

ST. CLAIR COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

BOARD POLICY

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I. **APPLICATION:**

- SCCCMHA Board
- SCCCMHA Providers & Subcontractors
- Direct-Operated Programs
- Community Agency Contractors
- Residential Programs
- Specialized Foster Care

II. **POLICY STATEMENT:**

It shall be the policy of the St. Clair County Community Mental Health Authority (SCCCMHA) Board of Directors that the Recipient Rights Advisory Committee, a standing committee of the SCCCMHA Board of Directors, will meet the requirements established in Section 757 of the Michigan Mental Health Code.

III. **DEFINITIONS:**

- A. **Office of Recipient Rights (ORR):** The office created by the Michigan Mental Health Code that is subordinate only to the SCCCMHA Chief Executive Officer, and that is responsible for investigating, resolving, and assuring remediation of apparent or suspected recipient rights violations, and assuring that mental health services are provided by SCCCMHA and its provider network in a manner that respects and promotes the rights of recipients as guaranteed by Chapters 7 and 7A of the Michigan Mental Health Code, P.A. 258 of 1974, as amended.
- B. **Recipient:** Means an individual who receives mental health services from the Michigan Department of Health and Human Services (MDHHS), a community mental health services program, or a facility or from a provider that is under contract with the MDHHS or a community mental health services program.
- C. **Recipient Rights Advisory Committee:** A committee appointed under Section 757 of the Michigan Mental Health Code.

IV. **STANDARDS:**

- A. The membership of the Recipient Rights Advisory Committee (RRAC/Committee) shall consist of at least six (6) members and be broadly based so as to best represent the varied perspectives of the residents of St. Clair County.

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- B. At least 1/3 of the membership of the RRAC shall be recipients or family members of recipients, and of that 1/3, at least 1/2 shall be recipients.
- C. The RRAC shall do all of the following:
1. Meet at least semi-annually to carry out its responsibilities.
 2. Maintain a current list of members' names to be made available to individuals upon request.
 3. Maintain a current list of categories represented by the Committee's membership to be made available to individuals upon request.
 4. Protect the Office of Recipient Rights from pressures that could interfere with the impartial, even-handed, and thorough performance of its functions.
 5. Recommend candidates for Director/Officer of the Office of Recipient Rights to the Chief Executive Officer, and consult with the Chief Executive Officer regarding any proposed dismissal of the Director/Officer of the Office of Recipient Rights.
 6. Serve in an advisory capacity to the Chief Executive Officer and the Director/Officer of the Office of Recipient Rights.
 7. Review and provide comments on the annual report submitted by the Chief Executive Officer to the SCCCMHA Board of Directors under Section 755 of the Michigan Mental Health Code.
 8. As designated by the SCCCMHA Board of Directors, the Committee will serve as the Recipient Rights Appeals Committee. See policy #05-001-0050, Appeals of Recipient Rights Complaint Findings and Dispute Resolution, for more information.
 9. Reviews the funding of the Office of Recipient Rights on an annual basis, and documents their recommendations in their meeting minutes.
- D. Meetings of the Recipient Rights Advisory Committee are subject to the Open Meetings Act, Act No. 267 of the Public Acts of 1976, being Sections 15.261 to 15.275 of the Michigan Compiled Laws. Minutes shall be maintained and made available to individuals upon request.
- E. In addition to the statutory requirements noted above, the SCCCMHA Board of Directors assigns the Recipient Rights Advisory Committee the following tasks:
1. Recipient Rights Training: To review and/or make recommendations about Recipient Rights Training within the SCCCMHA System, for the following levels:
 - a. SCCCMHA Board of Directors
 - b. SCCCMHA and Contract Agency Staff Members
 - c. Recipient Rights Director/Advisors

Note: The Committee is encouraged to review training modules prepared by the Office of Recipient Rights (ORR), or after reviewing the SCCCMHA-ORR Annual Report make recommendations for training to address systemic issues.
 2. Recipient Rights Policy Development: To annually review the SCCCMHA Recipient Rights policy, #05-001-0005, and to make recommendations to improve the functioning of the SCCCMHA Rights Protection System.

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3. Incident Report Statistical Review: The Committee will review aggregate statistics to consider whether trends are developing in specific programs/service arrangements, so that training or other action may be taken to improve service outcomes.
4. Parent/Guardian Monitoring Program: The Committee will oversee, as an intermediary for the SCCCMHA Board of Directors, the Parent/Guardian Monitoring Program to ensure recipients residing in specialized licensed residential facilities live in a safe, clean, and healthy environment and are treated with dignity and respect.

F. Committee membership and length of terms:

1. Staff of direct-operated or contract agencies shall not be eligible for membership on the Committee; however, members of mental health related associations (e.g. The Arc of St. Clair County, National Alliance on Mental Illness, etc.), shall be eligible to serve as Committee members.
2. Committee member appointments will be for one year. Appointments shall be voted on by the SCCCMHA Board of Directors on an annual basis. The SCCCMHA Board of Directors may appoint members for an unlimited number of consecutive terms.

G. Conduct of business. A quorum will consist of a number of members that is greater than 50% of the members in attendance at each meeting, and must include at least one (1) SCCCMHA Board member.

V. PROCEDURES:

SCCCMHA Board Chairperson

1. Recommends the appointment of six or more members to the Recipient Rights Advisory Committee. In addition, selects a chairperson and vice-chairperson for the Recipient Rights Advisory Committee.

Recipient Rights Director

2. Asks, through an annual re-appointment letter, any potential Committee member if they can make a commitment to serve on the Recipient Rights Advisory Committee, prior to the selection of and final board appointment of members to the Recipient Rights Advisory Committee.

SCCCMHA Board Chairperson

3. Consults with the Recipient Rights Advisory Committee Chairperson on a periodic basis; part of this consultation will include an update on attendance of members to determine future re-appointments.

SCCCMHA Board of Directors

4. Votes on appointments to the Recipient Rights Advisory Committee on an annual basis, and

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documents the appointments in its meeting minutes.

Recipient Rights Advisory Committee Chairperson or SCCCMHA Recipient Rights Director

5. Provides periodic updates to the SCCCMHA Board of Directors on Committee activities.

Recipient Rights Director

6. Serves as support staff to the Recipient Rights Advisory Committee; the Recipient Rights Director will be an ad-hoc, non-voting member of the Committee.
7. Schedules Recipient Rights Advisory Committee meetings as necessary; Ensures follow-up actions are completed.
8. Provides meeting minutes to the Recipient Rights Advisory Committee and circulates/disseminates important documents to Committee members.
9. Provides an initial orientation and Recipient Rights Orientation Manual to all new members prior to their attendance at their first meeting, unless the member's or Recipient Rights Director's schedule will not permit. If schedules do not allow for orientation prior to the member's first meeting, the Recipient Rights Director will provide the information as soon as possible.
10. Brings periodic reports on Incident Reporting and Parent/Guardian Monitoring Program results to the Recipient Rights Advisory Committee for review.

VI. REFERENCES:

- A. Michigan Mental Health Code, Sections 330.1755, 330.1757, 330.1774, and 330.1784

VII. EXHIBITS:

None Available

VIII. REVISION HISTORY:

Dates issued 10/89, 12/90, 09/91, 12/93, 03/97, 01/99, 12/00, 12/02, 11/04, 01/07, 01/12, 09/12, 07/13, 07/14, 07/15, 07/16, 07/17, 07/18, 07/19, 7/20, 12/21.