

SHIAWASSEE COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
POLICY AND PROCEDURE MANUAL

Section: Recipient Rights
Policy Number: 13
Subject: **Treatment By Spiritual Means**

Effective Date: 10/9/95
Last Revision Date: 5/9/16
Page: 1 of 4

Policy

It is the policy of Shiawassee County Community Mental Health Authority (SCCMHA) to safeguard and facilitate a recipient's access to and use of treatment by spiritual means when the recipient or guardian requests the use of and access to such treatment.

Purpose

To ensure the protection of rights of recipients of the SCCMHA.

To ensure compliance with the Michigan Mental Health Code and the Michigan Department of Health and Human Services Administrative Rules.

Application

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

Definitions

Treatment by Spiritual Means: Services, consultation, and education of a spiritual discipline or school of thought upon which a recipient relies to promote mental health and physical well-being and comfort and to aid mental and physical recovery. Pastoral care may include printed, recorded, and/or visual material and symbolic objects essential or related to the spiritual discipline or school of thought.

Standards

1. Opportunity for contact with organizations providing treatment by spiritual means will be provided to a recipient residing in a Board-sponsored living arrangement in the same manner as recipients are permitted to see private mental health professionals.
2. The right to treatment by spiritual means includes the right of a recipient, a recipient's guardian or a parent of a minor to refuse medication or other treatment on spiritual grounds that predate the current allegations of mental illness or disability but does not extend to circumstances where either:

- a. A guardian or provider has been empowered by a court to consent to or to provide treatment and has done so.
 - b. A recipient is presently a danger to self or others and treatment is essential to prevent physical injury.
3. The right to treatment by spiritual means does not include the following:
 - a. To use mechanical devices or clinical or organic compounds which are physically harmful [AR 7135 (5) (a)].
 - b. To engage in an activity prohibited by law [AR 7135 (5) (b)].
 - c. To engage in an activity which physically harms the recipient or others [AR 7135 (5) (c)].
 - d. To engage in a physical activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the recipient [AR 7135 (5) (d)].
4. Agencies providing services under contract to recipients of the SCCMHA will insure the right of Board-sponsored recipients to treatment by spiritual means by adhering to SCCMHA's Treatment by Spiritual Means policy including the following:
 - a. Assurance that a recipient assents when a request is by the guardian.
 - b. Recourse to court proceedings when there is refusal of medication or other treatment for a recipient who is a minor.
 - c. Notice to the requesting person of a denial of a request and the reasons for the denial.
 - d. Documentation of each event must be recorded in the recipient's clinical record.
5. A facility under contract with the SCCMHA to provide residential or inpatient services to Board-sponsored recipients will provide for administrative review or appeal of a denial of a request for treatment by spiritual means if the person requesting said care requests and appeal.

Section: Recipient Rights
Policy Number: 13
Subject: **Treatment By Spiritual Means**

Approved by: 
Board Chairperson

9-26-2016
Date


Chief Executive Officer

9/28/16
Date

Review/Revision Dates:

Date:	By:
1/13/97, 8/6/98, 3/2/01, 10/31/01, 1/19/05	Revised
1996-2008	Board reviews
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
5/9/16	Revised by Rebecca Browne