



HURON BEHAVIORAL HEALTH
PROCEDURE

Procedure #: RR.2.16
Issue Date: 09/06/00
Rev. Date: 08/04/21
Page: 1 of 5

Title: Recipient Rights – Recipient Rights Officer Qualifications and Training Procedure

Prepared By: Recipient Rights Officer

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Purpose:

To define the qualifications and training requirements for the Huron Behavioral Health Recipient Rights Officer.

Scope:

This procedure applies to all employees who have responsibilities for conducting Recipient Rights functions at Huron Behavioral Health (HBH) programs.

Information:

It is the policy of Huron Behavioral Health to hire recipient rights officers who are qualified with education, training and experience to fulfill the responsibilities to safeguard rights of consumers receiving mental health services and to ensure regular training for the recipient rights staff as set forth in the Michigan Department of Health and Human Services/Community Mental Health Services Program (MDHHS/CMHSP) Managed Mental Health Supports and Services Contract and the following sections of Michigan Mental Health Code:

330.1754 State office of recipient rights; establishment by department; selection of director; powers and authority of state office of recipient rights. (2) The department shall ensure all of the following: (f) Technical assistance and training in recipient rights protection are available to all community mental health services programs and other mental health service providers subject to this act.

330.1755 Office of recipient rights; establishment by community mental health services program and hospital. (2) Each community mental health services program and each licensed hospital shall ensure all of the following: (e) Staff of the office of recipient rights receive training each year in recipient rights protection.

Procedure:

A. Qualifications:

1. A Recipient Rights Officer shall minimally possess a high school diploma. Some college classes are desirable; a BA degree in a human services field, management, public administration, social science, or a law degree would be preferred.

B. Basic Requirements:

1. Within the first three months (90 days) of employment, the Recipient Rights Officer and any alternates (excluding clerical staff) shall attend and successfully complete the Basic Skills Training curriculum as determined by Michigan Department of Health and Human Services (MDHHS) Office of Recipient Rights. The Basic Skills curriculum shall consist of the following classes:

a. Basic Skills – Part I:

The first part of the mandatory training, this course is designed to provide participants with the knowledge of the laws required to carry out the mandates of the Michigan Mental Health Code and the activities necessary to operate an ORR office in compliance with applicable laws, rules, and standards.

b. Basic Skills – Part II:

The second part of the mandatory training, this course is designed to provide participants with the skills related to investigation, report writing and processing that are needed to carry out the requirements of the Michigan Mental Health Code.

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Page: 2 of 5

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C. Continuing Education Requirements:

1. All staff employed or contracted to provide recipient rights services shall receive education and training oriented toward maintenance, improvement, or enhancement of the skills required to effectively perform the functions as recipient rights staff.
2. A minimum of thirty-six (36) contact hours of education or training shall be required over a three (3) year period subsequent to the completion of the Basic Skills training, and every three (3) year period thereafter.
3. The 36 contact hours obtained must be in rights-related activities and must fall within one or more of the categories identified in the definitions below.
4. A minimum of twelve (12) contact hours must be obtained in programs classified as Category I or II.
5. No more than twelve (12) credits in a three (3) year period may be earned through the use of online learning resources.
6. At least three (3) Continuing Education Units (CEU's) must be obtained annually by attending programs or conferences developed by the Department, other rights-related organizations, organizations that have applied to the Office of Recipient Rights Education, Training and Compliance Unit for approval of their programs or through online training.
7. Recipient Rights staff may request approval for other educational programs by utilizing the established approval process defined by MDHHS contract attachment C6.3.2.3A.
8. Recipient rights staff should retain documentation of meeting the CEU requirements for a period of four (4) years from the date of attendance. It is suggested that the following information be kept on file:
 - a. The title of the course or program and any identification number assigned to it by the MDHHS ORR Education, Training, and Compliance Unit.
 - b. The number of CEU hours completed
 - c. The provider's name
 - d. Verification of attendance by the provider
 - d. The date and location of the course
9. Reviews will be conducted by the MDHHS Office of Recipient Rights at each assessment of a recipient rights program to determine if all rights staff have met both the basic and continuing education requirements.
10. CMHSPs who contract with licensed private hospitals/units shall mandate compliance with the standards in the Technical Requirements defined in contract attachment.

