BERRIEN MENTAL HEALTH AUTHORITY
PROCEDURE

SUBJECT: Office of Recipient Rights Background Check Process	SECTION: 01-09-05 Page 1 of 2
APPLICATIONS: All Direct Operated & Contractual Programs EFFECTIVE DATE: 10/1/2021 APPROVED BY: Chief Executive Officer REVISED: 8/2023	REQUIRED BY: PIHP Reciprocity Specialized Residential Tool

PURPOSE:
To provide a mechanism for employers to screen employees, potential employees, and contracted staff that provide direct services to individuals for substantiated rights violations. This process also ensures annually that employers are notified of substantiated abuse or neglect violations of employees.

STANDARDS:
The purpose is to comply with the PIHP Reciprocity Specialized Residential Tool to enact necessary safeguards to protect the health and welfare of consumers receiving services and to assure qualified and fit providers are performing services.

DEFINITIONS:
A. Substantiated - A determination by the Recipient Rights Officer/Advisor that an alleged violation of a right was proven to be a violation by a preponderance of the evidence.

POLICY:
Specialized Residential and licensed adult foster care homes shall follow the PIHP Reciprocity Specialized Residential tool and guidance which requires a Recipient Rights Violation Check with the local CMHSP annually for all employees and additional reporting for MDHHS effective 1/2019. The provider must have verification that Recipient Rights violation was checked.

The Riverwood Office of Recipient Rights background check process was developed to assist employers with hiring the best quality staff they can. The process is completely voluntary and meant as a service provided to employers by the Riverwood Office of Recipient Rights (ORR). When an employer submits the Riverwood background check form to the ORR a search will be conducted to determine whether the applicant has had a past substantiated violation. The database is specific to Riverwood and will only report on violations found by the Riverwood ORR. The search is conducted only using an applicant's name as stated on the form and no other identifying information is collected. The decision to hire an applicant is the sole responsibility of the employer. The ORR does not require that an employer not hire an otherwise qualified applicant if a substantiated rights violation is found. When an applicant is found to have a substantiated violation the ORR strongly encourages the employer to seek additional information from the ORR. The form signed by the applicant grants the ORR permission to discuss the violation and action taken within the limits of confidentiality.

PROCEDURE(S):

1. The applicant will complete and sign the ORR Background Check form titled Authorization to Disclose Employee Information and Release of Liability, Office of Recipient Rights Check found on the Riverwood website under Recipient Rights. Alternate forms will not be accepted effective 11/1/21.
2. The employer will email the completed and signed form to Rights@riverwoodcenter.org. Faxed forms will no longer be accepted.
3. ORR staff will search the rights database for the name provided on the form. If a violation is found, the rights department will notify the employer that records were found.
4. Results will typically be sent within forty-eight hours after receipt of the signed form.
5. ORR staff will send results to the individual noted on the form via email only. ORR will not fax results.
6. An employer may seek additional information about a specific allegation via email or telephone if they desire.
7. ORR background check forms received will be retained for one year.

FORMS:

Authorization to Disclose Employee Information and Release of Liability, Office of Recipient Rights Check

Reviewer: Recipient Rights

Reviewed: 7/2022, 8/2023, 8/2024, 8/2025