

The background is a solid teal color. In the lower half, several human hands are raised, palms facing forward, in various positions. In the top right corner, there is a solid yellow rectangle.

YOUR RIGHTS & Responsibilities

WHEN RECEIVING MENTAL HEALTH SERVICES IN MICHIGAN

YOUR RIGHTS OFFICE

Berrien Mental Health Authority (BMHA) Riverwood Center

Office of Recipient Rights

1485 M-139

PO Box 547

Benton Harbor, MI 49023

1-800-336-0341

Anne Simpson, Rights Officer

anne.simpson@riverwoodcenter.org | 269-934-3326

Tasha Stewart, Rights Advisor

tasha.stewart@riverwoodcenter.org | 269-934-3327

Leanne Adams, Customer Service

Leanne.adams@riverwoodcenter.org | 269-934-3478



RIGHTS IS EVERYBODY'S BUSINESS!

YOUR RIGHTS

When Receiving Mental Health Services in Michigan



Rights Is
Everybody's
Business

MDHHS
Michigan Department of Health & Human Services
Office of Recipient Rights

Your Rights Book!

Have you seen this book? If not, ask for one!

Notification of Rights: MDHHS Booklet - Your Rights when receiving Mental Health Services in Michigan must be given to all people receiving Mental Health Services. This booklet is available 24/7 located on the MDHHS website; www.michigan.gov/recipientrights; click on Your Rights when receiving Mental Health Services.

- **Access to Complaint Forms:** This is a form that is used to detail and document suspected abuse, neglect or other violation of the mental health code by a contracted agency.
- Complaint forms are available wherever services are provided, the rights office or online via the Riverwood website.

You have the Right to...

Not be abused or neglected...



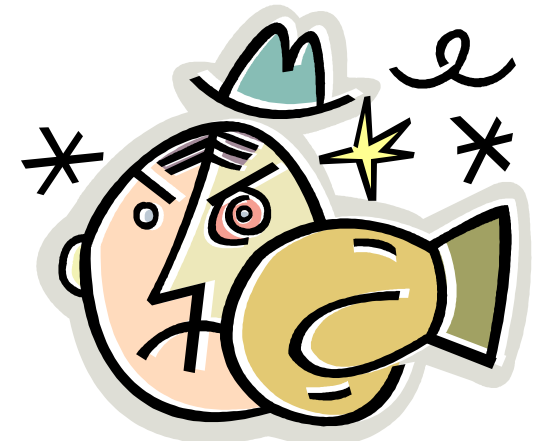
This includes physical, verbal, and sexual abuse. Staff are not to yell or swear at you. They are not to hit or push you or use unreasonable force. They are not to engage in sexual activity with you, even if you agree to it. Staff must follow your Person-Centered Plan & Behavior Treatment Plan (if you have one) in providing you care.

You have the RIGHT to:

- ▶ Not be exploited. - Exploitation means an action that involves the misappropriation or misuse of a person's property or funds.
- ▶ Staff should not borrow or take money from you.
- ▶ Staff should not be misusing your personal belongings or property.
- ▶ Staff should not use your personal belongings, property or funds for anyone other than you.
- ▶ No person (not just staff) should take advantage of another person's money or things.

You have the RIGHT to:

- ▶ Complain.
- ▶ If you report a problem or something you do not like, it should be taken seriously.
- ▶ You should be protected from those you are complaining about.
- ▶ No one can harass or bother you.
- ▶ No one can take action that will hurt your body, feelings or property, for complaining.
- ▶ No one can retaliate against you for cooperating and telling the truth during an investigation, grievance or appeal.



Your CIVIL RIGHTS include:

- ▶ Going to church if you want to.
- ▶ Voting.
- ▶ Talking on the telephone in private.
- ▶ Receiving your mail unopened.
- ▶ Having visitors of your choice anytime.
- ▶ Having your own personal property.
- ▶ To not be treated differently because of your race, color, age, sex, national origin, or mental or physical challenges.
- ▶ And more ...



Dignity & Respect

*Its not just what we say,
its how we say it!*

All Recipients and their family members have the right to be treated with dignity and respect.

