

## CENTRA WELLNESS NETWORK

<b>Board Adopted Procedure</b>		
<b>Procedure</b>	03.21	<b>Policy Title: 03.00 Enrollee Rights</b>
<b>Effective Date:</b>	1/13/2011	<b>Subject: Mail, Telephone, and Visitation – Resident Rights in Specialized Residential Settings</b>
<b>Review Cycle:</b>	3 years	
<b>Approval Validation Record</b>		
<b>Action</b>	<b>Date</b>	<b>Board Sec’y Initials</b>
<b>Full Board Vote:</b>	1/13/2011	AKH
<b>Minutes Approved:</b>	2/10/2011	AKH
<b>Accountability</b>		
<b>Board Committee:</b>	Policy Committee	
<b>Agency Function:</b>	Mail, Telephone, and Visitation – Resident Rights in Specialized Residential Settings	
<b>Sunset Review Begins:</b>		
<b>Revised Date:</b>		
<b>Review Date:</b>	4/24/2014	AKH
	4.5.2017	AKH

**CENTRA WELLNESS NETWORK  
PROCEDURE 03.21 MAIL, TELEPHONE, AND VISITATION**

**I. APPLICATION:**

Agency Wide.

**II. POLICY:**

The Centra Wellness Network (CWN) Governing Board shall establish policies with related procedures to ensure clients are offered the rights afforded them pursuant to obligations under the Mental Health Code, Administrative Rules, contractual obligations with the Michigan Department of Health and Human Services (MDHHS), and the Inter-local agreement with Manistee and Benzie Counties, any other state and federal regulations, and pertinent accreditation criteria.

**III. DEFINITIONS:**

**Facility** means a residential facility for the care or treatment of individuals with serious mental illness, serious emotional disturbance, or developmental disability that is either a state facility or licensed facility.

**IV. PROCEDURE:**

**A. Mail**

1. A facility shall provide to a recipient, unless otherwise restricted, all of the following:
  - a. Daily distribution of mail (within 24 hours of receipt)
  - b. Non-letterhead stationery, envelopes, and pens or pencils, and postage upon request in reasonable amounts.
  - c. A postal box or daily pickup and deposit of mail.
2. Mail for a recipient or outgoing mail from a recipient shall not be opened, destroyed, or delayed unless one of the following conditions are met:
  - a. Without written consent of the consumer, a legally empowered guardian, or a parent of a minor.
  - b. There is reasonable belief that the mail is in violation of an authorized limitation in the recipient's individual plan of service.
  - c. Instances of opening or destruction of mail by staff shall be recorded and placed in the recipient's record.

**B. Telephone**

A recipient shall be able to place and receive telephone calls and to talk on the telephone in private during the times posted in program rules. Funds for telephone usage will be available in reasonable amounts.

**C. Visits**

A recipient shall be able to have visitors he or she wishes to see during hours posted in program rules. Space will be made available for visits to be made in private.

**D. Limitations**

1. Any limitations on a recipient's right to private phone calls, mail, and visitors will be decided through the person-centered planning process and be included in the individual plan of service.
2. Current limitations shall be reviewed in conjunction with other reviews of the content of a written plan of service to assure ongoing justifications for the limitation.
3. A recipient shall be promptly informed of a limitation on mail, telephone calls, or visits. On request, the recipient shall be informed of the purpose the limitation is intended to achieve, the persons, or entity involved, and additional information deemed appropriate.
4. A recipient may contest the justification, extent, or duration of a limitation by expressing his/her objections to the case manager or home staff. The recipient may appeal the decision to the CWN Executive Director.

**CENTRA WELLNESS NETWORK  
PROCEDURE 03.21 MAIL, TELEPHONE, AND VISITATION**

5. Mail, calls to or from, and visits from a recipient’s private physician or attorney, a mental health professional, a court, or other person when the communication is or may be the subject of legal inquiry shall not be limited.
  - a. “Legal inquiry” includes any matter concerning civil, criminal, or administrative law.
  - b. A recipient’s request to see their private physician or legal counsel will be promptly facilitated by program staff.
  - c. Non-emergency visits of a private physician or mental health professional may be limited to reasonable times that do not seriously tax the effective functioning of the program.
6. A recipient may voluntarily limit incoming phone calls or visits while working to stabilize a crisis or for other personal reasons.

**V. DISCUSSION OF INTENT:**

The intent of this procedure is to ensure that all recipients served by Centra Wellness Network will have reasonable access to private telephone conversations, private, unopened, uncensored mail, and visitation rights except when limited in the plan of service or by written program policy when receiving residential services. If reasonable times and places for use of the telephone and for visits are established, these are in writing and posted in each program.

<b>Authority and Related Directives Trace</b>	
Federal	
State	MHC 330.1715, 330.1726, 330.1752 AR, 330.1739
NMRE	
County	Interlocal Agreement of December 1992 Section IX(j)
CARF	CARF 2016 Behavioral Health, Section 1K.
Other	Board By-Laws, Section 7.E.