

## EXHIBIT 3

### **PROVIDER OBLIGATIONS TO RECIPIENT RIGHTS PROTECTION LICENSED PSYCHIATRIC HOSPITAL AND INPATIENT PSYCHIATRIC UNIT CONTRACTS**

Provider shall protect Consumers receiving inpatient psychiatric or partial hospitalization services from violations of rights established by and provided in Chapter 7 and 7a of the Mental Health Code and with other federal and state laws and regulations, including those pertaining to restraint and seclusion.

- (1) Payor hereby delegates jurisdiction to Provider to establish an Office of Recipient Rights subordinate only to the hospital director pursuant to MCL 330.1755(1) of the Michigan Mental Health Code.
- (2) Provider's Recipient Rights Advisor and Alternate shall have the education, experience, and ongoing training necessary to fulfill their responsibilities, specifically that within three months of hire they have successfully completed the MDHHS Trainings "Basic Skills I and II" and "Developing Effective Rights Training," and that they receive annual training thereafter.
- (3) Provider's Office of Recipient Rights shall maintain immediate jurisdiction over Provider's Recipient Rights protection system for recipients served under this agreement. Payor's Office of Recipient Rights shall retain final jurisdiction for monitoring Provider's compliance with the terms of this agreement with respect to Recipient Rights protection. This may be accomplished through Payor entering into coordination agreement with the Office of Recipient Rights of another CMHSP. Provider agrees to implement and submit documentation of corrective action for deficiencies found as a result of monitoring activities conducted under authority of Payor's Office of Recipient Rights.
- (4) Provider shall grant Payor's Office of Recipient Rights unimpeded access to Provider's premises, staff, records, recipients of services under contract, or other information necessary to ensure compliance with Provider's Recipient Rights system. Payor's Office of Recipient Rights shall be protected from retaliation or harassment resulting from monitoring Provider's Recipient Rights system.
- (5) Provider shall submit, upon signing this agreement and annually thereafter, copies of Provider's Recipient Rights policies and procedures for review and approval by Payor's Recipient Rights Officer. At a minimum, Provider shall submit all policies and procedures required by the Michigan Mental Health Code, MCL 330.1752 and the additional policies listed below as follows:
  - a. Recipient Rights complaint and appeal processes.
  - b. Informed consent to treatment and services.
  - c. Family Planning
  - d. Fingerprinting, photographing, audiotaping, 1-way glass.
  - e. Abuse and neglect
  - f. Confidentiality and disclosure.
  - g. Treatment by spiritual means.
  - h. Qualifications and training for recipient rights staff.
  - i. Change in type of treatment
  - j. Medication procedures.
  - k. Use of psychotropic drugs.
  - l. Use of restraint.
  - m. Right to be treated with dignity and respect.
  - n. Least restrictive setting.
  - o. Services suited to condition
  - p. Right to entertainment material, information, and news.
  - q. Comprehensive examinations.
  - r. Property and funds.
  - s. Freedom of movement.
  - t. Resident labor.

- u. Communication and visits.
  - v. Use of seclusion.
  - w. Individual Plan of Service
  - x. Person Centered Planning
  - y. Grievance and Appeal.
- (6) Provider shall ensure and maintain documentation that all of its employees receive training related to recipient rights protection within 30 days after being employed, annually thereafter, and upon substantive revisions to Federal and/or State law, rules, or regulations related to Recipient Rights protection.
  - (7) Provider shall post the telephone number and address of Provider's Office of Recipient Rights conspicuously at all of Provider's service sites.
  - (8) Provider shall ensure that recipients, minor recipients, and guardians or other legal representatives have access to summaries of rights guaranteed by the Code and are notified of those rights in an understandable manner, both at the time services are initiated by Provider and periodically during service delivery.
  - (9) Provider shall submit to Payor's Office of Recipient Rights copies of all reports of apparent or suspected violations of the rights of a Consumer, and shall immediately report all occurrences of the abuse, neglect, serious injury or death of a Consumer. Provider shall also report allegations or occurrences where there is reasonable cause to suspect the Child, Vulnerable Adult, or Criminal abuse and neglect of a Consumer to the appropriate governmental authorities as required by law.
  - (10) Provider shall ensure that all reports of apparent or suspected violations of rights of a Consumer are investigated in accordance with MCL 330.1778. Provider shall submit to Payor's Office of Recipient Rights copies of all Acknowledgement Letters, Investigative Reports, Intervention Letters, and Summary Reports, including documentation of remedial action or other corrective action taken in response to Recipient Rights complaints. Provider shall ensure that appropriate remedial action is taken in a timely manner to correct and attempt to prevent a recurrence of a rights violation.
  - (11) Provider shall maintain a system for recording and securely storing all reports and documents related to reported apparent or suspected rights violations, clearly designating those under the delegated jurisdiction of Payor.
  - (12) Payor maintains jurisdiction for all Appeals of Recipient Rights complaints made by or on behalf of recipients served by the Payor and shall, upon receipt, forward any and all Appeal requests received by Provider to Payor's Office of Recipient Rights. Provider shall notify complainants and recipients of their right to appeal directly to Payor's Recipient Rights Advisory Committee. Provider shall comply with any recommendations resulting from such appeals.