What is Dignity? To be treated with esteem, honor, politeness; to be addressed in a manner that is not patronizing, condescending or demeaning; to be treated as an equal; to be treated the way that any individual would like to be treated.

What is Respect? To show regard for; to be treated with esteem, concern, consideration or appreciation; to protect the individual's privacy; to be sensitive to cultural differences; to allow an individual to make choices.

The whole concept of treating people with dignity and respect is a concept that isn't a business concept, it's a life concept. It's who you are at the end of the day.

Greg Brenneman

- Calling a person by their preferred name
- Knocking on a closed doors before entering
- Using Positive language
- Encourage the person to make choices instead of making assumptions on their wants
- Taking person's opinion seriously.

RIGHTS vs. PRIVILEGES

A RIGHT

A right is not given to you; it is something that cannot be taken away

- Entitlement
- Belongs to every person
- Is given by dictate of LAW

Examples: Freedom of speech and right to vote.

A PRIVILEGE

A privilege is earned and is easily limitable.

- Given to a person or group
- May be withheld from some or all

Examples: Credit cards, bank accounts, extra credit, drivers license.

Can Rights be Taken Away? – NO, but they may be limited

Unlimitable Rights-Must Always Be Given

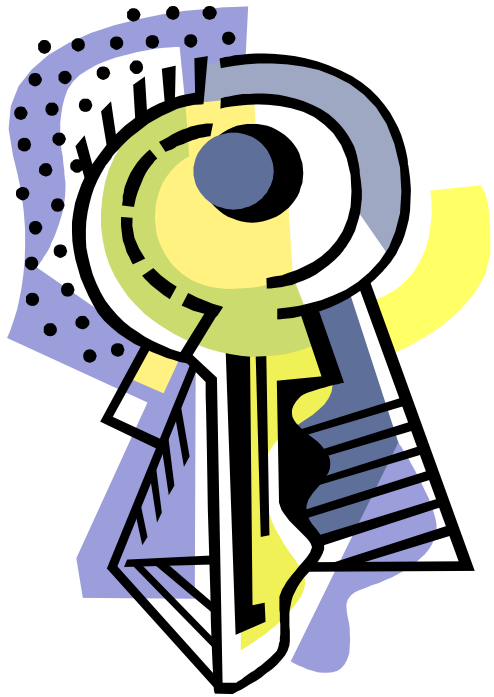
- Freedom from Abuse and Neglect
- Treatment Suited to Condition
- Dignity and Respect
- Safe, Sanitary, Humane Treatment Environment
- IPOS developed using Person-Centered Planning
- Contact with attorneys or others regarding legal matters

Limitable Rights- can be limited or restricted in the plan

- Communication by mail, phones, visits
- Personal Property
- Money
- Freedom of Movement
- Confidentiality/privilege
- Consent to treatment

**Limitations and
Restrictions
MUST be documented
in the Plan**

You have the RIGHT to:



- ▶ Receive services that suit your medical needs.
- ▶ Those services are to be provided in a safe, clean, and humane environment.
- ▶ The setting should also provide you the most freedom possible while keeping you safe.

You have the RIGHT to:

- ▶ An individualized written plan of service.
- ▶ You should take part in a “person-centered planning process” used to develop a plan for your treatment and goals for the future.

Rights

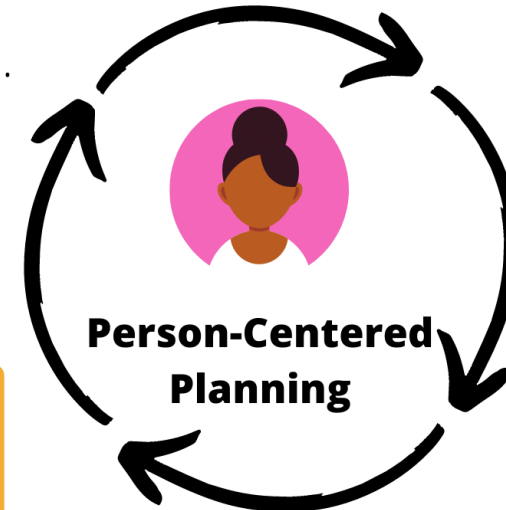


You own your plan.

Get Ready



Choose your team.



Keep your team accountable.



Turn your dreams into action.



