CHAPTER: 1	SECTION: 14	SUBJECT: **RECIPIENT RIGHTS**
TITLE: **TREATMENT BY SPIRITUAL MEANS**		
DATE OF ORIGIN: **12/31/1986** LAST REVISED/EFFECTIVE DATE: **07/26/2021**	REVIEWED DATE: **9/9/99, 2/22/02, 4/24/02, 9/25/02, 6/20/05, 5/9/08, 6/27/11, 9/20/12, 6/24/13, 3/17/14, 3/23/15, 3/28/16, 3/20/17, 6/25/18, 6/24/19, 6/22/20, 7/26/21, 7/25/22, 07/24/23**	
ISSUED AND APPROVED BY: EXECUTIVE DIRECTOR		

I.   **PURPOSE:**
       To define policy and procedures for consumers to request treatment by spiritual means.

II.   **APPLICATION:**
       All Community Mental Health of Ottawa County (CMHOC) providers and contract providers as specified by contract.

III.   **DEFINITIONS:**
       Nearest relative includes spouse, parents, adult children and siblings, whether natural or
       adopted, or in their physical absence, another blood relative deemed to be in close association with a consumer.

       Treatment by spiritual means encompasses a spiritual discipline or school of thought upon which a consumer wishes to rely on to aid physical or mental recovery.

IV.   **POLICY:**
       It is the policy of CMHOC to assure consumers of mental health services are permitted to access treatment by spiritual means by request, at the request of the consumer, parent of a minor child, or guardian. It is also the policy of CMHOC to refer consumers to their own minister, local church of their choice, or to the interfaith council.

V.   **PROCEDURE:**
       A.   At the consumer's expense, he/she will have access to printed, recorded, or visual material essential or related to the treatment by spiritual means and to a symbolic object of similar significance.

       B.   A consumer will be allowed to practice his/her spiritual beliefs providing:
             1.   his/her practice is not deemed harmful to his/herself or others.
             2.   that his/her practice incurs no expense to the program.
             3.   his/her practice does not interfere with the treatment program, or violate the rights of others in the program.
             4.   that his/her practice does not violate the law or court orders.

C.   CMHOC shall insure the right to treatment by spiritual means by adopting policies and procedures which include all of the following:

    1.   Recourse to court proceedings when there is refusal of medication or other treatment for a minor.

    2.   Notice to the requesting person of a denial of a request and the reasons for denial.

D.   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 and mental health professionals.

E.   The "right to treatment by spiritual means" includes the right of consumers, guardians, or parents of a minor to refuse medication, or other treatment, if:

- on spiritual grounds which predate the current allegations of mental illness or disability,
- there is no court order empowering the guardian or facility to make those decisions, or
- when the consumer is not imminently dangerous to self or others

F.   The right to treatment by spiritual means does not include the right:

    a.   To use mechanical devices or chemical or organic compounds which are physically harmful.

    b.   To engage in activity prohibited by law.

    c.   To engage in activity which physically harms the consumer or others.

    d.   To engage in activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the consumer.

G.   If a minor's refusal of either medication or treatment poses a danger to either the minor or others, a petition will be made to the probate court to secure a court order for treatment.

H.   If a request for treatment by spiritual means is denied, written notice will be given to the consumer, parent of a minor, or legal guardian, with an explanation for the denial.

I.   A denial of treatment by spiritual means by providers may be appealed to the Office of Recipient Rights at the option of the person requesting treatment.

VI.   ATTACHMENT:
None Applicable

VII.   REFERENCE:
MDHHS Administrative Rules
Michigan Mental Health Code
MDHHS-ORR Attachment B