


CHAPTER: 1	SECTION: 15	SUBJECT: RECIPIENT RIGHTS
TITLE: CONSUMER'S RIGHTS TO ENTERTAINMENT MATERIALS, INFORMATION AND NEWS		
DATE OF ORIGIN: 12/31/1986	REVIEWED DATE: 09/09/99, 03/15/02, 06/20/05, 08/03/09, 09/26/11, 09/20/12, 09/23/13, 06/23/14, 06/15/15, 06/27/16, 07/24/17, 09/24/18, 09/23/19, 09/28/20, 09/29/21, 09/26/22, 09/25/23	
LAST REVISED/EFFECTIVE DATE: 09/29/2021		
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

- I. **PURPOSE:** To define procedures to ensure consumers have access to written and televised materials.
- II. **APPLICATION:**
All Community Mental Health of Ottawa County (CMHOC) staff, contract agency staff, all volunteers, and all interns as specified by contract.
- III. **DEFINITIONS:**
None Applicable
- IV. **POLICY:**
It is the policy of CMHOC to assure consumers shall not be prevented from obtaining, reading, viewing, or listening to entertainment, information or news related materials obtained at his or her own expense for reason of, or similar to, censorship.
- V. **PROCEDURE:**
 - A. Any restrictions or limitations of the consumer's rights because of a behavior (i.e., restrictions, limitations, or intrusive behavior treatment techniques) shall be reviewed and approved by a formally construed committee of mental health professionals with specific knowledge, training, and expertise in applied behavioral analysis.
 - B. Any restriction or limitation shall be justified, time-limited, and clearly documented in the plan of service. Documentation shall be included that describes attempts that have been made to avoid such restrictions as well as what actions will be taken as part of the plan to ameliorate or eliminate the need for the restriction in the future.
 - C. A provider may limit access to entertainment materials, information, or news only if such a limitation is specifically approved in the consumer's individualized plan of service. A provider shall document each instance when a limitation is imposed in the consumer's record and on an Incident Report.

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- D. Restrictions or limitations will be removed when they are no longer clinically justified to achieve program objectives which justified their application.
- E. If a provider establishes written policies and procedures the "therapeutic" restrictions must be posted and cannot restrict or infringe on the rights of any consumer (i.e., limiting access to personal property, food, access to the telephone, access to entertainment materials, information and news, visitors, freedom of movement, etc.).
- F. A daily newspaper will be provided, free of charge, if consumer interest is present.
- G. Material and devices beyond those made available by the program shall be acquired at the consumer's expense.
- H. Minors may not have access over the objection of parent/guardian or if against state law. However, the person responsible for implementing the individual plan of service/behavior treatment plan may attempt to persuade a parent or guardian of a minor to withdraw an objection to material desired by the minor.
- I. Any consumer who wishes to appeal a denial of their right of access to entertainment materials, information, and news may do so by contacting the Recipient Rights Officer in order to remedy a wrongful denial.

VI. ATTACHMENT:

None Applicable

VII. REFERENCE:

Michigan Mental Health Code
Administrative Rules Part 7
MDHHS-ORR Attachment B