



HURON BEHAVIORAL HEALTH
PROCEDURE

Procedure #: RR.2.06
Issue Date: 06/08/00
Rev. Date: 08/07/18
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Title: Recipient Rights – Communication, Telephone, and Visiting Rights Procedure

Prepared By: Recipient Rights Officer

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Purpose:

To define the policy and practices for consumer choices and ability to communicate and have visitors.

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:

N/A

Procedure:

A resident shall be assured unimpeded, private and uncensored communication with others by mail and telephone and to visit with people of his/her choice, except in the circumstances and under the conditions set forth by this procedure.

A. Telephone Calls

1. A resident shall be provided access to a telephone for incoming and outgoing calls during reasonable hours as stated in house rules, unless the resident is otherwise restricted in an approved treatment plan.
2. In establishing telephone hours the residential setting shall do all of the following:
 - a. Provide for telephone calls to be made and received not less than during daytime shift hours and not less than two evening hours.
 - b. Post the times incoming and outgoing telephone calls are permitted in all telephone areas and on resident bulletin boards.
 - c. Set house rules and procedures which may limit the length of incoming/outgoing calls, but to not less than five minutes.
 - d. Provide for the allocation and distribution of reasonable funds for long distance telephone calls for indigent residents.

B. Visits

1. A resident shall be guaranteed regular visiting hours, unless the resident is otherwise restricted in an approved treatment plan.
2. Visiting hours shall be scheduled to be least disruptive of normal treatment activity and to occur no less than three days weekly.
3. Visiting hours shall be posted in waiting rooms and in a centralized, accessible location within the residence and in each living unit.
4. Adequate space shall be provided for residents to visit with visitors in privacy.
5. Appropriate modifications in visiting hours shall be made for minors attending school.

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C. Mail

1. A resident shall be provided daily distribution of mail unless the resident is restricted and limitations have been incorporated into the resident's plan of service.
2. A postal box or daily pickup and deposit of mail shall be provided.
3. Non-letterhead stationery, non-letterhead envelopes, pen/pencils, and reasonable funds for postage shall be furnished upon request for indigent residents, unless the resident is restricted and limitations have been incorporated into the resident's plan of service.
4. Incoming and outgoing mail for a resident shall not be opened or destroyed unless a resident, a legally empowered guardian, or the parent of a minor has consented that an article of mail may be opened by a designated person, or there is reasonable belief that the mail is in violation of a limitation (e.g. House Rules, PCP, etc). Consumers shall be informed of all instances of opening or destruction of mail by staff, and it shall be recorded in the resident's record. Limitations must be identified in the Person Centered Plan.

D. Limitations

1. For all limitations, the following criteria shall be met:
 - a. A limitation is the minimum essential to achieve the purposes proposed. Documentation must support the reasons and evidence to justify the extent of limitation as being the minimum amount needed.
 - b. A limitation is approved by the Interdisciplinary Team.
 - c. A limitation is supported by documentation, entered in the resident's record/plan of service, establishing the following:
 - Reasons which justify the limitation, i.e., significant evidence supporting the potential mental or physical harm, the violation of law, or harassment. In the case of telephone harassment, a limitation to prevent harassment shall require a written request from the victim of the harassment, documentation of the frequency or content of past harassment and whether future telephone harassment can reasonably be expected.
 - A specific expiration date, established by the interdisciplinary team stating at which time the limitation will be re-assessed. (Reassessment shall occur not more than thirty days from the enactment of the restriction.)
 - A resident shall be informed of a limitation on mail, telephone calls, or visits. Upon request, the resident shall be informed of the purpose a limitation is intended to achieve, the persons, or entities involved and additional information deemed necessary.
 - d. The right to communicate by mail or telephone or to receive visitors shall not be further limited except as authorized in the resident's plan of service.
 - e. A resident, (parent or guardian if appropriate), shall be able to appeal the extent or duration of a limitation regarding telephone, mail or visiting rights. Appeals may be made in accordance with the HBH [Appeals Procedure \(RR.2.02\)](#).
 - f. Current limitations shall be reviewed in conjunction with other reviews of the content of a written plan of service.
 - g. With the exception of limitations put into effect for a resident through a resident's plan of service, general house rules for all persons living in a residential setting, i.e., set times for visitation, telephone use, no smoking, smoking in designated area, etc., may be implemented and posted.
 - h. Limitations on communication do not apply to a resident and an attorney or court or any

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other individual if the communication involves matters that may be the subject of legal inquiry.

- i. If a consumer is able to secure the services of a mental health professional, he or she shall be allowed to see that person at any reasonable time.

Complaint Process:

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

Definitions/Acronyms:

HBH – Huron Behavioral Health

PCP – Person Centered Plan

Forms:

N/A

Records:

N/A

Reference(s) and/or Legal Authority

Michigan Mental Health Code 330.1715, 330.1726, 330.1752

[RR.2.02 Recipient Rights - Appeals Procedure](#)

Change History:

Change Letter	Date of Change(s)	Changes
A	05/26/03	Documentation brought into the new procedure format and numbered for tracking, minimal changes made to content. Added Complaint Process, updated references, added H & I in Limitations.
B	03/01/06	Added examples in C.4 "(e.g....)", added reference to RR.2.02 Appeals Procedure.
C	04/25/11	Reviewed by HBH Recipient Rights Advisory Committee on 4/18/11 with NO content changes.
D	02/02/12	Reviewed by the Recipient Rights Advisory Committee on 01/23/12 w/ NO content changes.
E	05/15/13	Reviewed by the HBH Recipient Rights Advisory Committee w/ no content changes.
F	01/13/15	Reviewed by the HBH Recipient Rights Advisory Committee w/ no content changes.
G	07/27/16	Reviewed by Recipient Rights Advisory Committee – in "Acronym" section removed "DD" & "MDCH", in "Procedure" section changed "A resident is..." to "A resident shall be..."; in D.1.a changed last word from "essential" to "needed", several very minor wording/grammatical changes/corrections made throughout document without changing sentence content.
H	08/07/18	Reviewed by Recipient Rights Advisory Committee – No content changes.