

NORTHPOINTE BEHAVIORAL HEALTHCARE SYSTEMS

POLICY TITLE: Notification of Rights

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MANUAL: Recipient Rights

SECTION: Rights

ORIGINAL EFFECTIVE DATE: 7/1/95

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 recipients of services provided by Northpointe Behavioral Healthcare Systems.

POLICY:

It is the policy of Northpointe Behavioral Healthcare Systems (NBHS) that all applicants, recipients, and applicable parents and guardians are notified of their rights.

PURPOSE:

To develop a procedure to provide notification of rights as defined in the Michigan Mental Health Code.

DEFINITIONS:

Accurate Summary of Rights - A written summary of Chapters 7 and 7a of the Michigan 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/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 intellectually/developmentally disabled.

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

PROCEDURES:

A. All recipients, upon acceptance for service (each potential recipient and parent(s) or guardian) **will** receive an accurate written summary of rights along with the name, location, and function of the Recipient Rights Office. This service shall be documented in the recipient's clinical record and the rights complaint procedure shall be verbally explained to the recipient. Special explanation of the rights summary shall be given and documented if the recipient is:

- 1) Illiterate
- 2) Mentally impaired
- 3) Non-English speaking (the verbal explanation shall be in a language that the recipient understands and may be delayed until a translator is available).
- 4) Emotionally upset (the verbal explanation may be delayed until a more clinically suitable time if the recipient is unable to comprehend the explanation at the time of admission)
- 5) Hearing impaired (explanation shall be communicated by a means that is understandable to the recipient and may be delayed until a qualified translator is available)
- 6) Visually impaired
- 7) A minor (the verbal explanation should be simplified in accordance with the minor's ability to comprehend; parent/guardian shall also be given explanation).

B. Notification of rights is given at the time of admission for all recipients of mental health services from Northpointe BHS and annually thereafter. Recipients are also given a Rights Booklet, which includes the Michigan Department of Health and Human Services Office of Recipient Rights address where they may obtain further information/consultation regarding their rights.

C. 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 recipient will be notified of recipient rights.

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- D. The Office of Recipient Rights shall:
1. Ensure that the telephone number and address of the Office of Recipient Rights and the names of Rights Officers are conspicuously posted in all service sites.
 2. Ensure that each service site is visited with the frequency necessary for protection of rights but in no case less than annually.
 3. Promote freedom from retaliation for persons served who make complaints or grievances.
- E. Visit each program of the agency regularly to be available to recipients and staff concerning rights, issues and appropriate notification.
- F. Ensure education is available for individuals regarding program rules to the person served that identifies events, behaviors, or attitudes that may lead to the loss of rights or privileges and the means by which the person served may regain rights or privileges that have been restricted.
- G. When a person is discharged from a program for aggressive/assaultive behavior documented follow up occurs to ensure linkage to appropriate care within 72 hours post discharge.