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| Title 1 | Northern Lakes CMHA Policies |
| Part 106 | Supports and Services – NLCMHA Provided and Contract |
| Subpart J | Mental Health Code Protected Recipient Rights |
| Policy No. | 106.1001 |
| Subject | Services Suited to Condition (RR) |

Applicability

Policy applies to all Northern Lakes CMHA activities, operations and sites and to all employees 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.

Policy

Northern Lakes CMHA and its contracted providers shall provide a comprehensive array of mental health services as required by the specialty mental health services supports and services contract with the Michigan Department of Health and Human Services to eligible individuals in accordance with the Michigan Mental Health Code (PA 258 of 1974, MCL 330.1206). These services shall be appropriate to the conditions of individuals and delivered by qualified providers in compliance with all standards of care or treatment required by law, rule, regulation, policy, procedure, written guidelines, written directives, or a recipient's Individual Plan of Services.

STANDARDS:

SERVICE ELIGIBILITY:

Services shall be provided to any individual within the Northern Lakes CMHA geographic service area who has been determined through assessment by a Northern Lakes CMHA mental health professional to meet criteria specified in the most recent Diagnostic and Statistical Manual of Mental Health Disorders published by the American Psychiatric Association to have a diagnosis of:

1. A serious mental illness as defined by Section 330.1100(d)(3) of the Mental Health Code; or
2. A serious emotional disturbance as defined by Section 330.1100(d)(2) of the Mental Health Code; or
3. A developmental disability as defined by Section 330.1100(a)(26) of the Mental Health Code.

PRIORITY OF SERVICE ELIGIBILITY:

Services are prioritized for individuals with the most severe forms of serious mental illness (i.e., severe and persistent), serious emotional disturbance, and developmental disability and to individuals with any of these conditions experiencing urgent or emergency situations.

An emergency situation is defined by Section 330.1100(a)(30) of the Mental Health Code as one in which ANY of the following applies to an individual with any of the above conditions:

1. The individual can reasonably be expected within the near future to physically injure himself, herself, or another individual, either intentionally or unintentionally.
2. The individual is unable to provide himself or herself food, clothing, or shelter or to attend to basic physical activities such as eating, toileting, bathing, grooming, dressing, or ambulating, and this inability may lead in the near future to harm to the individual or to another individual.
3. The individual's judgment is so impaired that he or she is unable to understand the need for treatment and, in the opinion of the mental health professional, his or her continued behavior as a result of the mental illness, developmental disability, or emotional disturbance can reasonably be expected in the near future to result in physical harm to the individual or to another individual.

An urgent situation is defined by Section 330.100(d)(19) as one in which an individual is determined to be at risk of experiencing an emergency situation in the near future if he or she does not receive care, treatment, or support services.

Services may also be directed to individuals who have other mental disorders that meet criteria specified in the most recent Diagnostic and Statistical Manual of Mental Health Disorders published by the American Psychiatric Association and may also be directed to the prevention of mental disability and the promotion of mental health.

SERVICE ARRAY:

Applicants, recipients, and their legal representatives shall be notified of the full array of mental health services for which they may be eligible. As determined to be medically necessary for the recipient, a recipient has the right to receive any of the following:

1. Crisis stabilization and response including a 24-hour, 7-day per week, crisis emergency services that is prepared to respond to persons experiencing acute emotional, behavioral, or social dysfunctions, and the provision of inpatient or other protective environment for treatment.
2. Identification, assessment, and diagnosis to determine the specific needs of the recipient and to develop an individual plan of services.
3. Planning, linking, coordinating, follow-up, and monitoring to assist the recipient in gaining access to services.
4. Specialized mental health recipient training, treatment, and support, including

therapeutic clinical interactions, socialization and adaptive skill and coping skill training, health and rehabilitative services, and pre-vocational and vocational services.

5. Recipient rights services.
6. Mental health advocacy.
7. Prevention activities that serve to inform and educate with the intent of reducing the risk of severe recipient dysfunction.
8. Wraparound services.
9. Any other service approved by the department.

PROHIBITED DENIALS OF SERVICE

An individual shall not be denied services for any of the following reasons:

1. Based on the individual's inability to pay for the service; or
2. Based on the individual's insurance coverage or other payment source; or
3. On the basis of religion, race, color, national origin, gender and gender identity, sexual orientation, disability, marital or familial status, height, weight, arrest record, incarceration in county jail, or homelessness.

A denial of a request for services shall be accompanied by oral and written notice to the recipient of the right to a second opinion in accordance with Policy 106.1017 Right to Second Opinion.

SUITABLE SERVICES:

Services will be provided in a safe, sanitary, and humane treatment environment.

Services shall be provided in accordance with all applicable standards of care or treatment required by any of the following:

1. All State or Federal laws, rules, or regulations governing the provision of community mental health services; and
2. Obligations of Northern Lakes CMHA established under the terms of its contract with the Michigan Department of Health and Human Services; and
3. Obligations of a Provider established under the terms of a contract or employment agreement with Northern Lakes CMHA; and
4. Northern Lakes CMHA policies and procedures; and
5. Written guidelines or protocols of a Provider; and

6. Written directives from a supervisor consistent with any of the above; and
7. A recipient's Individual Plan of Service.

Services shall promote recovery, the best interests of the individual, and increase independence, improve quality of life, and support community integration and inclusion.

Services for children and families shall promote the best interests of the individual receiving services and shall be designed to strengthen and preserve the family unit if appropriate. Northern Lakes CMHA shall deliver services in a manner that demonstrates they are based upon recipient choice and involvement.

Procedures

None.

Adoption Date: May 23, 2006

Review Dates:

June 8, 2009
May 14, 2010
March 27, 2012
April 15, 2015

Revision Dates:

August 31, 2010
July 26, 2017
February 13, 2018
January 27, 2020 – JB
July 14, 2021 PK