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<b>Title</b>	<b>Northern Lakes CMH Policies</b>
<b>Part 105</b>	<b>Recipient Rights Protection System</b>
<b>Subpart A</b>	<b>Recipient Rights Protection System</b>
<b>Policy No.</b>	<b>105.109</b>
<b>Subject</b>	<b>Chief Executive Officer Obligations to Rights Protection</b>

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### **Applicability**

Policy applies to all Northern Lakes CMHA activities, operations and sites and to all employees except members of the governing body. Policy also applies to any Network Provider and its employees, volunteers, or agents that have elected to adopt and adhere to Northern Lakes CMHA policies and procedures pertaining to Recipient Rights under the terms of its Participating Provider Agreement.

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### **Policy**

The Northern Lakes CMHA Chief Executive Officer shall select a Recipient Rights Director who shall be solely subordinate to him or her. The Chief Executive Officer shall not select, replace, or dismiss the Recipient Rights Director without first consulting with the Recipient Rights Advisory Committee (P.A. 258 of 1974, MCL 330.1755).

#### STANDARDS:

The Chief Executive Officer shall do all of the following:

1. Assure that the Office of Recipient Rights has unimpeded access to all programs operated by, or under contract with Northern Lakes CMHA, and all employees employed by, or under contract with Northern Lakes CMHA, as well as all evidence and information necessary to conduct a thorough investigation or to fulfill its monitoring function.
2. Assure that the Office of Recipient Rights is protected from pressures that could interfere with the impartial, even-handed, and thorough performance of its duties.
3. Receive and review the reports of investigative findings of the Office of Recipient Rights, and shall determine and assure that appropriate remedial action will be taken in order to correct the rights violation and to prevent a recurrence, in consideration of the recommendations of the Office of Recipient Rights. The Chief Executive Officer shall issue a Summary Report in accordance with Section 782 of the Michigan Mental Health Code and notify complainants of substantiated violations in a manner that does not violate employee rights.

4. Annually review the funding for the Office of Recipient Rights and assure that information sufficient to assess the allocation of resources to the office is presented to the Recipient Rights Advisory Committee for review.
5. In consultation with Office of Recipient Rights employees, develop appropriate policies necessary for the safeguarding of the rights of recipients as provided for in the Michigan Mental Health Code, the Michigan Administrative Rules, or other legal or regulatory requirements or accreditation standards.
6. Meet regularly with Office of Recipient Rights employees to discuss the status of rights protection within the Community Mental Health system, reviewing alleged violations, substantiated allegations, recommended remedial actions, and the prevention of potential rights violations. The Chief Executive Officer and Recipient Rights Director shall consult prior to the implementation of any substantive changes in policy or practice affecting the rights of recipients.
7. Submit to the Board of Directors and the Michigan Department of Health and Human Services an annual report prepared by the Office of Recipient Rights on the current status, and a review of the operations, of the Office of Recipient Rights. The report shall be submitted not later than December 30 of each year for the preceding fiscal year or period specified in contract. The annual report shall include, at a minimum, all of the following:
  - a. Summary data by category regarding the rights of recipients receiving services from the community mental health services program, the number of reports filed, and the number of reports investigated by provider.
  - b. The number of substantiated rights violations by category and provider.
  - c. The remedial actions taken on substantiated rights violations by category and provider.
  - d. Training received by employees of the Office of Recipient Rights.
  - e. Training provided by the Office of Recipient Rights to contract providers.
  - f. Desired outcomes established for the Office of Recipient Rights and progress toward these outcomes.
  - g. Recommendations to the community mental health services program board.

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## Procedures

None.

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**Adoption Date:** May 23, 2006

**Review Dates:** June 5, 2009  
March 27, 2012  
July 12, 2021 PK

**Revision Dates:** March 4, 2014  
February 5, 2018