

CENTRA WELLNESS NETWORK

Board Adopted Procedure		
Procedure	03.21	Policy Title: 03.00 Enrollee Rights
Effective Date:	1/13/2011	Subject: Mail, Telephone, and Visitation – 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	AKH
Minutes Approved:	2/10/2011	AKH
Accountability		
Board Committee:	Policy Committee	
Agency Function:	Mail, Telephone, and Visitation – Resident Rights in Specialized Residential Settings	
Sunset Review Begins:		
Revised Date:	10/4/17	AKH
Review Date:	4/24/2014	AKH
	4.5.2017	AKH
	5.6.20	R.S.N.

CENTRA WELLNESS NETWORK PROCEDURE 03.21 MAIL, TELEPHONE, AND VISITATION

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to review and/or unilateral change, modification, suspension or cancelation in whole or in part of any published/unpublished policies or procedures without notice and without having to give cause, justification, or consideration to any employee.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:

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. POLICY STATEMENT:

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.

IV. PROCEDURES:

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 recipient, 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.

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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.
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.

VI. EXHIBITS:

N/A

VII. REFERENCES:

Authority and Related Directives Trace	
Federal	
State	MHC 330.1715, 330.1726, 330.1752 AR, 330.1739
NMRE	
County	Interlocal Agreement of December 1992 Section IX(j)
CARF	CARF 2018 Behavioral Health Standards
Other	Board By-Laws, Section 7.E.