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:		9/06/2023	
Review Date:		4/24/2014	
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		5/06/2020	
		11/04/2026	

CENTRA WELLNESS NETWORK
PROCEDURE 03.28 TREATMENT BY SPIRITUAL MEANS – RESIDENTAL

I. PURPOSE STATEMENT:

Centra Wellness Network's (CWN) Governing Body establishes and evaluates policies and related procedures as required by statutory and contractual obligations.
CWN reserves the right in its sole discretion to adopt and implement policies and procedures that ensure a safe, functional and professional workplace that operates with integrity using person-centered focus and planning, trauma informed practices and respect of others, cultural sensitivity and transparency in communication and practice. Organizationally and in practice, CWN is responsive to the needs of clients, community and staff.
Any statements and procedures are subject to review and/or unilateral change, modification, suspension or cancelation in whole or in part of any published/unpublished policies or procedures without notice and without having to give cause, justification, or consideration to any employee. Recognition of these rights and prerogatives of CWN is a term and condition of and maintaining employment.
Policies and Procedures are approved by the Board and/or upon recommendation by the Executive Director or his/her designee.

II. APPLICATION:

Agency Wide.

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. POLICY STATEMENT:

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.

V. PROCEDURES:

A. A recipient shall be permitted treatment by spiritual means on request, or the request of their guardian or parent of a minor.
    1. Requests for printed, recorded, or visual material essential or related to treatment by spiritual means, and to a symbolic object of similar significance shall be honored and made available at the recipient's expense.
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. Any resident who wishes to appeal a denial of their right to treatment by spiritual means may do so by contacting the Recipient Rights Officer.

VI. EXHIBITS

N/A

VII. REFERENCES:

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 2026 Behavioral Health Standards
Other	Board By-Laws