

NORTHPOINTE BEHAVIORAL HEALTHCARE SYSTEMS

POLICY TITLE: Recipient Rights Committee

MANUAL: Recipient Rights

ORIGINAL EFFECTIVE DATE: 7/1/95

REVIEWED/REVISED ON DATE: 3/15/18

REVISIONS TO POLICY STATEMENT: YES NO

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SECTION: Rights

BOARD APPROVAL DATE: 11/25/13

CURRENT EFFECTIVE DATE: 4/1/18

OTHER REVISIONS: YES NO

APPLIES TO:

Northpointe Behavioral Healthcare Systems.

POLICY:

In order to support the stated mission of Northpointe Behavioral Healthcare Systems and the principles established to affect that end, the Board recognizes the responsibility to protect the Office of Recipient Rights from pressure which could interfere with impartial, even handed and thorough performance of its duties.

PURPOSE:

To establish a Recipient Rights Committee.

REQUIRED BY:

Rule 7037 of the Dept. of Mental Health Administrative Rules.

MEMBERSHIP:

The Recipient Rights Committee shall be composed of one Northpointe Board member and 6 to 11 members selected from Dickinson, Iron and Menominee counties. The Board member shall be the liaison between the Recipient Rights Committee and the Board.

Membership shall consist of public mental health service recipients, their families or guardians, recipient interest groups, government officials, attorneys, or individuals from the general community who have an interest in mental health issues.

All members shall have full membership privileges including the right to be heard on all matters affecting the Rights Committee, to vote, to hold office, to participate on a committee, and to chair a committee.

Members shall be appointed by the Northpointe Board based upon recommendations from the Rights Committee and shall serve a term of three (3) years. Staggered terms shall assure that no more than one-third (1/3) of the membership expires in any one (1) year. Vacancies shall be filled in the same manner as new appointments.

Membership shall be terminated by a two-thirds (2/3) vote of the Rights Committee with concurrent approval by the Northpointe Board for lack of attendance or participation.

Northpointe CEO and/or designee, Recipient Rights Officer, shall serve as ex-officio members of the Rights Committee.

OFFICERS:

The officers of the Rights Committee shall be the Chairperson, Vice-Chairperson and the committee members. These officers shall comprise the Recipient Rights Committee.

The Chairperson and Vice-Chairperson shall be elected on an annual basis. No person shall hold office if he/she is not a member and no member shall hold more than one (1) office at a time.

The Chairperson and Vice-Chairperson shall be elected by simple majority by members in attendance at the annual meeting. The term of office shall begin upon adjournment of the annual meeting.

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Section 1: Chairperson

The Chairperson shall be the official representative of the Rights Committee and shall:

- a. Preside at all regular or special meetings of the Rights Committee;
- b. Be a non-voting member of all standing and special committees;
- c. Appoint special ad-hoc committees as necessary to deal with specific issues;
- d. Ensure that an annual report is submitted to the Northpointe Board and the Michigan Department of Health and Human Services, Office of Recipient Rights.

Section 2: Vice-Chairperson

The Vice-Chairperson shall:

- a. Preside in the absence of the Chairperson at any Rights Committee activities;
- b. Fulfill the duties of the Chairperson in the event the office becomes vacant;
- c. Perform such duties as the Chairperson may delegate.

MEETINGS:

Section 1.

The Rights Committee shall hold regular meetings once each quarter. Meeting dates and times shall be set at the annual meeting.

Section 2.

The regular meeting held during the second quarter of the agency's fiscal year shall be known as the annual meeting and shall be for the purpose of electing officers, reviewing the Rights Committee's goals and objectives, reviewing the operation of the Office of Recipient Rights, presenting an annual report on the activities of the Rights Committee during the previous year, establishing meeting dates for the coming year, and conducting any other business that may arise.

Section 3.

Special meetings may be called by the Chairperson or by a quorum of the members voting on a request for a special meeting.

Section 4.

At any regular, special, or committee meeting one-third (1/3) of the total membership shall constitute a quorum for the transaction of business. Unless otherwise required, a simple majority of members present shall be sufficient to adopt a motion.

Section 5.

The Recipient Rights Committee shall:

- a. Protect the Office of Recipient Rights from pressures which could interfere with impartial, even-handed and thorough performance of its duties;
- b. Recommend to the CEO candidates to head the Office of Recipient Rights when a vacancy occurs. Consult with the CEO prior to the replacement or dismissal of the Rights Officer and prior to any substantial changes to the rights system. Substantial changes include alterations to levels of funding, staffing or to functions required to the Office of Recipient Rights. Inform the Board of the Committee's position when there is disagreement between the Rights Committee and the CEO.

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- c. Advise the Rights Officer on rights issues, but shall not review actual incident reports, complaints and rights investigations as a way of maintaining confidentiality.
- d. Review the Office of Recipient Rights annually and submit a written report to the Northpointe Board and the Michigan Department of Health and Human Services, Office of Recipient Rights.
- e. Develop an intermediate complaint appeal process with Northpointe to assure greater due process for recipients of services.
- f. Meet at least quarterly or more often if necessary.

APPEAL PROCEDURE:

The Rights Committee shall serve as the Appeals Committee, with the addition of one available board member. At the time of an appeal the responsibilities of the appeals committee shall be to:

- 1) Review the appeal at the second level and through this review determine whether or not they will uphold the decision made by the rights office or overrule this decision.
- 2) Their decision shall be documented in writing to the CEO, and the complainant along with the rationale for their decision.
- 3) Included in the response back to the complainant, shall be the complainant's right to appeal this decision to:
State Office of Administrative Hearings and Rules
Department of Health and Human Services Administrative Tribunal
PO Box 30763 Lansing, MI 48909-9951

DUTIES OF CEO:

The CEO shall provide technical consultation to the Rights Committee at regular meetings and as otherwise requested.

DUTIES OF RECIPIENT RIGHTS OFFICER:

The Recipient Rights Officer shall serve as chief coordinator for the Rights Committee activities.