


CENTRA WELLNESS NETWORK

Board Adopted Procedure		
Procedure	03.28	Policy Title: 03.00 Enrollee Rights
Effective Date: 1/13/2011		Subject: Treatment by Spiritual Means – Resident Rights in Specialized Residential Settings
Review Cycle:	3 years	
Approval Validation Record		
Action	Date	Board Sec’y Initials
Full Board Vote:	1/13/2011	
Minutes Approved:	2/10/2011	
Accountability		
Board Committee:	Policy Committee	
Agency Function:	Treatment by Spiritual Means – Resident Rights in Specialized Residential Settings	
Sunset Review Begins:		
Revised Date:		
Review Date:	4/24/2014	
	4.5.2017	

**CENTRA WELLNESS NETWORK
PROCEDURE 03.28 TREATMENT BY SPIRITUAL MEANS – RESIDENTAL**

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:

Treatment by spiritual means:

A spiritual discipline or school of thought that a recipient wishes to rely on to aid physical or mental recovery.

IV. PROCEDURE:

- A. A recipient shall be permitted treatment by spiritual means on request, or the request of their guardian or parent of a minor.
- B. Opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as recipients are permitted to see private mental health professionals.
- C. The "right to treatment by spiritual means" includes the right of recipients, guardians, or parents of a minor to refuse medication or other treatment on spiritual grounds which predate the current allegations of mental illness or disability, but does not extend to circumstances where either:
 1. A guardian or the facility has been empowered by a court to consent to or provide treatment, and has done so.
 2. A resident is presently dangerous to self or others and treatment is essential to prevent physical injury.
 3. 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 recipient or others.
 - d. To engage in activity which is inconsistent with court ordered custody or voluntary placement by a person other than the recipient.
- D. Recourse to court proceedings shall be available when there is refusal of medication or other treatment for a minor.
- E. If a request for treatment by spiritual means is denied, written notice will be given to the recipient with an explanation for the denial.
- F. A denial of treatment by spiritual means by providers following a Recipient Rights Complaint can be filed with Office of Recipient Rights at the option of the person requesting treatment.

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V. DISCUSSION OF INTENT:

The intent of this procedure is to ensure that all consumers in a residential setting served by CWN are permitted treatment by spiritual means by request or at the request of the parent or guardian.

Authority and Related Directives Trace	
Federal	CFR 438.224, 42 CFR Subchapter IV, Mental Health Rights and Advocacy, Section 9501. (O) (2) (B)
State	MHC 752; AR 330.7135
NMRE	
County	Interlocal Agreement of December 1992 Section IX(j)
CARF	CARF 2016 Behavioral Health, Section 1K.
Other	Board By-Laws, Section 7.E.