

NORTH COUNTRY COMMUNITY MENTAL HEALTH ADMINISTRATIVE MANUAL

CHAPTER: Five – Member Rights
PROCEDURE NAME: RESIDENT RIGHT TO ENTERTAINMENT MATERIALS,
INFORMATION, AND NEWS
EFFECTIVE DATE: September 1, 2019

PURPOSE

To establish guidelines with regard to resident access to entertainment, information or news related materials

APPLICATION

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

DEFINITIONS

Facility: a licensed residential facility for the care or treatment of individuals with serious mental illness, serious emotional disturbance, or developmental disability.

Resident: an individual who receives services in a facility.

PROCEDURE

- A provider shall not prevent a resident from acquiring entertainment materials, information and news at his or her expense, or from reading written or printed material, or from viewing or listening to television, radio, recordings, or movies made available at a facility for reasons of, or similar to, censorship.
- Any restrictions to written materials, television, radio, movies or internet access (or other information delivery sources) shall be approved by the Behavior Treatment Committee and appropriately documented, justified, and made part of the plan of service.
- A provider shall document each instance when a limitation is imposed in the resident's record
- A provider shall not limit access to entertainment materials, information or news when such limitations can no longer be clinically justified.
- Material not prohibited by law may be read or viewed by a minor unless there is an objection by the minor's parent or guardian who has legal custody of the minor.
- Should a minor desire to have access to materials specifically denied by a parent or guardian, the case holder shall be permitted to persuade the parent or guardian to withdraw objections to material desired by the minor.
- Any general program restrictions on access to material for reading, listening, or viewing must be defined by provider policies and procedures and approved by the recipient rights office.
- Upon acceptance to a facility and on an ongoing basis thereafter, the provider will determine a resident's interest in, and provide for, a daily newspaper.
- Any specific restrictions on a living unit or for the therapeutic benefit of the residents as a group must be defined by the providers policies and procedures. (i.e. "quiet hours" in commonly used spaces.) These restrictions must not violate recipient rights or HCBS rules, if applicable.

- NCCMH staff and contract residential staff shall inform the resident of his or her right to appeal any restrictions, and/or its expiration date, and be provided access to the Rights Office. NCCMH will assure that remedial action is taken when there has been a wrongful denial.

REFERENCE: MDHHS Administrative Rule R330.7139

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

REVISED: 06/01/07; July 4, 2019

APPROVED BY SIGNATURE:

Christine Gebhard

Chief Executive Officer

09/10/2019

Date

Kim Rappleyea

Recipient Rights Officer

09/10/2019

Date