

MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES RECIPIENT RIGHTS TRAINING TECHNICAL REQUIREMENT

Recipient Rights Staff Training Requirements

PURPOSE

This technical requirement establishes processes for meeting the educational mandates for Recipient Rights Officers/Advisors set forth in Michigan Mental Health Code (herein referred to as the Code) and MDHHS/CMHSP Managed Mental Health Supports and Services Contract.

APPLICATION

Michigan Department of Health and Human Services Office of Recipient Rights (MDHHS ORR)
Community Mental Health Services Programs (CMHSPs)
Licensed Psychiatric Hospitals (LPHs)

I. POLICY

All staff employed or contracted to provide recipient rights services must successfully complete Basic Skills training as developed and presented by MDHHS ORR within 90 days of hire.

All staff employed or contracted to provide recipient rights services must receive education and training oriented toward maintenance, improvement or enhancement of the skills required to effectively perform the functions as rights staff annually as described in this technical requirement.

II. STANDARDS

A. Basic Skills Training

1. Basic Skills training consists of two parts:

a. Basic Skills Part I

This part provides participants with introductory knowledge of the laws and rules required to carry out the mandates of the Code and the activities necessary to operate an ORR office in compliance with applicable laws, rules, and standards.

b. Basic Skills Part II

This part provides participants with the skills related to investigation, report writing and processing as required by the Code.

2. Successful completion of both Basic Skills Part I and Basic Skills Part II is required for consideration in meeting this technical requirement. Individuals who do not successfully complete training will not be issued a certificate by MDHHS, so an employer of recipient rights staff should have written plan to ensure the effective delivery of rights protection in the event their employee is not certified.
3. Staff previously employed to provide rights protection at a different agency may contact MDHHS ORR to determine if a written waiver may apply.

B. Annual Training in Recipient Rights

1. All staff employed to provide recipient rights services must complete a minimum of 8 hours of training annually.
2. Training topics must be relevant to directly providing rights protection, in topics that assist in the effective operation of the rights office, or in areas that enhance the rights staff's knowledge of the delivery of behavioral health services.
3. All training courses or topics not directly presented or sponsored by MDHHS require prior approval from the MDHHS ORR Director of Education, Training, and Compliance utilizing the process described in section II.C. below.
4. Training completion can be verified through provision of a certificate of attendance, a copy of a training record, or a copy of an attendance/sign-in sheet.
5. Recipient rights staff should retain training verification documentation for a period of 4 years from the date of attendance. It is suggested that the following information be kept on file:
 - a. The title of the course or program and any identification number assigned to it by MDHHS ORR.
 - b. The number of hours completed.
 - c. The provider's name.
 - d. Verification of attendance by the provider.
 - e. The date and location of the course.
6. Training data must be reported annually to MDHHS ORR as detailed in Attachment C6.5.1.1 of this contract.
7. Compliance with this technical requirement will be assessed by MDHHS ORR during triennial recipient rights system assessments.

C. Training Approval Process

1. Requests for training approval must be submitted to the MDHHS ORR Director of Education, Training, and Compliance as expeditiously as possible but no later than 30 days before the end of each fiscal year to be included in training for that year.
2. Only trainings that meet the stated topic areas listed in II.B.2. above will be considered for approval. Training topics targeted to clinical service providers or trainings required by an agency or employer for its normal operations will not be considered as meeting recipient rights training.
3. Individuals requesting approval must submit:
 - a. The training topic.
 - b. A preprinted agenda or flyer if applicable.
 - c. The individual or agency presenting the training.
 - d. The date, time, and length of the training.
 - e. Training objectives.
 - f. A statement describing how the training meets standards as described above.
4. Requests must be submitted by clicking the [Application for Recipient Rights Training Approval](#) link. The link may also be found on the MDHHS ORR website.
5. The Director of Education, Training, and Compliance will review the request as expeditiously as possible to determine if the training meets the training requirements stated above. Written approval or notice of disapproval will be provided to the applicant.
6. Requests for reconsideration in the event a training is not approved must be submitted to the MDHHS ORR Director. The decision of the MDHHS ORR Director is final.

III. STATUTORY AUTHORITY

MCL 330.1755(2)(e)

Recipient Rights Training Standards Requirements for CMH and Provider Staff

PURPOSE

To establish consistent content for the training of new staff in the CMHSPs and their provider agencies. Establishment of these criteria is required to provide a standardized knowledge base to all staff that assures the rights of recipients are applied in a consistent manner across the state. This consistency should also enable various CMH agencies to accept the training of similar agencies and eliminate the need for redundant retraining.

APPLICATION

Michigan Department of Health and Human Services Office of Recipient Rights (MDHHS ORR)
Community Mental Health Services Programs (CMHSPs)
Licensed Psychiatric Hospitals (LPHs)

I. POLICY

The department shall review the recipient rights system of each community mental health services program in accordance with standards established under section 232a, to ensure a uniformly high standard of recipient rights protection throughout the state. For purposes of certification review, the department shall have access to all information pertaining to the rights protections system of the community mental health services program.

II. STANDARDS:

- A. Each office of recipient rights established by a CMHSP or hospital shall ensure that all individuals employed by the community mental health services program, contract agency, or hospital receive training related to recipient rights protection before or within 30 days after being employed.
- B. Training for newly hired agency and provider staff shall encompass the entirety of the core learning areas (Exhibit A).
- C. If provided or required, annual rights training may focus on any of the core learning areas.
- D. Agencies may require documentation of competency in these areas through testing.

III. AUTHORITY:

MCL 330.1753

MCL 330.1754(5)(j)

MCL 330.1754(5)(f)

Exhibit A: Core Learning Areas

Rights identified in the Mental Health Code
Abuse/Neglect
Choice of Mental Health Professional
Civil Rights
Communications & Visits, including mail and telephone
Confidentiality, including access to the record and correction
Consent/Informed Consent
Dignity/Respect
Entertainment Information & News
Family Planning
Family Rights
Fingerprinting, Photographs, Audio recording, or Use of 1-way Glass, including video surveillance
Freedom of Movement
Notice of Clinical Status
Performance of Labor
Person Centered Planning
Personal Property, including search
Physical and Mental Examination
Psychotropic Medications
Restraint and Seclusion
Safe, Sanitary, Humane Environment
Services Suited to Condition, including least restrictive setting
Treatment by Spiritual Means
Recipient Right System
Employee Rights
ORR Investigative Process
Overview of the Rights System
Reporting Requirements