

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

**I. PURPOSE**

The purpose of this policy is to establish guidelines regarding the performance of labor by recipients in residential settings and vocational services.

**II. REVISION HISTORY**

<b>DATE</b>	<b>REV. NO.</b>	<b>MODIFICATION</b>
4/20/10	1.0	Full policy revision
4/29/13	1.1	Template updated
1/5/17	1.2	Template Update
2/13/20	1.3	Standards update 3-year review

**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 CMHPSM that the performance of labor by recipients, whether paid or unpaid, shall be voluntary.

**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. The performance of labor by recipients, whether paid or unpaid, shall be voluntary.

- B. Recipients shall be compensated appropriately and in accordance with federal and state labor laws when performing labor which results in an economic benefit to another person or organization.
- C. A recipient may perform volunteer activities on behalf of an organization with a recognized volunteer program.
- D. A recipient shall not be paid for performing their own personal housekeeping chores, except as indicated in the recipient's Individual Plan of Service.
- E. A recipient may perform labor that contributes to the operation and maintenance of the residential facility for which the facility would otherwise employ someone only if all of the following apply:
  - a. The resident voluntarily agrees to perform the labor.
  - b. Engaging in the labor would not be inconsistent with the recipient's Individual Plan of Service.
  - c. The amount of time or effort necessary to perform the labor would not be excessive
  - d. In no event is discharge or privileges conditioned upon the recipient's performance of the labor.
  - e. The resident is compensated appropriately and in accordance with federal and state labor laws.
- F. One-half of any compensation to a recipient for work performed shall be exempt from collection as payment for mental health services.

**G. EXHIBITS**

None

**H. REFERENCES**

Reference:	Check if applies:	Standard Numbers:
Michigan Mental Health Code Act 258 of 1974	X	330.1736
MDHHS Revised Plan for Procurement of Medicaid Specialty Prepaid Health Plans	X	

**I. PROCEDURES**

WHO	DOES WHAT
Client Services Manager/Supports Coordinator	1) Ensures that recipient voluntarily agrees to perform the labor.  2) Ensures that labor performed by a recipient is consistent with both the therapeutic needs of the recipient and the dignity to which a recipient is entitled.  3) Ensures that the recipient's preferences regarding labor are addressed in the Individual Plan of Service, if applicable.

	<p>4) Ensures that the number of hours worked by the recipient is in compliance with all known and applicable labor laws and regulations.</p> <p>5) Ensures that recipient's labor does not interfere with other ongoing treatment or habilitation programs.</p>
Local Director/Designee	<p>1) Ensures that compensation for a recipient's labor is made in accordance with applicable federal and state laws.</p>