

NORTHPOINTE BEHAVIORAL HEALTHCARE SYSTEMS

POLICY TITLE: Communication, Telephone and Visiting Rights

PAGE: 1 of 3

MANUAL: Recipient Rights

SECTION: Rights

ORIGINAL EFFECTIVE DATE: 2/10/98

BOARD APPROVAL DATE: 11/25/13

REVIEWED/ REVISED ON DATE: 3/15/18

CURRENT EFFECTIVE DATE: 4/1/18

REVISIONS TO POLICY STATEMENT: YES NO **OTHER REVISIONS:** YES NO

APPLIES TO:

All residential mental health facilities operated by or under contract with Northpointe Healthcare Systems.

POLICY:

It is the policy of Northpointe Behavioral Healthcare Systems that service recipients may communicate by mail, telephone and/or visits.

PURPOSE:

To establish policies and procedures for residents to communicate by mail, telephone and/or visits.

DEFINITIONS:

Controlled Condition: At least two staff members are present when opening mail.

House Rules: Rules applying to all residents of a home, which are established to assure the safety and comfort of recipients and the orderly functioning of the home.

Incoming Mail: Resident's mail (including parcels and packages); and Agency/facility mail (includes mail in the form of government check addressed to agency/facility as representative payee for the resident).

Legal Inquiry: Any matter including civil, criminal, or administrative law.

Limitation: A limit placed on the resident's right to receive mail as written and documented in the resident's Individual Plan of Service.

Private: Secret, not intended to be made known publicly, confidential.

Reasonable Time: Meeting the criteria of not seriously taxing the effective functioning of the agency.

Restriction: An exclusion of a particular item as stated in the written policies of NBHS and applies to all residents.

Uncensored: Without rebuke, reproach or disapproval; free from criticism; not judged or condemned.

Unimpeded: Without hindrance, barricade or other obstacles.

PROCEDURES:

1. A resident is entitled to unimpeded, private and uncensored communication with others by mail and telephone and is also entitled to meet face-to-face with persons of his/her choice. This right shall not be further limited except as authorized in the resident's person-centered plan. Reasons a limitation may be included in the plan are:
 - a. To prevent the resident from violating a law;
 - b. To prevent substantial and serious physical or emotional harm;
 - c. There is good reason to believe that the resident's mail contains items which are not allowed in the facility;
 - d. There is good reason to believe that the resident's mail contains items which are limited in the resident's Individual Plan of Service;

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- e. The resident, guardian, or the parent of a minor child has consented in writing that an article of mail be opened or destroyed by a designated person; and
 - f. If another person accuses a resident of harassment and; future telephone harassment can reasonably be expected, the frequency of past harassing phone calls is established or the person requesting the limitation has done so in writing.
2. Residents shall be given the right to appeal any communication limitation imposed.
 3. Each facility shall make telephones accessible; ensure that correspondence can be conveniently received and mailed; and make space available for residents to visit with others.
 4. Non-letterhead stationery, envelopes, and pens or pencils shall be given to the residents, upon request.
 5. Each facility shall have a postal box or daily pickup and deposit for resident's mail.
 6. Sealed mail, telephone calls to or from residents, and visitations from the resident's private physician, mental health professional, court representative, attorney and/or others when it involves matters which are or may be the subject of legal inquiry, shall not be limited except non-emergency visits from the resident's private physician or mental health counselor may be limited to reasonable times if it infringes on the effective functioning of the facility.
 7. Any limitations will be addressed through the person-centered planning process.

During the person-centered planning process the following will be reviewed, discussed, and agreed upon:

- a) Rationale to justify the limitation.
 - b) Documented evidence to support the expected mental or physical harm, violation of law and/or harassment.
 - c) Documented evidence to justify the extent of the limitation as being the minimal amount.
 - d) Determine an expiration date for the imposed limitation. The imposed limitation shall be reviewed as determined by the Behavior Treatment Committee (BTC)
8. Residents whose communication through mail, telephone and/or visits are limited per his/her Person-Centered Plan shall have each instance of limitation and justification for its application documented in the residential facility on a program with data being taken by the staff. This information shall be reviewed every 30 days by the Treatment Team and BTC to discuss the resident's progress or lack of progress and determine if the limitation still needs to be imposed. This information shall be documented utilizing the BTC form.
 9. The Responsible Care Manager shall immediately inform the resident when a limitation regarding mail, telephone calls and/or visits has been imposed along with the intended purpose of the limitation.
 10. Incoming and outgoing mail for a resident shall not be opened unless a resident, guardian, or a parent of minor child has consented that an article of mail be opened by a designated person. Each instance of opening or destruction of mail shall be done with two staff members present and documented in the

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resident's record.

11. Each facility shall establish a reasonable limit on the amount of funds that shall be available to those residents who are financially unable to access such items as writing materials, postage and telephone usage.
12. Mail shall be distributed to residents the day it arrives at the facility.
13. The times incoming and outgoing telephone calls are permitted shall be posted in the house rules.
14. The group home shall have regular visiting hours as long as it does not disrupt normal treatment activities. Visiting hours shall be posted in waiting rooms, guest areas, and resident quarters.