

COMMUNITY MENTAL HEALTH PARTNERSHIP OF SOUTHEASTERN MICHIGAN		<i>Policy and Procedure</i>	
Department: Author: N. LaBrie		<i>Right to Entertainment, News, Etc.</i>	
		Local Policy Number (if used)	
Revision Date	Approval Date	Implementation Date	
	10/17/06		
Archive Information			
Date:			
Reason:			

I. PURPOSE

To establish guidelines to ensure that recipients living in licensed settings and receiving supported living services have access to reading, viewing and listening material of their choice.

II. APPLICATION

All recipients while under the care of any Community Mental Health Partnership of Southeastern Michigan (CMHP) staff, students, volunteers and/or contractual agencies within the provider network.

III. POLICY

A recipient shall not be prevented from acquiring, at his/her expense, or from reading any written or printed material, or from viewing or listening to television, radio, recordings or movies for reasons of, or similar to, censorship.

Recipient interests shall be determined and considered in providing newspapers and other reading, viewing and listening material in residential and other group settings.

Restrictions may be imposed in residential house rules or in other group settings if necessary for the safety and welfare of the group as a whole.

Individual restrictions may be imposed if clinically justified on a time-limited basis and must be specifically approved and documented in the Individual Plan of Service. When no longer essential to achieve objectives which prompted its imposition, the limitation shall be removed.

The right of access shall not entitle a minor to obtain and keep written material, or to view television programs or movies, over the objection of the minor's parents or guardian, or if prohibited by law.

Staff may consult with parents or guardian of a minor regarding objections that they may have made to reading, listening or viewing material which is desired by the minor.

Restrictions on the right to access reading, viewing and listening material may be appealed verbally or in writing to the local CMH supervisor/designee and then to the local CMH Director.

IV. DEFINITIONS

House Rules/Rules for other Group Settings - A list of expectations for recipients and others which may include, but not limited to, prohibited items, hours for visits and telephone calls and location of smoking areas.

V. STANDARDS

None

VI. EXHIBITS

None

VII. REFERENCES

Reference:	Check if applies:	Standard Numbers:
Michigan Mental Health Code Act 258 of 1974	X	330.1726
DCH Administrative Rules	X	330.7139
DCH Administrative Rules	X	400.14302
<u>CMHPSM Limitation of Rights Policy</u>		

VIII. PROCEDURES

WHO

DOES WHAT

Residential Services Provider or Director/Designee of other Group Settings

Assure that:

1. Recipient interests shall be determined and considered in providing newspapers and other reading, viewing and listening material in residential and other group settings.
2. Recipients have access to written materials available locally or by mail without censorship unless individually limited in the Person Centered Plan. Any such limitation must be approved and documented in the PCP in accordance with the CMHPSM Limitation of Rights Policy.
3. Recipients should be promptly informed of

limitations. Rules, agreements and/or contracts which impose restrictions on rights of recipients shall be removed when no longer essential to achieve objectives which justified their application.

4. Staff may consult with empowered guardians, or parents of a minor regarding objections that they may have made to reading, listening or viewing material which is desired by the minor. However, the right of access shall not entitle a minor to obtain and keep written material, or to view television programs or movies, over the objection of minor's parent or guardian, or if prohibited by law.
5. Recipients are allowed to (listen to radios or recordings or view television) access media without censorship during hours indicated in house rules for listening, viewing, and volume.
6. The rationale and complete scope of any individual limitation or restrictions on access to media are promptly conveyed to recipient, included in the PCP, reviewed by Behavior Management Committee to assure least restrictive limitations, revision and timeframe.
7. Individual limitations do not apply between a resident and an attorney or a court or between a resident and other individuals if the communication involves matters that are or may be the subject of legal inquiry.

Limitations must meet the following Criteria as set forth in the CMHPSM Limitation of Rights Policy:

- a. Minimum amount of limitation to achieve proposed purpose
- b. Supported by documentation including:
 - i. Reasons to justify limitation
 - ii. Significant evidence to support expected mental or physical harm, violation of law or harassment.
 - iii. Reasons and evidence to justify extent of limitation as being the minimum amount essential.
 - iv. Specific expiration date not to exceed 90 days and is reviewed at time of PCP reviews.
8. Restrictions on rights to access to entertainment materials, information and news may be appealed verbally or in writing to the local supervisor/designee and then to the local CMH Director.