

## NORTH COUNTRY COMMUNITY MENTAL HEALTH ADMINISTRATIVE MANUAL

**CHAPTER:** Five – Member Rights  
**POLICY NAME:** RELIGIOUS WORSHIP AND TREATMENT BY SPIRITUAL MEANS  
**EFFECTIVE DATE:** September 1, 2019

### **PURPOSE**

To establish guidelines allowing for religious freedom with regard to worship, religious activities, and treatment by spiritual means.

### **APPLICATION**

All North Country Community Mental Health direct service programs and contracted direct service providers.

### **DEFINITION**

**Treatment by Spiritual Means** encompasses a spiritual discipline or school of thought upon which a recipient wishes to rely to aid physical or mental recovery.

### **POLICY**

A recipient shall be permitted access to religious services and worship on a nondiscriminatory basis.

A recipient shall not be coerced into engaging in religious activity.

Recipients shall be permitted treatment by spiritual means upon the request of the recipient, a guardian, if any, or parent of a minor recipient.

Opportunities for contact with agencies providing treatment by spiritual means will be provided in the same manner as recipients are permitted to see private mental health professionals.

Requests for printed, recorded, or visual material essential or related to treatment by spiritual means, and to a symbolic object of similar significance shall be honored and made available at the recipient's expense.

The "right to treatment by spiritual means" includes the right of recipients, guardians, or parents of a minor to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:

- A guardian or the provider has been empowered by court to consent to provide treatment and has done so.
- A recipient poses harm to himself/herself or others and treatment is essential to prevent physical injury.

The right to treatment by spiritual means does not include the right to any of the following:

- To use mechanical devices or chemical or organic compounds which are physically harmful.
- To engage in activities prohibited by law.
- To engage in activities which physically harm the recipient or others.
- To engage in activities which are inconsistent with court-ordered custody or voluntary placement by a person other than the recipient.

Recourse to court is ensured if medication or other treatment for a minor is refused.

Written notice will be given to the requesting person of a denial of treatment by spiritual means with the reason for the denial.

The individual requesting treatment by spiritual means will be provided, upon request, with administrative review or an appeal of a denial of the request.

**REFERENCE:** MDHHS Administrative Rule R330.7009, R330.7135

**REVIEWED:** 03/24/08; 05/30/10; 07/01/13; 08/01/15

**REVISED:** 09/20/07; July 03, 2019

**APPROVED BY SIGNATURE:**

*Christine Gebhard*

Chief Executive Officer

*08/16/2019*

Date

*Edward G. Ginop*

NCCMH Board Chair

*08/15/2019*

Date