COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY AND PROCEDURES MANUAL				
Chapter **Program Quality**	**Section** **Recipient Rights**	**Chapter** **05**	**Section** **01**	**Subject** **13**
Subject **Treatment By Spiritual Means**	**Authorization**		**Approved: 08/28/18** **Replaces: 04/27/04**	

Updated: October 2024; Reviewed/No Update: October 2025

I. PURPOSE: To establish policies and procedures to ensure a resident's right to treatment by spiritual means.

II. APPLICATION: All mental health facilities operated by or under contract with the Gogebic Community Mental Health Authority (GCMHA).

III. DEFINITIONS:

A. Primary Clinician: The staff member in charge of implementing the recipient's individual plan of service.

B. Treatment by spiritual means: A spiritual discipline or school of thought upon which a resident wished to rely to aid physical or mental recovery and includes easy access, at the resident's expense, both to printed, recorded, or visual material essential or related to treatment by spiritual means and to a symbolic object of similar significance.

IV. POLICY: Recipients shall be permitted treatment by spiritual means on request and with appropriate informed consent.

A. The opportunity for contact with agencies providing treatment by spiritual means shall be provided in the same manner as residents are permitted to see private physicians.

B. The right to treatment by spiritual means includes the right of recipients, parents of a minor, guardians 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 GCMHA 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.

C. Recourse to court proceedings is available when there is refusal of medication or other treatment for a minor.

D. Allows for 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.

E. The right to treatment by spiritual means does not include the right:

1. To use mechanical devices or chemical or organic compounds which are physically harmful.

2. To engage in activity prohibited by law.

3. To engage in activity which physically harms the recipient or others.

4. To engage in activity which is inconsistent with court-ordered custody or voluntary placement by a person other than the recipient.

F. The individual requesting treatment by spiritual means may appeal a denial of by notifying the primary clinician, verbally or in writing, of his or her desire to appeal.

V. PROCEDURE:

A. Request for Treatment by Spiritual Means

1. A recipient, parent of a minor, or guardian may communicate a request for treatment by spiritual means to the primary clinician;
2. The primary clinician shall:
   - **a)** Document the specific request and the date it was made, and file it in the recipient's record.
   - **b)** Ask the recipient if he or she assents when a request is by the parent of a minor, or a guardian and file documentation of the response in the recipient's record.

B. Approval or Denial of the Request

1. The primary clinician shall review and either approve or deny the request for treatment by spiritual means according to agency standards and file written documentation of this decision in the recipient's record.
2. If the request is approved, the primary clinician shall incorporate this request into the recipient's schedule and obtain informed consent if appropriate.
3. If the request is denied, the primary clinician shall provide the recipient and the person requesting treatment, if different, with written notification of the denial, the reasons for denial, and the appeal process, and file such documentation in the recipient's record.

C. Appeals

1. If the recipient, parent, or guardian appeals a denial:
   - **a)** The primary clinician will request his or her supervisor, or the treatment team to conduct a review.
   - **b)** The reviewing party will notify the individual of the decision within 14 days, and document it in the recipient's record.
2. If the appellant is dissatisfied, he or she may submit a request to the Executive Director, verbally or in writing, for further review;
   - **a)** The Executive Director will conduct a review and notify the appellant of the decision within 14 days.
   - **b)** The Chief Executive Office, or designated primary clinician or supervisor, will document this decision in the recipient's record.

D. Recourse to Court: The primary clinician shall inform the recipient and the person requesting treatment, if different, that recourse to court proceedings is available when there is refusal of medication or other treatment for a minor and assist if requested. A request for treatment by spiritual means shall be made in writing.

VI. REFERENCES:

Michigan Department of Health and Human Services Administrative Rule 7135

VII. EXHIBITS:

None