Follow Up

Plan



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You have the RIGHT to:



Not be fingerprinted.



Not be photographed.



Not be videotaped.



Not be observed through one-way glass.



None of these things should happen without your written permission.

SAFE, SANITARY AND HUMANE TREATMENT ENVIRONMENT

Code Language: Mental health services shall be provided in a safe, sanitary, and humane treatment environment.

Adult Foster Care Licensing Rules determine if the residential setting was safe, sanitary or humane:

Assured pressurized hot & cold water

Hot water temp no more than 105 to 120 degrees at the faucet.

Assure all sewage is disposed of in a public sewer system or as approved by the health department.

Maintain an insect, rodent or pest control program.

Store and safeguard poison, caustic and other dangerous materials in non-resident and non-food repair storage areas.

Assure adequate preparation and storage of food items.

Assure premises are constructed, arranged and maintained to adequately provide for health, safety and well-being of occupants.

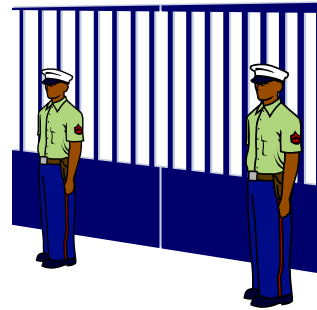
Provide for resident health, hygiene and personal grooming including assistance and training in personal grooming practices, including bathing, tooth brushing, shampooing, hair grooming, shaving and care of nails. Provider must supply toilet articles, toothbrush and dental floss, opportunity to shower or bath at least once every 2 days, regular services of barber or beautician and the opportunity to shave daily for males.

You have the **RIGHT** to:

- ▶ Work.
- ▶ You may be asked to help with some regular household chores that you won't be paid for. We all have to do these chores.
- ▶ You should be paid reasonable wages for the amount of work you do that otherwise someone would be paid to do.



You have the RIGHT to:



► Freedom of Movement

This means that your freedom to move about shall not be restricted more than is needed to provide mental health services or prevent injury to you or others.

You have the RIGHT to:



► Confidentiality

- Information about you is to be kept PRIVATE.
- Staff are not to talk about another resident in front of you.
- Staff are not to go home and tell their family about you.
- It is good courtesy to respect others and not talk about them to your friends.



What should I do?



WITH RIGHTS COME
RESPONSIBILITIES.



LET'S THINK ABOUT
THESE...

What should I do?



- ▶ You should work toward achieving your goals.
 - ▶ What are your goals?
 - ▶ What are you doing to achieve your goals?
 - ▶ What else could you be doing?



WHAT SHOULD I DO?

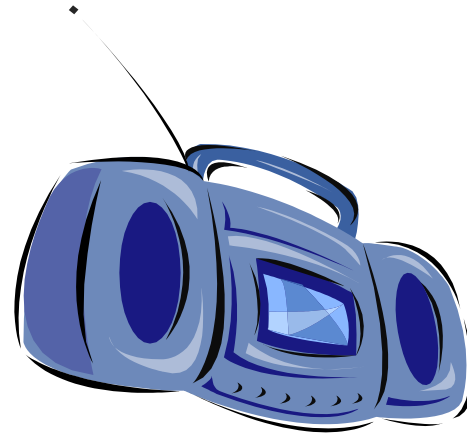
► You should care for your personal belongings:

- Clothes
- Glasses
- Radios and televisions
- Personal belongings
- Furniture



What should I do?

- ▶ You should also respect the rights and property of others.

