

NORTHPOINTE BEHAVIORAL HEALTHCARE SYSTEMS

POLICY TITLE: Personal Property and Funds

PAGE: 1 of 4

MANUAL: Service Recipient Rights

SECTION: Rights

ORIGINAL EFFECTIVE DATE: 5/1/99

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 programs operated or contracted by Northpointe Behavioral Healthcare Systems.

POLICY:

It is the policy of Northpointe Behavioral Healthcare Systems that individuals have personal property and funds rights and responsibilities.

PURPOSE:

To establish policies and procedures governing the control and protection of service recipients personal property and funds.

DEFINITIONS:

Exclusion: Restriction of specific personal property items from a recipient, which includes:

- a. Weapons such as firearms, knives, other sharp objects and explosives.
- b. Drugs, whether prescribed or not, unless possession of the drug is specifically authorized by the attending physician.
- c. Alcoholic Beverages.

House Rules: Rules applying to all recipients of a community housing facility, which are established to assure the safety and comfort of individuals and the orderly functioning of the facility.

Limitation: A time limited restriction placed on an individual.

Personal Property: Any possessions belonging to the individual.

Service Recipient Funds: The individual's money, legal tender, note, draft, certificate of deposit, stock, bond, check, or credit card.

PROCEDURES:

1. Service Recipient's Personal Property:

- A. Individuals whose property and funds are supervised by a NBHS program or contract agency shall have their personal property inventoried. Any additional property obtained or disposed of while an individual is in community housing care, or as stated per his/her individual plan of service, shall also be inventoried.
- B. An individual in community housing shall be provided a reasonable amount of storage area for his/her clothing and personal property.
- C. If a facility has particular kinds of personal property that are excluded, the home operator/manager shall list the specific items in the house rules and notify the individual of these exclusions at the time of admission. The house rules shall be posted in a conspicuous place within the residential facility.
- D. Staff members shall inventory the individual's personal property in his/her presence and place a list of inventoried items in the individual's record. If personal property is taken from the individual and/or stored by the facility, a receipt shall be given to them or an individual he/she designates. A resident is permitted to inspect personal property at reasonable times. The personal property shall be returned to the individual to whom it belongs upon discharge from the facility/program.

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- E. The CMHSP may limit property in order to prevent theft, loss or destruction of the property, unless a waiver is signed by the resident.
- F. The facility/program shall have prior consent from the individual, guardian or parent of a minor when disposing of personal property. This form shall be placed in the individual's clinical record.
- G. If there is reason to believe that the individual has hidden an item that places the individual or others in eminent danger, the home manager may conduct a search in the presence of the individual and a witness. If there is reason to believe that the individual has hidden an item that is illegal, the Recipient Rights Office shall be contacted. The police shall then be contacted to conduct a search. All searches of the individual's personal property shall be justified and documented in the individual's progress notes. This documentation will include:
 - 1. The reason for initiating the search;
 - 2. The names of the individuals performing and witnessing the search;
 - 3. The results of the search, including a description of the property seized.
- H. A plan of service can, in order to prevent a resident from physically harming himself, herself, or others, or to prevent theft, loss, or destruction of the property, be used unless a waiver is signed by the resident.
- I. Individuals whose personal property is limited shall have each instance of limitation and justification for its application documented in the progress notes. The imposed limitation shall also be incorporated into the recipient's Individual Plan of Service or Behavioral Treatment Plan.

2. Service Recipient's Funds:

- A. The individual's choice to handle his/her funds shall be documented in his/her initial/annual assessment. If the individual is unable to exercise choice and provider management is requested, the guardian must consent in writing.
- B. Service recipient funds that are submitted to the facility/program for safekeeping shall be handled in the following manner:
 - 1. Recipients of service should assume responsibility for their own funds, unless there is a legal determination to the contrary or the individual chooses to do otherwise.
 - 2. Restrictions shall not be placed upon the individual's handling or expenditure of personal funds, unless there is a specific written plan developed by the Treatment Team.
 - 3. An individual may appeal the limitation or the length of time his/her property and/or funds have been restricted.
 - 4. The provider shall both maintain the funds and account for their disbursements separate from funds received for reimbursement for care and programs. Funds shall be used at the discretion of the individual, individual's advocate, representative payee or guardian.
 - 5. The money shall be accounted for in the name of the service recipient.
 - 6. Personal allowance funds shall not be used for personal care items that are basic to the provision of room, board and supervision and are included in the per diem provided for room, board and supervision required by licensing standards (e.g. shampoo, toothpaste, soap, food).

