



HURON BEHAVIORAL HEALTH
PROCEDURE

Procedure #: RR.2.24
Issue Date: 09/15/00
Rev. Date: 08/07/18
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Title: Recipient Rights – Treatment by Spiritual Means Procedure

Prepared By: Recipient Rights Officer

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Purpose:

To define the guidelines for treatment of consumers by spiritual means.

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:

Programs shall recognize and allow for consumer to receive treatment by spiritual means on request by consumer, guardian, or parent of a minor consumer.

Procedure:

1. The Right to Treatment by Spiritual Means includes the right of consumers, guardians, or parents of a minor to refuse medication or other treatment on spiritual grounds predate the current allegations of mental illness or disability, but does not extend to circumstances where either of the following provisions applies:
 - A guardian has been empowered by a court to consent to or provide treatment and has done so
 - A consumer is dangerous to self or others and it is medically necessary to prevent physical injury
2. Huron Behavioral Health does not provide treatment by spiritual means. Opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as consumers are permitted to see private physicians/other mental health professionals.
3. The right to treatment by spiritual means does NOT include the right:
 - To use mechanical devices or chemical or organic compounds which are physically harmful
 - To engage in activity prohibited by law
 - To engage in activity which physically harms the consumer or others
 - To engage in an activity which is inconsistent with court ordered custody or voluntary placement by a person other than the consumer
4. Consumers shall not be required or coerced to participate in any religious observance.
5. Minors shall be afforded the opportunity to participate in religious services and other religious activities in accordance with their individual and family preferences.
6. When requested and to the extent feasible, the programs shall assist consumers in locating and gaining access to religious services and ministrations suited to individual beliefs.
7. Community religious representatives shall be allowed to visit their parishioners during times arranged with providers which do not disrupt program activities for other participants.
8. Recourse to court proceedings is available when there is refusal of medication or other treatment for a minor.
9. Notice shall be given to the requesting person of a denial of a request and the reasons for the denial.
10. Provision for administrative review or appeal of denial of treatment by spiritual means will be at the option of the person requesting treatment.

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11. Requests for printed, recorded, or visual material essential or related to treatment by spiritual means, and to a symbolic object or similar significance shall be honored and made available at the recipient's expense.

Complaint Process:

A consumer or another individual on behalf of a consumer has the right to file a complaint for denials or limitations of their rights to treatment by spiritual means. Complaints may be filed with HBH Recipient Rights Office.

Definitions/Acronyms:DEFINITIONS:

Resident: A mentally ill or developmentally disabled person living in a specialized residential setting.

Treatment by Spiritual Means: Encompasses a spiritual discipline or a school of thought upon which a consumer wishes to rely upon to aid in physical or mental recovery and includes easy access, at the consumer's expense, both to printed, recorded, or visual material essential or related to treatment by spiritual means and to a symbolic object of similar significance.

ACRONYMS:

HBH – Huron Behavioral Health

MDHHS – Michigan Department of Health and Human Services

Forms:

N/A

Records:

Requests and/or Denials are retained in the consumer's case record in accordance with the [HBH Record Retention Policy \(QI.1.23\)](#).

Reference(s) and/or Legal Authority

Mental Health Code, Section 330.1752

Michigan Department of Health and Human Services Administrative Rules 330.7135

[QI.1.23 HBH Record Retention Policy](#)

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 and Procedure deleted, & information reworded for clarification, Complaint Process added, references updated
B	08/05/03	Deleted the definition for "Nearest Relative" to comply with DCH Recipient Rights audit POC
C	03/01/06	Deleted reference to administrative code 330.7001, added hyperlinks, in preparation for 05/06 Rights Audit.
D	02/02/12	Reviewed by the HBH Recipient Rights Committee w/ no content changes recommended.
E	05/15/13	Reviewed by HBH Recipient Rights Advisory Council – no content changes made
F	04/28/15	Reviewed by HBH Recipient Rights Advisory Council – no content changes made
G	02/07/17	Reviewed by the Recipient Rights Advisory Committee – changed "Michigan Department of Community Health/MDCH" to "Michigan Department of Health and Human Services/MDHHS" (2 places), no other content changes made.
H	08/07/18	Reviewed by Recipient Rights Committee – In "Procedure" section added #11, made minor punctuation changes/corrections throughout document without changing sentence content.