

## NORTH COUNTRY COMMUNITY MENTAL HEALTH ADMINISTRATIVE MANUAL

**CHAPTER:** Five – Recipient Rights  
**POLICY NAME:** RECIPIENT RIGHTS SYSTEM  
**EFFECTIVE DATE:** March 1, 2023

### PURPOSE

To establish a recipient rights system at North Country Community Mental Health in compliance with the Michigan Mental Health Code and the Michigan Department of Health and Human Services Administrative Rules in order to protect and promote the rights of individuals who receive services through NCCMH.

### APPLICATION

All employees, volunteers, or agents of North Country Community Mental Health and its contracted service providers.

### DEFINITIONS

**Office of Recipient Rights (ORR)** means the office created by the Michigan Mental Health Code which is subordinate only to the NCCMH Chief Executive Officer and which is responsible for investigating, resolving, and assuring remediation of apparent, suspected, or substantiated rights violations and assuring that mental health services are provided by NCCMH in a manner which respects and promotes the rights of recipients as guaranteed by law.

**Recipient** means an individual who receives mental health services, either in person or through telemedicine, from a community mental health services program, or a facility, or from a provider that is under contract with the community mental health services program.

### POLICY

North Country Community Mental Health will:

- Establish an office of recipient rights subordinate only to the Chief Executive Officer.
- Ensure all of the following:
  - The ORR will be protected from pressures that could interfere with the impartial, evenhanded, and thorough performance of its duties.
  - The ORR has unimpeded access to all of the following:
    - All programs and services operated by or under contract with NCCMH.
    - All staff employed by or under contract with NCCMH.
    - All evidence necessary to conduct a thorough investigation or to fulfill its monitoring function.
  - Staff of the ORR receive training each year in recipient rights protection.
  - That each contract between NCCMH and a provider requires both of the following:
    - That the provider and their employees receive recipient rights training within 30 days of hire.
    - That recipients will be protected from rights violations while they are receiving services under the contract.
  - Complainants, staff of the office of recipient rights, recipients, and any staff acting on behalf of a recipient will be protected from harassment or retaliation resulting from participation in recipient rights activities and that disciplinary action is taken if there is evidence of harassment or retaliation.
  - Appropriate remedial action is taken to resolve violations of rights and notify the complainants of substantiated complaints in a manner that does not violate employee rights.

The Office of Recipient Rights will:

- Ensure that recipients, guardians, and parents of minors are aware of recipient rights and know how to file a complaint if those rights are violated.
- Offer initial and ongoing recipient rights training to employees, volunteers, agents of providers, Board and committee members, and others.
- Assure a uniformly high standard of rights protection at NCCMH and throughout the provider network by monitoring, reviewing, and visiting service sites for compliance.
- Investigate, in a timely manner, any known or suspected recipient rights violations based on a standard of “preponderance of the evidence,” and to provide resolution of such allegations, ensuring remedial action is taken when necessary.
- Provide consultation to recipients, guardians, families, employees, community partners, and others as requested and to offer assistance in filing complaints when needed.
- Adhere to the Michigan Mental Health Code, MDHHS Administrative rules, and all other relevant rules, laws, and regulations concerning the rights of recipients of NCCMH services.

**REFERENCE:** Michigan Mental Health Code, Chapter 7 and 7a of PA 258 of 1974 as amended.  
MDHHS Administrative Rules  
CARF Behavioral Health Standards Manual

**REVIEW:** 03/24/08; 08/01/15

**REVISED:** 9/01/03; 8/13/07; 9/18/10; 6/29/16; 6/01/19, 6/21/22

**APPROVED BY SIGNATURE:**

Brian Babbitt  
Chief Executive Officer

02/16/2023  
Date

Edward G. Ginop  
NCCMH Board Chair

02/16/2023  
Date