# COMMUNITY MENTAL HEALTH AUTHORITY

| ADMINISTRATIVE POLICY AND PROCEDURES MANUAL | | | | |
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| **Chapter**<br>**Program Quality** | **Section**<br>**Recipient Rights** | **Chapter**<br>**05** | **Section**<br>**01** | **Subject**<br>**02** |
| **Subject**<br>**Notification of Rights** | **Authorization** | | **Approved: 03/25/97**<br>**Replaces: 07/25/95** | |

Updated: October 2024; October 2025

**I. PURPOSE:** To assure that all consumers, guardians, and recipient representatives are notified of their rights as outlined in chapters 7 and 7a of the Michigan Mental Health Code.

**II. APPLICATION:** All applicants, recipients, applicable parents and guardians receiving or intending to receive services through Gogebic Community Mental Health Authority (GCMHA).

**III. DEFINITIONS:**

**A.** Accurate summary of rights: A written summary of Chapters 7 and 7a of the Mental Health Code which includes the name, address, and telephone number of a member of staff of the Office of Recipient Rights.

**B.** Applicant: An individual or his or her legal representative who makes a request for mental health services.

**C.** Guardian: A person appointed by the court to exercise specific powers over an individual who is a minor, legally incapacitated, or developmentally disabled.

**D.** Recipient: An individual who receives mental health services from GCMHA or from a provider that is under contract with GCMHA.

**E.** Advisor: The GCMHA or contract employee charged with the responsibility of providing an explanation of the rights to a recipient and/or parent, guardian or applicant.

**IV. POLICY:** That all applicants, recipients, and applicable parents and guardians are notified of their rights.

**V. PROCEDURE:**

**A.** An employee (advisor) who is assigned the responsibility of notifying applicants, recipients, parents of minor recipients, and guardians or other legal representatives about recipient's rights shall:

**1.** Verbally inform the individual about recipient rights in an understandable manner and provide an accurate summary of rights including the right to appeal a denial of services applied for including the denial of inpatient psychiatric hospitalization at the time services are first requested;

**2.** Obtain written verification of such notification to be filed in the recipient's record;

3. Make available a copy of *The NAMI-A Resource Guide for Families Dealing with Mental Illness* to the recipient, parent or guardian.

**B.** The advisor will offer an accurate summary of rights annually during the time services are provided.

**C.** A special verbal explanation of the summary shall be given if the individual is unable to read the material for any reason. This may include, but is not limited to: illiteracy, perceptual difficulties, or visual impairment.

**D.** If the individual uses sign language or any language other than English, GCMHA shall arrange for a translator to provide the explanation within a reasonable period of time.

**E.** If the individual is emotionally upset and unable to comprehend the explanation, it may be delayed until a more clinically suitable time.

**F.** When a special explanation is given, or when notification is delayed for any reason, it shall be documented on the Rights Verification form in the recipient's record.

**G.** If a minor 14 years of age or older is receiving mental health services without the consent or knowledge of the minor's parent, guardian, or person in loco parentis, only the recipient will be notified of recipient rights.

**H.** The Office of Recipient Rights shall:

1. Have a complete copy of Chapters 7 and 7a readily available for review by applicants, recipients, parents, and guardians;
2. Provide the summary in an alternate format such as large print, audiotape, or computer disk if requested.

**VI. REFERENCES AND LEGAL AUTHORITY:** Act 258 of the Public Acts of 1974, as amended (Mental Health Code) Sections 100a, 100b, 100c, 706, 755; MDHHS Administrative Rule 7011

**VII. EXHIBITS:** None