

SHIAWASSEE COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

POLICY AND PROCEDURE MANUAL

Section: Recipient Rights
Policy Number: 9
Subject: **Communications by Mail, Telephone,
and Visits**

Effective Date: 2/24/97
Last Revision Date: 5/12/16
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Policy

It shall be the policy of the Shiawassee County Community Mental Health Authority (SCCMHA) that any recipient residing in a Board-sponsored living arrangement or receiving inpatient services from a facility under contract with the Board is entitled to unimpeded, private, and uncensored communication with others by mail and telephone and to visit with persons of his or her choice (space will be made available for visits), except in circumstances and under conditions set forth in this policy.

Purpose

To ensure the protection of rights of recipients of the SCCMHA and to ensure compliance with the Michigan Mental Health Code and Michigan Department of Health and Human Services Administrative Rules.

Application

This policy applies to all employees, independent contractors, and contract agencies of the SCCMHA.

Standards

- A. Any agency under the authority of this policy shall make telephones easily and readily accessible to recipients receiving its services. Funds for telephone use are available in reasonable amounts.
- B. Any agency under the authority of this policy shall ensure that correspondence can be confidentially received and mailed. Writing materials and postage are provided in reasonable amounts.
- C. Any limitation on a recipient's right to communicate by mail or telephone or to have visitors shall be documented in the recipient's plan of service. Such documentation shall include the justification for the limitation and the date of its expiration.
- D. A recipient in a Board-sponsored living arrangement or in an inpatient facility under contract with the Board shall be provided in writing and posted in the facility rules regarding:

1. Daily distribution of mail.
 2. Non-letterhead stationery, envelopes, postage, and pens or pencils, upon request.
 3. Access to a postal box or daily pickup and deposit of mail.
 4. Telephones for incoming calls during hours established by the agency and provided in writing to the recipient or guardian as necessary.
 5. Public or agency telephones for outgoing calls during hours established by the agency and provided in writing to the recipient and guardian as necessary.
 6. Regular visiting hours scheduled to be least disruptive to normal treatment activity and provided in writing to the recipient and guardian if necessary.
- E. A recipient's mail shall not be opened unless the recipient, or as applicable, the recipient's parent or guardian has consented that an article of mail may be opened by a designated person, or there is reasonable belief that an article or articles of mail violate a limitation. Outgoing mail shall not be opened or destroyed without written consent of the recipient or, as applicable, the recipient's parent or guardian. Instances of opening or destruction of mail by staff shall be documented in the recipient's record.
- F. A recipient's communication, in any form, with a private physician, mental health professional, court, recipient's attorney, or other person when such communication involves matters which are or may be the subject of any legal inquiry shall not be limited.
- G. Non-emergency visits to a recipient by a private physician or a mental health professional may be limited to reasonable times. A time is reasonable if a visit does not seriously tax the effective functioning of the residence or facility in which the recipient is receiving service.
- H. All limitations under this policy require the approval of the Chief Executive Officer and the following criteria shall be met:
1. A limitation shall be imposed only to the minimum degree necessary for achieving the intended purpose of the limitation, and
 2. A limitation is supported by documentation which establishes a) reasons justifying the limitation; b) significant evidence supporting the expected mental and/or physical harm, the violation of law, or harassment; c) reasons justifying

the extent of the limitation as the minimum degree of restriction necessary to achieve the intended purpose of the limitation; d) a specific expiration date to be reviewed at intervals consistent with ongoing care review and the average length of stay in the living arrangement or inpatient facility; and e) the limitations are reviewed in conjunction with the treatment plan review.

- I. A recipient or, as applicable, a recipient's guardian or parent shall be promptly informed of a limitation on mail, telephone calls, or visits. All such limitations are determined with the participation of the recipient and, as applicable, the recipient's guardian or parent and are fully explained to the recipient and, as applicable, to his or her guardian or parent.

- J. Limitations are subject to administrative appeal. A recipient may contest the justification, extent, or duration of a limitation by appealing to the Program Director responsible for the living arrangement or the administrator of the inpatient unit where the recipient is receiving care. If the issue is not or cannot be resolved at this level, the justification, extent, or duration of a limitation may be appealed, in writing or verbally, to the Chief Executive Officer of the SCCMHA or the designated representative.

Approved by: 
Board Chairperson

9-26-2016
Date


Chief Executive Officer

9/28/16
Date

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Review/Revision Dates:

Date:	By:
1997 – 2008	Board reviews
8/6/98	Revised by Becke Browne
10/31/01	Revised by Becke Browne
8/27/07	Revised by Becke Browne
4/2/09	New formatting
7/21/11	Reviewed by Recipient Rights Advisory Committee
7/19/12	Reviewed by Recipient Rights Advisory Committee
10/17/13	Reviewed by Recipient Rights Advisory Committee
12/11/14	Reviewed by Recipient Rights Advisory Committee
01/21/16	Annual Review by Recipient Rights Advisory Committee
5/12/16	Revised by Rebecca Browne