

CMHPSM RECIPIENT RIGHTS—30 DAY ORIENTATION

AS A STAFF YOU ARE RESPONSIBLE FOR:

- The safety and well being of consumers in your care
- Your own actions, regardless if intentional or accidental
- Acting appropriately and quickly to protect consumers
- Reporting to the RIGHTS OFFICE BY THE NEXT BUSINESS DAY any potential Recipient Rights issues
- Reviewing the “Your Rights” blue booklet, which is provided to consumers/families
- Attending Recipient Rights training by a Rights Officer within 90 days of hire
- Following the Mental Health Code, Recipient Rights Policies, and consumers’ treatment plans

SOME RIGHTS OF CONSUMERS (per the Michigan Mental Health Code)

CONSUMER ABUSE

- Do not yell or swear at a consumer
- Do not communicate to consumers in a manner that is threatening, degrading or sexual
- Do not touch consumers in a manner that is sexual, aggressive or forceful
- Use physical management with consumers ONLY in an emergency when there is an IMMINENT RISK of physical harm.
- Do not take or misuse a consumer’s property or funds.
- IMMEDIATELY STOP abusive actions by others and take care of the consumer
- IMMEDIATELY REPORT any KNOWN OR SUSPECTED consumer abuse to your Supervisor, Protective Services AND the Rights Office (see Reporting Requirements below)
- Failure to report consumer abuse is serious, may result in a rights violation, and disciplinary action

CONSUMER NEGLECT

- Always follow the consumer’s Individual Plan of Service or other written guidelines (Examples: do not leave a consumer unsupervised; do not leave shift before replacement staff arrives, etc)
- IMMEDIATELY STOP neglectful actions by others and take care of the consumer
- IMMEDIATELY REPORT any KNOWN OR SUSPECTED consumer neglect to your supervisor, Protective Services AND the Rights Office (see Reporting Requirements below)
- Failure to report consumer neglect is serious, may result in a rights violation and disciplinary action

RECIPIENT RIGHTS REPORTING REQUIREMENTS

- You must CALL THE RIGHTS OFFICE (leaving a detailed message) as soon as possible but no later than THE NEXT BUSINESS DAY regarding any KNOWN OR SUSPECTED violation of recipient rights.
- You must report even if you did not witness the violation yourself, do not have proof or think it is only a rumor or “hearsay”
- Completing an Incident Report or telling your supervisor about a possible rights issue is not enough. You must directly notify the Rights Office.
- You can make an anonymous report or file an anonymous complaint with the Rights Office
- Always consult with the Rights Office if you are unsure if a rights violation has occurred
- Failure to Report a possible rights violation to the Rights Office is serious and may result in disciplinary action.

INCIDENT REPORTING (IR)

- You must complete an IR anytime something unusual or significant happens involving a consumer
- Complete the IR before the end of your shift, get supervisor sign-off, turn in within 24 HRS
- If the incident is a possible rights violation, you must report it to the Rights Office as soon as possible but no later than **THE NEXT BUSINESS DAY**

Some Examples of Events which require an Incident Report:

- ✓ A consumer **THREATENS HARM** to him/herself or someone else or **DESTROYS PROPERTY**
- ✓ A consumer is **AGGRESSIVE** towards staff or others
- ✓ A consumer has a **MEDICAL EMERGENCY**
- ✓ A **MEDICATION ERROR** occurs involving a consumer
- ✓ A consumer is **INJURED** or involved in an **ACCIDENT**
- ✓ Possible **ABUSE** or **NEGLECT** of a consumer
- ✓ A **STAFF VIOLATES** the rights of a consumer

CONFIDENTIALITY & HIPAA

- All information about a consumer, including whether someone is a consumer, is confidential
- If you must release information about a consumer, make sure you do it legally. Consult with your supervisor and/or the Rights Office for guidance.
- Generally, release **ONLY** as allowed by law, **ONLY** release the minimum information necessary, and **ONLY** release to those with a “need to know”

DIGNITY & RESPECT

- Be polite and professional towards consumers and their family members
- Use positive and kind language when talking to consumers/family members
- Call each consumer by his/her preferred name
- Provide options and let consumers make their own decisions as much as possible
- Speak to and treat consumers in a manner appropriate to their age (do not treat adult consumers like children)
- Respect consumer’s privacy as much as possible

PERSONAL PROPERTY & MONEY

- A consumer’s personal property is anything given to a consumer as a gift or purchased with a consumer’s own money, such as magazines, cigarettes, books, clothes, television, etc
- Consumers cannot be denied access to their personal property, unless indicated in the Individual Plan of Service or if it poses an immediate threat to health and safety
- You **CANNOT** take, borrow or accept money, gifts or property from a consumer/their family

INDIVIDUAL PLAN OF SERVICE (IPOS)

- Each consumer has an Individual Plan of Service (IPOS) addressing needs, such as physical health, mental health, employment, transportation, recreation, etc
- Health and Safety needs are also addressed in the IPOS, including the level of care and supervision a consumer requires
- You must inform the Case Manager/Supports Coordinator of any changes in a consumer’s condition or needs (helps ensure the consumer’s IPOS is kept up-to-date and accurate)
- You must **KNOW** and **FOLLOW** the IPOS for each consumer you work with
- For guidance on how to handle behaviors, see the consumer’s IPOS and ask your supervisor

TREATMENT & TREATMENT ENVIRONMENT

- The consumer's treatment and treatment environment must be suited to their needs AND the least restrictive possible
- The environment must be safe and clean
- The environment must be pleasant, caring and professional
- You cannot punish consumers (Examples: you cannot force a consumer to go to their room or take away their TV, phone or favorite book, etc)
- You cannot seclude (place a consumer alone in a room) or use restraint devices on them
- Do not argue, swear or have inappropriate conversations in front of consumers
- Remember: You work in the consumer's home and are there to provide them services

RECIPIENT RIGHTS OFFICE

- The Rights Office will follow up to protect the rights of consumers
- Call the Rights Office anytime you have questions regarding Recipient Rights

CONTACT YOUR LOCAL RIGHTS OFFICE BY PHONE or IN PERSON:

Request: "Officer of the Day"

Lenawee County:	(517) 263-8905	1040 S. Winter St, Adrian, MI 49221
Livingston County:	(517) 546-4126	2280 E. Grand River, Howell, MI 48843
Monroe County:	(734) 243-7340	1001 S. Raisinville, Monroe, MI 48161
Washtenaw County:	(734) 544-3000	555 Towner, Ypsilanti, MI 48197

STAFF PROTECTIONS:

Michigan Mental Health Code

Protects staff from being retaliated against or harassed by their employer or coworkers when they report possible rights violations or participate in a rights investigation.

Whistleblower's Protection Act

Protects from liability any staff who, acting in good faith, report or assist to report a known or suspected violation. Also protects staff from being discharged, threatened, harassed or discriminated against by their employer as a result of blowing the whistle.

Bullard-Plawecki Right to Know Act

An employer or former employer cannot share disciplinary action about staff without written notice to the employee.

YOU ARE ALSO REQUIRED TO FOLLOW CMH RECIPIENT RIGHTS POLICIES, WHICH CAN BE FOUND IN THE AFFILIATION PROVIDER MANUAL AND ONLINE AT:

www.ewashtenaw.org/government/departments/cmhpsm

Directions to locate Recipient Rights Policies:

1. In the left margin, click **Policies**
2. In the middle of the screen, under Policy Index, click **Search for Policy by Policy Chapters**
3. Under Search by Chapter, click **Chapter 8 – Recipient Rights**