

<b>Community Mental Health Partnership of Southeast Michigan/PIHP</b>	<b><i>Policy and Procedure</i></b> <b><i>Freedom of Movement</i></b>
<b>Department: Recipient Rights</b> <b>Author: Shane Ray</b>	<b>Local Policy Number (if used)</b>
<b>Regional Operations Committee</b> <b>Approval Date</b> <b>4/16/2020</b>	<b>Implementation Date</b> <b>5/15/2020</b>

**I. PURPOSE**

The purpose of this policy is to establish guidelines which ensure that recipients are entitled to maximum freedom of movement, and to clarify conditions for any limitation of movement.

**II. REVISION HISTORY**

<b>DATE</b>	<b>REV. NO.</b>	<b>MODIFICATION</b>
2/18/10	1.0	Full policy revision
4/10/12	1.1	Policy section updated
6/3/13	1.2	Template updated
1/6/17	1.3	Template Updated
2/13/20	1.4	3-year review No Content Changes

**III. APPLICATION**

This policy applies to all staff, students, volunteers, and contractual organizations receiving any funding directly or sub-contractually, within the provider network of the Community Mental Health Partnership of Southeast Michigan (CMHPSM).

**IV. POLICY**

It is the policy of the Community Mental Health Partnership of Southeast Michigan (CMHPSM) that recipients will receive mental health services in the least restrictive setting that is appropriate and available to ensure the safety of people and property.

**V. DEFINITIONS**

Community Mental Health Partnership Of Southeast Michigan (CMHPSM): The Regional Entity that serves as the PIHP for Lenawee, Livingston, Monroe and Washtenaw for mental health, developmental disabilities, and substance use disorder services.

Community Mental Health Services Program (CMHSP): A program operated under chapter 2 of the Mental Health Code as a county community mental health agency, a community mental health authority, or a community mental health organization.

Regional Entity: The entity established under section 204b of the Michigan Mental Health Code to provide specialty services and supports.

**VI. STANDARDS**

- A. Recipients' freedom of movement shall not be restricted more than is necessary to provide mental health services, to prevent injury to the recipient or others, or to prevent substantial damage to property.
- B. Security precautions may be taken if an individual is admitted by order of a criminal court or transferred as a sentence-serving convict of a penal institution, as determined appropriate to the condition and circumstance.
- C. If a limitation on the right to freedom of movement is imposed pursuant to an order of the court and the limitation substantially restricts the ability to carry out treatment or habilitation specified in the Individual Plan of Service, the court shall be so informed during the hearing process.
- D. Recipients shall have free access to areas suited for vocational, recreational or social activities unless limited by general restrictions or individual limitation of rights.
- E. Any individual limitation of recipients' freedom of movement shall be:
  - a. Justified in the clinical record.
  - b. Time-limited.
  - c. Removed when the circumstance that justified its implementation ceases to exist.
  - d. Implemented in compliance with CMHPSM policies Behavior Treatment Committee and Limitation of Rights.

**VII. EXHIBITS**

None

**VIII. REFERENCES**

Reference:	Check if applies:	Standard Numbers:
Michigan Mental Health Code Act 258 of 1974	X	330.1744
CMHPSM Policy: <u>Behavior Treatment Committee</u>	X	
CMHPSM Policy: <u>Limitation of Rights</u>	X	

**IX. PROCEDURES**

WHO	DOES WHAT
Licensed Residential Service Provider Specialized group setting provider Clinical/residential program provider	1) Ensures that any general restrictions are implemented in compliance with CMHPSM policy: <u>Limitation of Rights</u> .
Client Service Manager/Supports Coordinator	1) Ensures that any individual restriction of a recipients' freedom of movement is implemented in compliance with CMHPSM policies: <u>Limitation of Rights</u> and <u>Behavior Treatment Committee</u> .