PROVIDER VERIFICATION OF ACTION

I attest that written action occurred with _____.
Insert employee's name.

In accordance with the substantiated Recipient Rights violation for _____.
Insert Abuse Class, Neglect Class or Harassment/Retaliation

For BMHA Recipient Rights Complaint Number: _____

This action occurred on _____ and was placed in the employee's personnel file.

This action can be viewed at our Corporate Office by the Office of Recipient Rights upon request.

*The verification of action taken must be signed by the HR Director or the Executive Director and submitted to BMHA Recipient Rights with the CAP.

_____

HR Director Signature/Date

_____

Executive Director Signature/Date

*DISCIPLINARY ACTION REQUIREMENTS:

For all abuse/neglect and harassment/retaliation

MHC 330.1722(2) The department, each community mental health services program, each licensed hospital, and each service provider under contract with the department, community mental health services program, or licensed hospital shall ensure that appropriate disciplinary action is taken against those who have engaged in abuse or neglect. A recipient of mental health services who is abused or neglected has a right to pursue injunctive and other appropriate civil relief.

ADMINISTRATIVE RULE 330.7035 (1) Abuse or neglect of a recipient by an employee, volunteer or agent of a provider shall subject the employee, volunteer or agent of a provider, upon substantiated reports, to an **appropriate penalty, including official reprimand, demotion, suspension, reassignment or dismissal.**

MHC 330.1780 Remedial action. Sec. 780. (1) If it has been determined through investigation that a right has been violated, the respondent shall take appropriate remedial action that meets all of the following requirements:
(a) Corrects or provides a remedy for the rights violations.
(b) Is implemented in a timely manner.
(c) Attempts to prevent a recurrence of the rights violation.
(2) **The action shall be documented and made part of the record maintained by the office**.

BULLARD-PLAWECKI EMPLOYEE RIGHT TO KNOW ACT 397 of 1978
423.506 Divulging disciplinary report, letter of reprimand, or other disciplinary action; notice; exceptions.
Sec. 6.

1. An employer or former employer shall not divulge a disciplinary report, letter of reprimand, or other disciplinary action to a third party, to a party who is not a part of the employer's organization, or to a party who is not a part of a labor organization representing the employee, **without written notice as provided in this section**.
2. The written notice to the employee shall be by first-class mail to the employee's last known address and shall be mailed on or before the day the information is divulged from the personnel record.
3. This section shall not apply if any of the following occur:
    a) The employee has specifically waived written notice as part of a written, signed employment application with another employer.
    b) The disclosure is ordered in a legal action or arbitration to a party in that legal action or arbitration.
    c) Information is requested by a government agency as a result of a claim or complaint by an employee.