D. Procedures for Training Approval:

1. Training that is automatically approved for CEU credits:
 - a. MDHHS Office of Recipient Rights (ORR) training excluding Basic Skills
 - b. All sessions at the MDHHS ORR Annual Conference, including the Pre-Conference sessions
 - c. Training provided by, or sponsored by, MDHHS Office of Recipient Rights
2. Training that may be approved for CEU credits, if meeting the criteria above and with the submission of the necessary documents by the applicant:
 - a. Recipient Rights Officers Association of Michigan (RROAM) sponsored training
 - b. CMHSP/LPH/U sponsored training
 - c. Training provided by other agencies, entities, professionals, accreditation bodies, risk management, corporate counsel/lawyer, etc.
 - d. Training provided to the Recipient Rights Officer/Advisor for their profession's licensure

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Page: 3 of 5

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4. CEU Documentation and Notification:

- a. **Application** - To apply for CEU credits for a training, complete the MDHHS ORR Continuing Education Course Summary form and send by email, mail or fax, within thirty (30) calendar days of the event, to:
MDHHS ORR Education, Training, and Compliance Unit
18471 Haggerty Road
Northville, MI 48168
FAX: 248-348-9963
e-mail: MDHHS-ORR-Training@michigan.gov
- b. **Verification of Attendance** - Attendance can be verified through provision of a Certificate of Attendance, copy of a training record, copy of an attendance/sign in sheet, a copy of the training agenda, or outline with a self-attestation statement that the applicant did attend the training. Verification of attendance shall be kept on file with the applicant and be readily available for review by MDHHS-ORR, if requested.
- c. **Notification** - Applicants will receive notification of approval determination for CEU credits no later than thirty (30) business days following receipt of the required documents. Approved courses, credit, and category information will be posted on the ORR website.
- d. **Application Review, Approval and Notification** - Applications from organizations outside the Department, or applications from individuals who have attended, or plan to attend training programs shall be reviewed and approved or rejected by the Continuing Education Committee. If an application is rejected by the Continuing Education Committee it may be appealed to the director of the Office of Recipient Rights. The decision of the director of ORR is the final MDHHS position on the application.

E. Contract Providers:

3. The HBH Recipient Rights Officer will also assure that contracted service providers who are required by the Michigan Mental Health Code to implement a Recipient Rights System, or are required to have their own rights investigative process, also attend the required Recipient Rights Trainings.

Definitions/Acronyms:

Acronyms:

CEU – Continuing Education Units

CMHSP - Community Mental Health Service Provider

HBH – Huron Behavioral Health

LPH/U - Licensed Private Hospital/Unit

MDHHS – Michigan Department of Health and Human Services

ORR – Office of Recipient Rights

RROAM – Recipient Rights Officers Association of Michigan

Definitions:

Continuing Education Unit - One Continuing Education Unit (CEU) is defined as one clock hour (60 minutes) of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. The primary purpose of the CEU is to provide a permanent record of the educational accomplishments of an individual who has completed one or more significant educational experiences.

Category I Credits: Operations - This category includes programs that support and enhance the fundamental scope of responsibilities and effective work of recipient rights staff. These may be directly related to prevention, complaint resolution, and monitoring and education that support the fundamental scope of a Rights Office's operations.

Examples include:

- Rights Office Operations Techniques
- Enhancing Investigative Skills

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Page: 4 of 5

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- Inpatient Rights
- Out-of-catchment rights protection
- Writing effective rights-related contract language
- Conducting effective site visits
- How to protect rights in a dual rights protection system

Category II Credits: Legal Foundations - This category includes programs that enhance the understanding and application of the Mental Health Code, Administrative Rules, Disability and Human Rights Laws, Federal Laws and regulations and any other laws addressing the legal rights of a mental health recipient.

