



HURON BEHAVIORAL HEALTH
PROCEDURE

Procedure #: RR.2.13
Issue Date: 07/19/00
Rev. Date: 02/07/17
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Title: Recipient Rights – Personal Property and Funds Procedure

Prepared By: Recipient Rights Officer

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Purpose:

To define the guidelines and practices for consumers personal property and funds.

Scope:

This procedure applies to all employees (including full-time employees, part-time employees, contractual providers, volunteers, students, and/or interns, of Huron Behavioral Health (HBH) programs, both direct and contracted.

Information:

POLICY:

It is the policy of Huron Behavioral Health that consumers are assured the right to receive, possess and use all personal property and funds including clothing. A consumer is permitted to inspect personal property at reasonable times, except in certain circumstances and conditions as defined in this procedure.

Procedure:

1. Each program or residential setting shall provide a reasonable amount of storage space to each consumer for his/her clothing and other personal property.
2. A program or residential setting may exclude certain kinds of personal property per the program or residential policies and/or rules. These exclusions must be in writing and posted in each residential setting)

Excluded property may include, but is not limited to, the following:

- Weapons: firearms, knives and sharp objects, explosives and other potentially dangerous articles
- Monetary items: expensive jewelry, stocks, bonds, etc
- Contraband: drugs, whether prescribed or not
- Alcoholic beverages

3. If an employee has knowledge of or suspects a consumer possesses an excludable item, they are to:
 - a. Inform the consumer of agency policy regarding excludable items
 - b. Request (in the presence of a witness) that the consumer place the excludable item(s) in the care of program staff
 - c. Search, if there is a reasonable suspicion that the consumer has brought weapons or contraband items into the residential setting or program. At least two (2) staff persons in the presence of the consumer will conduct the search. Approval by the program supervisor or residential supervisor must be obtained prior to the search. The reasons for the search, the persons conducting the search and the results of the search shall be clearly documented in the consumer's case record.
4. Additionally, the consumer's Person-Centered Plan (PCP) may limit their personal property and/or access to it for the following reasons:
 - a. Limitation must be essential in order to:
 - Prevent theft, loss or destruction of the property, unless a waiver is signed by the consumer
 - Prevent the consumer from physically harming himself or others

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- b. Any limitation, justification and the time frame it shall be in effect shall be noted in the consumer's record
- c. Any limitation adopted shall be removed when the circumstances which justified its adoption ceases to exist
5. Each program or residential setting shall inventory and account for consumer's personal property when the consumer enters a program.
6. A receipt shall be given to the consumer, (or their legal guardian, or, any person designated by the consumer) for any personal property and funds taken into the possession of the program or residential setting. A consumer is permitted to inspect personal property at reasonable times. Any of the consumer's personal property or funds in possession of the program or residential facility at the time of discharge, shall be returned to the consumer.
7. A consumer shall have easy access to the money in his/her personal spending account and have the option to spend or otherwise use the money as he/she chooses.
8. A limitation or restriction to funds in a consumer's personal spending account may only be made with the case manager, and the interdisciplinary team or primary therapist in consensus with the legal guardian or payee, where applicable.
9. Each program or residential setting shall account for consumer's personal funds on an ongoing (at least monthly) basis, and when the consumer is discharged or leaves the program. Personal property shall be accounted for and maintained and shall accompany the consumer upon discharge.
10. The right of personal property and funds shall not entitle a minor consumer to obtain and keep personal property and funds over the objection of the minor's parent or guardian or if prohibited by state law. The case manager/supports coordinator or primary therapist may not attempt to persuade a parent or guardian of a minor to withdraw their objections to the property and funds desired by the minor.

Complaint Process:

A consumer or another individual on behalf of the consumer has the right to file a complaint regarding denials or limitations of their right to access funds, or the time frames placed upon limitation. Complaints may be filed with HBH Recipient Rights Office.

Definitions/Acronyms:DEFINITIONS:

Limitation – Individual rules governing the specific limitations of a consumer's right to access personal property and funds.

Resident – A person with a mental illness or developmental disability who is living in a residential setting.

Restrictions – Laws, rules and policies governing specific restrictions of access to personal property and funds of a resident or group of residents.

ACRONYMS:

HBH – Huron Behavioral Health

PCP – Person Centered Plan

Forms:

N/A

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Records of personal property and funds are retained by the residential home manager and are placed in the permanent case record after discharge.

Reference(s) and/or Legal Authority

Michigan Mental Health Code 330.1728, 1730, 1732, 1752
Administrative Rule 330.7009

Change History:

Change Letter	Date of Change(s)	Changes
A	05/23/03	Documentation brought into the new procedure format and numbered for tracking, minimal changes made to content. Reworded Procedure 7-10 for clarification, added Complaint Process, updated references
B	03/01/06	Reworded "Policy" statement, added references to GL.1.01 and RT.1.02,
C	07/06/06	Reworded 3a and 3b for clarification
D	07/25/11	Reviewed by the Recipient Rights Advisory committee with no changes requested but RT.1.02 Sand Beach House Rules Policy was removed because Sand Beach has been closed.
E	04/23/12	#10 added "not" after "primary therapist may". Reviewed by the HBH Recipient Rights Committee 04/23/12 and approved.
F	05/15/13	Annual review conducted – no content changes made
G	04/28/15	Annual review conducted by Recipient Rights Advisory Council – no content changes made
H	02/07/17	Reviewed by the Recipient Rights Advisory Committee – removed reference to "GL.1.03 Residential House Rules Policy" (2 places), no other content changes made.