the Annual Report submitted by the Chief Executive Officer to the Board. This review will normally occur at the last meeting in the calendar year.
- J. Review the funding of the Office of Recipient Rights annually.
- K. Participate in education and training in recipient rights policies and procedures.
- L. Designate a subcommittee to serve as the Board's designated Recipient Rights Complaint Appeals Committee for appeals conducted under Section 784 of the Michigan Mental Health Code. The subcommittee shall meet the composition required in Section 774 of the Mental Health Code.