Category III Credits: Leadership - This category includes programs that support and enhance the leadership abilities of rights staff. Examples include:

- Community Mental Health Services Programs (CMHSP) issues
- How to establish a rights presence in an organization
- Understanding rights data and how to use it to trigger systemic organizational changes
- What goes on in a Failure Mode Event Analysis (FMEA)/Adverse Event Review
- Working with key individuals in your organization (Customer Services, Contracts Unit, etc.) and how it can enhance rights

Category IV Credits: Augmented Training - This category includes training sessions that contains information that would help rights staff have a better understand the people they serve, their disabilities, their families, or training indirectly related to rights but affecting rights. These may include trainings in mental health conditions and disabilities, treatment and support modalities, recovery, and self-de termination as long as these topics can be ascertained to have a component that relates to assisting the attendee in the protection of rights. Examples include:

- Understanding MI/SUD Co-occurring Disorders
- How to communicate with people with disabilities
- Ethics
- Consumers from different cultures (including deaf, blind and hard of hearing community)
- Diversity Issues

Continuing Education Committee – This is a committee appointed by the Director of the MDHHS-ORR Education, Training, and Compliance Unit. This committee shall consist of rights staff and management from MDHHS-ORR, CMHSPs, and LPH/U's and shall have at least one (1) representative who is a licensed Master's Social Worker (LMSW). This committee shall review applications and assign appropriate category to each approved application. Committee members shall be appointed for a three (3) year term and may be re-appointed at the discretion of the Director of ORR.

Forms:

MDHHS "Office of Recipient Rights Application for Recipient Rights CEU Credit" form (contract attachment).

Records:

Records of training are retained by the HBH Training Manager. Records of qualifications are retained by the HBH Human Resource Manager for the active term of employment plus (1) year.

Reference(s) and/or Legal Authority

Mental Health Code: 330.1754, 330.1755

Public Act 365 of 1978, section 6321

MDHHS Contract (Technical Requirement - Continuing Education Requirements for Recipient Rights Staff)

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Page: 5 of 5

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| 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 changed "Scope" |
| B | 08/05/03 | Training requirement changed (removed "every three years thereafter") to comply with DCH Recipient Rights Audit POC |
| C | 03/01/06 | Revised formatting, added "DERT" to "Acronyms" section, reviewed content of procedure for 05/06 Rights Systems Audit |
| D | 07/06/06 | Added "(I and II)" to Basic Skills Training (2 places) |
| E | 03/23/09 | Updated the New training requirements set forth by MDCH-ORR B1 (added second paragraph B.1), reworded A.1 to clarify intent without changing content of sentences. |
| F | 02/02/12 | Reviewed by the HBH Recipient Rights Advisory Committee 01/23/12 w/ no content changes recommended. |
| G | 05/15/13 | Annual review conducted – no content changes made |
| H | 04/28/15 | Reviewed by HBH Recipient Rights Advisory Council – no content changes made |
| I | 04/12/16 | Reviewed and revised to comply with FY16 mid-year contract amendments - Total rewrite of procedure – See Controlled Documentation Manager for previous versions and/or revisions made. |
| J | 10/31/17 | Changed to comply with MDHHS contract requirements (C6.30.2.3.A) – in "Procedure" section added 1.a & 1.b, changed "Office of Recipient Rights Training Division" to "Office of Recipient Rights Education, Training, and Compliance Unit" throughout document (3 places), removed C.6 ("All staff must attend a Basic Skills Update Training..."), added C.9.b, added C.11, reordered and slightly reworded section D, added D.4.d, in "Definitions" section "Category III Credits" changed "PIHP issues" to "CMHSP issues" & added "Continuing Education Committee", made several additional minor wording/grammatical changes/corrections throughout document without changing sentence content. – Reviewed and approved by the Recipient Rights Advisory Committee 10/30/17. |
| K | 08/07/18 | Reviewed by Recipient Rights Advisory Committee – No content changes. |
| L | 05/19/20 | In "Scope" section changed all employees to those "who have responsibility for conducting Recipient Rights functions", removed reference to specific MDHHS contract attachments (3 places), in D.1.b changed "MDCH" to "MDHHS", made several minor wording/grammatical changes/corrections throughout procedure without changing sentence content. |
| M | 08/04/21 | In "Procedure" section C.6 added "At least three (3)" and changed "may be obtained" to "must be obtained". |
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