

<b>BARRY COUNTY COMMUNITY MENTAL HEALTH AUTHORITY</b> 915 West Green Street Hastings, Michigan 49058	
<b>CATEGORY:</b> Recipient Rights <b>SUBJECT: OVERVIEW</b>	<b>Page: 1 of 2</b>
<b>Effective Date:</b> 5/14/96  <b>Approved By:</b> _____ Executive Director  <b>Reviewed:</b> __11/01; 10/08 __10/02; __7/03; __12/04;	<b>REQUIRED BY:</b>  <b>Mental Health Code</b>  <b>Administrative Rules</b>  <b>BCCMHA Policies and Procedures</b>

The Michigan Mental Health Code (Public Act 259 of 1974) mandates the establishment of an Office of Recipient Rights by each Community Mental Health system. To carry out this law, the Michigan Department of Health and Human Services places additional, more specific requirements on Community Mental Health systems to assure those consumers' rights are protected. The BCCMHA Office of Recipient Rights serves to carry out the rights protection function to the consumers of mental health services in Barry County. The process for funding the rights office includes a review of the funding by the Barry County Community Mental Health's Recipient Rights Advisory Committee.

The protection of rights by the BCCMHA Office of Recipient Rights is accomplished through three basic functions: administrative, educational and investigative.

**Administrative:**

This area involves assuring that adequate policies and procedures are in place to guarantee that rights of consumers are not violated. Coordination with the Michigan Department of Health and Human Services Office of Recipient Rights is necessary for the development of a united statewide system of rights protection. This function also includes monitoring the rights protection system throughout the county to assure that all required activities are being performed. This is accomplished by a minimum of one site visit per year for all directly run and contracted agencies.

**Educational:**

This function includes organizing in-service training for all staff in the BCCMHA system and ensuring that all persons who work with consumers are aware of these rights within 30 days after hire. The BCCMHA Office of Recipient Rights also serves as a resource for educating the public concerning the rights of mental health consumers and assures that all new consumers, parents of a minor, guardians or other legal representatives are notified of their rights guaranteed by Chapter 7 and 7A of the Mental Health Code. Education and training in recipient rights

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policies and procedures are provided to the BCCMHA Recipient Rights Advisory Committee who also acts as the Appeals Committee.

**Investigative:**

The BCCMHA Office of Recipient Rights receives reports of alleged rights violations, may investigate complaints, and if substantiated, recommends remedial action to the BCCMHA Executive Director. Complaints that do not involve rights protected by the Mental Health Code are referred to appropriate authorities.

A Recipient Rights Officer, who is responsible only to the BCCMHA Executive Director, directs the BCCMHA Office of Recipient Rights. In addition, the Rights Officer assures that each consumer receives a copy of the rights summary, has access to rights complaint forms, makes sure posters are in plain view with the phone number of the Rights Office, and that complaints are forwarded to the Recipient Rights Office in a timely fashion.

Coverage is available after hours, weekends and holidays through our crisis service, which has access to the Rights Office for emergencies. Emergencies are defined as an unexpected death or severe abuse and neglect. The Rights Office will ensure that a designated staff person will provide back up coverage in the absence of the Recipient Rights Officer.