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7. The money shall be locked at the facility/program site and/or deposited into the individual's savings/checking account. No more than \$200.00 per recipient may be kept in any facility for the individual. All funds will be locked in a safe located in the facility.
8. Any time an account is opened or closed, you must notify the Contract Manager using the Resident Funds Account Change form (res.162). If an account is closed, a cashier's check for the funds must be written to the recipient and/or guardian. A copy of the check and the bank statement must be attached to a copy to the Resident Funds Account Change Form and forwarded to the Contract Manager.
9. When an account is opened on behalf of a recipient, the Home Manager and the Assistant Home Manager will also have their name added to the account for managing purposes as a Representative of Northpointe. If there is a separation of employment of that Northpointe Representative listed on the account, the finance department of Northpointe will notify the bank and the employee will be immediately removed from the account and another representative will be added. The representatives will be identified on the Resident Funds Part 1 and a new Resident Funds Part 1 form will be filled out when any change occurs.
10. For purchases in excess of \$100.00 or more, a written consent from the guardian is needed, and a copy will be attached to the Resident Funds Account Change form and then sent to the Contract Manager for review.
11. Each time money is given to the individual, it shall be documented on the Resident Funds Part II (Res.152) and the individual shall write his/her initials on the form to indicate that he/she received the money. If the individual is not capable of handling his/her own money without assistance, a staff member different from the staff disbursing the money shall initial the Resident funds Part II.
12. Facility Manager and/or the Assistant Manager (or a designated representative); shall count the individual's money periodically to ensure that the money on hand and in any savings accounts, is the same as what is recorded on the Resident Funds Part II form. At the end of each quarter, another designated manager will randomly request the records of a minimum of 50% service recipients and compare the Resident Funds Part II with the bank statement and receipts, for accuracy. A Quarterly Accounting form (res.170) will be sent to the Contract Manager for review and filing purposes.
13. The recipient's financial record/money shall be made available on request to his/her legal guardian if the guardian has such authority; and a Quarterly Accounting form(res.170) will be sent out to the guardian following each quarter with a copy of the individual's Resident Funds Part II forms.
14. The individual shall be entitled to easy access to his/her money and to use as he/she chooses, except as provided in Section 2.1. Each program shall determine what time of day individuals can have access to their money and inform the individual of the times.

3. Disposal of resident personal property and funds:

A. In the event of death of a service recipient:

1. Every effort shall be made by Northpointe Behavioral Healthcare Systems to divest itself from the individual's personal property and monies if they consist of only wearing apparel and up to \$100 in cash. Divestments shall be made to the legal representative of the deceased. The legal representative shall furnish identification and an affidavit of such relationship, and evidence that an estate of the deceased is not pending.

If such legal representative does not exist, and only if the personal property consists of more

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than \$100, the disposition shall be handled according to State Law (paragraph C).

2. The responsible care manager shall send a list of personal property and money by registered mail to the legal representative of the deceased. The notice shall also call attention to statutes that provide for disposition.
 3. If there are questions as to rival claims to personal property and money, it may be held by Northpointe until the claims are determined in a probate court.
 4. If the legal representative cannot be contacted, the responsible care manager shall send a list of the personal property and money, by registered mail, to the person or entity that paid for the funeral expenses.
 5. If there are no claims to personal property or money of a deceased recipient, the property and money shall be considered to be unclaimed (see paragraph C).
- B. If the individual does not return from an authorized leave, and if the individual's property and money are not claimed by the individual or individual's relatives, heirs, or personal or legal representative, the responsible care manager shall retain custody of the same and handle the matter as unclaimed property. (See paragraph C).
- C. If personal property or money of an individual is unclaimed and has been held for two (2) years, the property or money shall be disposed of pursuant to Act No.63 of the Public Acts of 1949, as amended, being 567.20 et seq. of the Michigan Compiled Laws. Delivery of property and a report to the state boards of escheat shall be on or before the thirtieth day of June each year. The report shall list the property possessed as of the preceding first day of June. Appropriate property may be disposed of before the end of the two (2) year period pursuant to Act. No. 238 of the Public Acts of 1957, being 434.151 et seq. of the Michigan Compiled Laws.