CMHPSM RECIPIENT RIGHTS—DAY ONE ORIENTATION

AS A STAFF YOU ARE RESPONSIBLE FOR:

- > The safety and wellbeing 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 consumer 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) 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

1

• 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 <u>unusual or significant</u> happens involving a consumer
- Complete IR before end of your shift, get supervisor sign-off, submit to CMH within 24 HRS
- If the incident is a possible rights violation, you must report it to the Rights Office no later than THE NEXT BUSINESS DAY

Some Examples of Events which require an Incident Report:

- ✓ A consumer THREATENS HARM to self/others or DESTROYS PROPERTY
- ✓ A consumer is AGGRESSIVE towards self/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 with signed consent, release ONLY the minimum information necessary, and release ONLY 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/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

2

• 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 consumers
- Consumers have the right to refuse medications
- Consumers have the right to communication via mail, phone & visitors
- Do not take pictures of consumers without signed consent
- 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
- Consult with the Rights Office whenever you're unsure or have questions about 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) 219-8519 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.

3

YOU ARE ALSO REQUIRED TO FOLLOW CMH RECIPIENT RIGHTS POLICIES, WHICH CAN BE FOUND IN THE AFFILIATION PROVIDER MANUAL AND ONLINE AT: https://www.cmhpsm.org/regional-policies

I HAVE READ THE ABOVE RECIPIENT RIGHTS ORIENTATION AND WILL CONTACT MY SUPERVISOR AND MY LOCAL RECIPIENT RIGHTS OFFICE WITH ANY QUESTIONS.

STAFF SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE

NOTE: Staff are required to receive a complete rights training by a Rights Officer within 90 days of hire.