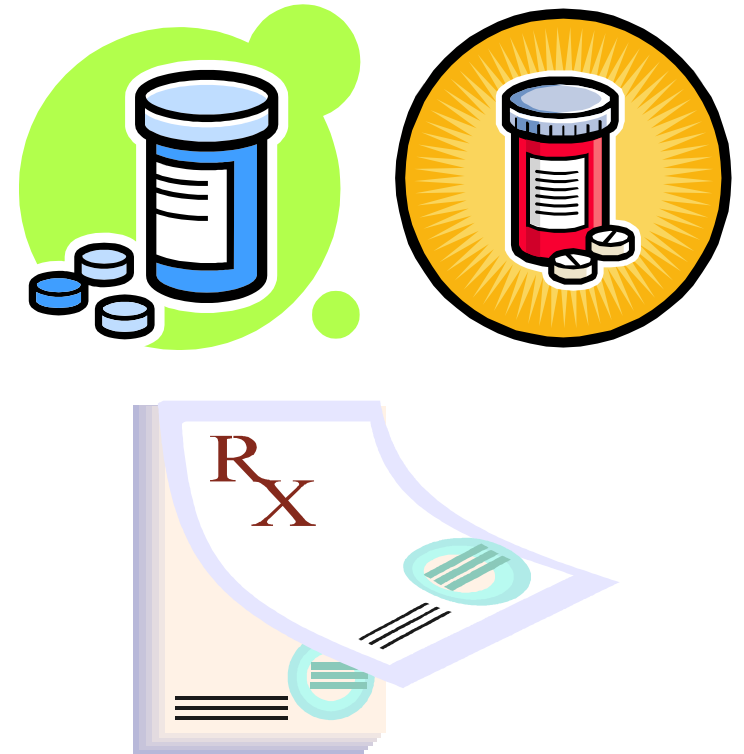


What should I do?

- ▶ You should help maintain a clean and safe environment.
- ▶ You should maintain your personal safety.

What should I do?

- ▶ You should keep medications at home, on the person it is prescribed, or person responsible for your care. You cannot share your medications with anyone else.
- ▶ If you trade, sell or don't keep your medications safe while at any mental health service site, you will be asked to leave.



What should I do?

- ▶ You should not bring “contraband” – things that are not allowed, to any mental health service site.
- ▶ You should not have weapons, alcohol, illegal drugs or paraphernalia - things that you use to do drugs, with you.



What should I do?

- ▶ You should be an advocate & not be afraid to speak up for yourself.
- ▶ You should tell someone if you have a problem or concern.

If you feel your rights have been violated or denied by someone, call the Recipient Rights Office at Berrien Mental Health Authority/Riverwood Center:

- ▶ Anne Simpson and Tasha Stewart at (269) 927-8629 or 1-800-336-0341.
- ▶ You can also call Customer Service at (269) 934-1660.
- ▶ **If you live in a “general or family run” AFC home, we will help connect you to Licensing and APS confidentially.**
- ▶ We are all here to help you 😊.

Competency & Guardianship

- ▶ Competency Mental Health Code Section 702 Just because you receive mental health treatment or services does not mean that you are incompetent.
- ▶ You still have the right to have a driver's license, marry and divorce, make a will, buy and sell property, manage your own affairs and decide most things about your life.
- ▶ You will continue to be treated as competent unless a court has decided that you are legally incompetent and has appointed a guardian for you.
- ▶ A guardian is authorized by a judge to make certain decisions for you. For some people, a guardian makes major decisions; for others, the guardian decides only those specific things listed in a court order. If you have a guardian and you think you should be able to make more decisions for yourself, or you think you don't need a guardian, or that you need a different guardian, then you, or someone on your behalf, may go to the court and ask (petition) for a change of guardianship.

Roles and Responsibilities of Customer Service

The Customer Service Department has many roles and responsibilities summarized below:



Welcoming & orienting individuals to services, benefits available & the provider network.

Providing information on how to access mental health, primary health & community services.

Tracking & reporting patterns of problems for the organization.

Ensure cultural & language needs are met when interacting with recipients.

Ensuring marketing information is current, relevant, culturally sensitive & available in other languages.

Logging of complaints received by customer services for purposes of data analysis for quality improvement activities.

Consumers receive a copy of the Customer Handbook initially & annually.

Reporting of complaints received from individuals with Medicaid benefits to SWMBH.

Coordinating efforts to comply with the anti-discrimination provisions under Section 1557 of the Affordable Care Act.

Roles and Responsibilities of Customer Service



▶ PROVIDING ASSISTANCE

- Assisting individuals with problems & inquiries regarding benefits & services.
- Assisting recipients with obtaining advocates if necessary.
- Assisting with access to rights system as necessary.
- Assisting with accommodations for recipients with physical disabilities, hearing & vision impairments, Limited English Proficiency & alternative forms of communication.

