



RIGHTS MATTERS

Volume 3, Issue 12, December 2018

*Macomb County Community Mental Health
Office of Recipient Rights*

'The Holidays Revisited'

Rights Complaints must be filed when:

- A consumer makes an allegation of a rights violation; or
- An apparent rights violation occurs; or
- A rights violation is suspected

Rights complaints must be reported **immediately** to ORR

- Via rights complaint form; or
- Call (586) 469-6528

An incident report form is **not** to be used as a rights complaint form.

It is the time of year when our attention turns to the holidays – family gatherings and the exchanging of gifts. It is an exciting time for many, but also a very stressful time for others. This is the time of year when rights complaints increase.

With that being said, it is a good time to remind ourselves that some of our consumers may not have involvement with family. This may result in feelings of isolation or even jealousy. Unfortunately, this sometimes leads to the appearance of or increase in undesired behaviors. Is your staff ready for this? Do they know how to successfully deescalate behaviors? We should take this opportunity to plan for successful outcomes. In the past, staff has

invited consumers without family to join their own families for the holidays. Please remember that before a consumer may attend a holiday with staff, that prior *written* informed consent must be obtained from the guardian (if applicable) or the consumer, if there is no appointed guardian— plus provider approval. Additionally, the visit should be addressed in the plan of service.

We have all heard the adage “*it is better give than to receive.*” It is a nice sentiment. However, regularly MCCMH-ORR receives complaints that staff have ‘requested a present’ from consumers, guardians, and/or family. Staff may not ‘request’ a gift. There are times when gifts are offered to a staff person. Is your staff familiar with

MCCMH MCO policy 9 -780 Section V.E.? This is the perfect time to review this policy with staff to ensure compliance.

Additionally, the area that results in the most complaints is the disappearance of gifts consumers receive. These usually involve missing gift cards and missing items of clothing. Please make sure that all of your staff are safeguarding gifts and documenting items on the personal property inventory (if applicable).

If we just take a few moments to address some of the regularly recurring issues, our consumers may have the holidays they deserve with staff who help them experience the joy of the season. Now, that is truly a gift everyone can appreciate.

**MCCMH-ORR now offers
rights training for
consumers!**

Please call to schedule an onsite training for your MCCMH consumers.

You may contact us at:

MCCMH Office of Recipient Rights
22550 Hall Road
Clinton Township, MI 48036

Phone: (586) 469-6528
Fax: (586) 466-4131

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We're on the Web!

www.mccmh.net

Click on the "Rights & Advocacy" tab

Training schedules also available online!

MCCMH Mission

Macomb County Community Mental Health, guided by the values, strengths and informed choices of the people we serve, provides quality services which promote recovery, community participation, self-sufficiency, and independence.

Cooperating with a Rights Investigation

It is no secret that MCCMH-ORR receives a very high number of complaints from staff, consumers, guardians, etc. resulting in many investigations. However, what is the provider's responsibility to cooperate with all of these investigations conducted by MCCMH-ORR? The contract between MCCMH and its provider agencies [Section F] states the following:

"The Agency agrees that the Board Office of Recipient

Rights (ORR) will have unimpeded access to all of the following:

- *All programs and services operated by or under contract to the Agency;*
- *all staff employed by or under contract with the Agency; and*
- *all evidence necessary to conduct a thorough investigation or to fulfill its monitoring functions including unimpeded access to consumer records in any form or*

medium, i.e. paper or electronic.

The Agency will ensure that staff employed by or under contract will cooperate with ORR representatives during investigations or when fulfilling its monitoring/advocacy functions."

Providing unimpeded access to ORR is not only required, it ensures the integrity of service delivery and Recipient Rights protection systems.