



HURON BEHAVIORAL HEALTH  
**PROCEDURE**

Procedure #: RR.2.10  
Issue Date: 06/12/00  
Rev. Date: 08/07/18  
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**Title: Recipient Rights – Freedom of Movement Procedure**

Prepared By: Recipient Rights Officer

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**Purpose:**

To define the policy and practices regarding consumer's freedom of movement.

**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 HBH to assist consumers for placement in the least restrictive setting.
- Freedom of movement shall not be restricted more than is necessary, to provide mental health services, to prevent injury to the resident or others, to prevent substantial property damage except that security precautions appropriate to the condition and circumstances of an individual admitted by order of a criminal court or transferred as a sentence-serving convict from a penal institution may be taken.

**Procedure:**

1. Freedom of movement is restricted or limited only by general restrictions in a residential setting's home rules, which may include the following:
  - a. Areas that could impair the effective functioning of the residential setting based on criteria such as:
    - Age, i.e., minor restrictions versus adult restrictions
    - Sex, i.e., women's and men's rest rooms
    - Physical condition (i.e. wheelchairs, crutches)
  - b. Threat of homicide or felonious assault
  - c. Areas that could cause safety or security problems
  - d. Temporary restrictions from areas for reasonable unforeseeable activities, such as repairs or maintenance
  - e. Emergencies in case of fire, tornadoes, floods, etc.
  - f. Time restrictions, such as posted hours for access to specified areas
  - g. Access to areas within boundaries like fences, etc.
  - h. Purpose and description, i.e., doctor's examination rooms for efficient functioning
2. That residents and their guardians shall be informed of their right to freedom of movement and any restriction or limitation of this right. Verification of this explanation shall be entered into the clinical case record. The resident and guardian shall also receive a copy of the residential setting's restrictions.
3. That a resident shall not be subject to a setting, which increases restraint on personal liberty unless, documented in the clinical record and/Person Centered Plan (PCP).
4. That general restrictions applicable to all residents or groups of residents, governing access to grounds, buildings or other areas shall be documented in a residential setting's house rules.

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5. That an individual's Person Centered Plan and their progress notes shall contain justification whenever residents move to a more restrictive setting.
6. A consumer will not be transferred to a more restrictive setting unless to prevent injury to him or her or to others, or to prevent substantial property damage or unless a change in the consumer's medical condition warrants a more intensive level of care.
7. That residents and parent(s) or guardian are informed of further individual limitations and justification for limitations.
  - a. Individual limitations must be set for as short a time as necessary to complete evaluation when the residents are first admitted (maximum of 15 working days):
    - Based on the individual's condition
    - Based on the individual's admission status
    - Justified and documented in the individual's record
    - Explained to the resident and parent or guardian as appropriate
  - b. When freedom of movement is restricted or limited, documentation will be in the resident's PCP:
    1. Justification of the limitation
    2. Authorization of limitation
    3. Review date of limitation
    4. A notation in the clinical record of individual limitation as clearly explained to the resident, parent or guardian
8. That a residential setting shall not maintain locked rooms for residents.
9. That when restrictions and/or limitations on freedom of movement are imposed on a resident during therapy treatment, they shall be governed by other approved and authorized Huron Behavioral Health policies and procedures and related home rules.
10. Upon admission the residential setting's manager gives to the resident and parent or guardian, a copy of the residential setting's general policies and procedures on restrictions of freedom of movement and explains any restrictions on freedom of movement.
11. The treatment team:
  - a. Determines if further limitations on the freedom of movement are needed, guided by the condition/behavior of the resident, and Huron Behavioral Health policies and procedures, and residential setting home rules.
  - b. Documents justification, authorization, duration, and review date for any further individual limitations of freedom of movement in resident's PCP
  - c. Explains to the resident and parent or guardian in understandable terms, further limitations.
  - d. Any limitations must be:
    - Justified in the record
    - Time limited
  - e. Any restriction on freedom of movement of a consumer is removed when the circumstance that justified its adoption ceases to exist.

**COMPLAINT PROCESS:**

A consumer or another individual on behalf of the consumer has the right to file a complaint for limitations on freedom of movement. Complaints can be filed with HBH Recipient Rights Office.

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N/A

**Records:**

N/A

**Reference(s) and/or Legal Authority**

Act 258, Public Acts of 1974 (Mental Health Code)

Michigan Mental Health Code 330.1708, 330.1712, 330.1744, 330.1752

**Change History:**

Change Letter	Date of Change(s)	Changes
A	05/21/03	Documentation brought into the new procedure format and numbered for tracking, minimal changes made to content. Changed plan of service to PCP, changed wording in 13 of procedure, added D & E under 18.
B	03/01/06	Removed the word "Isolation" from 3 <sup>rd</sup> bullet in 1.a., added references to MHC 1708, 1712, 1744, 1752, in "Information" section – added second bullet, reworded 1 <sup>st</sup> bullet, Removed wording in "Complaint" section to more fully comply with Rights System Assessment requirements, removed first sentence in "Procedure #1" and combined it into second bullet in "Information" section, changed "plan of service" to "Person Centered Plan" throughout document, , added references GL.1.01 and RT.1.02 2 places.
C	07/25/11	Reviewed by the Recipient Rights Advisory Committee no changes recommended but removed references to RT.1.02 Sand Beach House Rules because Sand Beach is no longer open.
D	02/02/12	Reviewed by the HBH Recipient Rights Advisory Committee 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 the HBH Recipient Rights Advisory Committee – In #4 removed reference to GL.1.01, in "References" section removed GL.1.01 & MDCH Administrative Manual Chapter 14 section 230 subject 0001, in "Acronym" section removed "MDCH", in "Information" section 1 <sup>st</sup> bullet changed "provide" to "assist".
H	08/07/18	Reviewed by Recipient Rights Advisory Committee – No content changes.