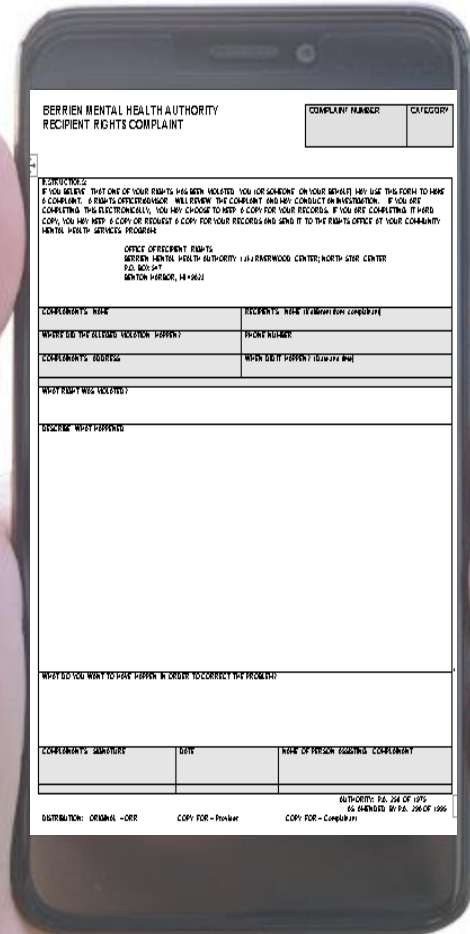


▶ ASSIST WITH GREIVANCE, APPEALS & 2nd OPINIONS

- Assisting individuals & overseeing local grievance & appeal processes.
- Grievance – A complaint filed by a consumer regarding the quality of their services (e.g. request to change clinician, wait time for scheduled appointment).
- Appeal – A complaint filed by a consumer regarding an “Action” taken regarding a requested or currently provided service. Actions are denials, suspensions, reductions or terminations of services (e.g. denial of requested services, reduction of services, delay in receiving authorized/approved service).
- 2nd Opinion – Denial of all mental health services, intake or hospitalization at the front door (e.g. denial of services for person seeking services or hospitalization).

Grievance, Appeals & 2nd Opinions

Customer Service is here at any time that assistance is needed with a grievance, appeal or 2nd opinion.



The image shows a hand holding a smartphone that displays a form titled 'BERRIEN MENTAL HEALTH AUTHORITY RECIPIENT RIGHTS COMPLAINT'. The form includes fields for 'COMPLAINT NUMBER' and 'CATEGORY'. It contains instructions for filing a complaint, a section for 'COMPLAINANT'S NAME' and 'RECIPIENT'S NAME', and a large text area for 'WHAT DO YOU WANT TO HAVE HAPPEN IN ORDER TO CORRECT THE PROBLEM?'. At the bottom, there are fields for 'COMPLAINANT'S SIGNATURE', 'DATE', and 'NAME OF PERSON SIGNING COMPLAINT'. The footer includes distribution information and a date stamp: '6/15/2017 10:26 AM OF 1075 66 6/15/2017 10:26 AM OF 1075'.



Grievance Process

- May be filed at any time by consumer, guardian, parent of a minor or legal representative.
- Customer service will assist with filing the grievance.
- Provide written resolution for each grievance.
- Maintain written record of grievances filed & resolved. Resolve within 90 days.



Appeal Process

- May be filed at any time by consumer, guardian, parent of a minor or legal representative.
- Customer service will assist with filing the appeal.
- Complete appeal determination within 30 days for standard resolution/72 hours for expedited.
- Provide written resolution for each appeal filed.
- Maintain written record of appeals filed & resolved.
- Provide State Fair Hearing forms after local appeal.



2nd Opinion

- Individual seeking mental health services or hospitalization is denied access & given a Notice of 2nd Opinion Rights.
- If the individual disagrees with the decision, they may contact customer service to request a 2nd Opinion.
- A request for 2nd Opinion must be made within 45 days for intake denials & three business days for hospitalization.
- Customer service will coordinate appointments.



We are here for YOU!

Berrien Mental Health Authority – Riverwood Center

Anne Simpson/Rights Officer

rights@riverwoodcenter.org

Tasha Stewart/Rights Advisor

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Leanne Adams/
Customer Service

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